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**SITTING DAYS—2013**

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FORTY-THIRD PARLIAMENT
FIRST SESSION—EIGHTH PERIOD

Her Excellency Ms Quentin Bryce, Companion of the Order of Australia, Commander of the Royal Victorian Order

House of Representatives Office holders
Speaker—Ms Anna Elizabeth Burke MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Steven Georganas MP
Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Mr Darren Cheeseman MP, Mrs Yvette Maree D’Ath MP, Ms Sharon Joy Grierson MP, Dr Andrew Keith Leigh MP, Ms Kirsten Fiona Livermore MP, Mr Geoffrey Raymond Lyons MP, Mr Robert George Mitchell MP, Mr John Paul Murphy MP, Mr Robert James Murray Oakeshott MP, Ms Deborah Mary O’Neill MP, Ms Amanda Louise Rishworth MP, Mr Michael Stuart Symon MP, Mr Kelvin John Thomson MP, Ms Maria Vamvakinou MP, Mr Anthony Harold Curties Windsor 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. Julia Eileen Gillard MP
Deputy Leader—Hon. Wayne Maxwell Swan MP
Chief Government Whip—Hon. Joel Andrew Fitzgibbon MP
Government Whips—Ms Janelle Anne Saffin MP and Mr Ed Husic MP

Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Warren George Entsch MP
Opposition Whips—Mr Patrick Damien Secker MP and Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Chief Whip—Mr Mark Maclean Coulton MP
Whip—Mr Paul Christopher Neville MP

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<td>Wyatt, Kenneth George</td>
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**PARTY ABBREVIATIONS**

- ALP—Australian Labor Party
- LP—Liberal Party of Australia
- LNP—Liberal National Party
- CLP—Country Liberal Party
- Nats—The Nationals
- NWA—The Nationals WA
- Ind—Independent
- AG—Australian Greens

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<td>Senator the Hon Stephen Conroy</td>
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<tr>
<td>Minister Assisting the Prime Minister on Asian Century Policy</td>
<td>The Hon Dr Craig Emerson MP</td>
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<tr>
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<tr>
<td>Cabinet Secretary</td>
<td>The Hon Jason Clare MP</td>
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<tr>
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<td>The Hon Warren Snowdon MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
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<td>The Hon Wayne Swan MP</td>
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<td>The Hon Bill Shorten MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon David Bradbury MP</td>
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<td>The Hon Bernie Ripoll MP</td>
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<tr>
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<td>Mr Darren Chester MP</td>
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The SPEAKER (Ms Anna Burke) took the chair at 10:00, made an acknowledgement of country and read prayers.

PRIVATE MEMBERS' BUSINESS

Private Members' Motions

Reference to Federation Chamber

The SPEAKER (10:01): In accordance with standing order 41(g), and the determinations of the Selection Committee, I present copies of the terms of motions for which notice has been given by the honourable members for Riverina, Melbourne, Cowan, Kingston, Casey, Robertson, Ryan and Shortland. The matters will be considered in the Federation Chamber later today.

PETITIONS

Mr MURPHY (Reid) (10:01): On behalf of the Standing Committee on Petitions, and in accordance with standing order 207, I present the following petitions:

Falun Gong

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

This petition of certain citizens and residents of Australia draws to the attention of the House that Falun Gong is a peaceful meditation practice based on the principles of Truthfulness, Compassion and Tolerance. Falun Gong practitioners in China have been subjected to the most brutal and relentless persecution by the Chinese Communist regime since July 1999, causing thousands to lose their lives from illegal detention and systematic torture. Such conduct stands in blatant violation to all international human rights charters that the Chinese government has itself ratified. According to investigative reports published by human rights lawyer David Matas and former Canadian Secretary of State for the Asia Pacific, David Kilgour, tens of thousands of imprisoned Falun Gong practitioners have been subjected to forced organ harvesting for China's transplant market and lost their lives (www.organharvestinvestigation.net).

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

from 3,822 citizens and 5,122 citizens

Mayo Electorate: McLaren Vale and District War Memorial Hospital

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

This petition of concerned McLaren Vale, McLaren Flat, Willunga, Clarendon and Kangarilla residents, and certain citizens of Australia, draws to the attention of the House the cost impact of the carbon tax on the McLaren Vale and District War Memorial Hospital, and also the South Australian State Labor Government report which recommends cutting the hospital's funding by $1.5 million.

The carbon tax is expected to increase the hospital's operating costs, particularly electricity costs, and any decision by the South Australian State Labor Government to cut funding to the hospital would force the hospital to close.

We therefore ask the House to remove the burden of the carbon tax on the hospital and do all in its power to encourage the South Australian State Labor Government to continue funding the hospital.

from 4,729 citizens

Foreign Aid

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 one in every four children in the developing world suffers from stunting due to chronic malnutrition. The effects of stunting on a child's body and brain development are largely irreversible. Stunted children are more prone to illness and disease, are less likely to enrol in school or do well academically, and are more likely to end up in low-skilled employment or have no job at all.

from 3,622 citizens
As well as saving the lives of 7 million children over the past 10 years, foreign aid has helped fund nutrition interventions that have spared millions more children from stunting. We therefore ask the House to allocate 0.3 per cent of Australia's national income to overseas aid by 2015. The decision to delay the increase to 2016 means $2.9 billion less for the world's poor over the next four years which will see fewer children get the help they need for a better start in life.

from 89,789 citizens

Asylum Seekers

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

This petition of a number of members of St Bede's Parish Braidwood draws to the attention of the House the plight of children in Refugee Detention Centres. We are in solidarity with the words of Bishop Saunders of the Australian Catholic Social Justice Council. Bishop Saunders stated that 'no child should be detained indefinitely in any onshore or offshore facility' and that 'no person should be detained indefinitely in an environment which causes long term harm'.

We have particular concern for the children detained on Manus Island where they are at severe risk of contracting malaria and where they will be deprived of community care and support.

We therefore request the House of Representatives to do all in its power to ensure that families be removed promptly from Manus Island and that all children be released from detention centres into the community.

from 54 citizens

Hasluck Electorate: Radio Station

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

This petition of the people and businesses within the City of Swan region of Western Australia.

Draws to the attention of the House the fact that the Midland CBD is not represented by its own community radio station, a fact which highlights several existing anomalies with requirements of the Broadcasting Services Act.

We therefore ask the House to approach and, if necessary, require the Australian Communications and Media Authority (ACMA) to modify currently existing Licence Area Plans (LAP) to enable this progressive and rapidly developing region to have its' own radio voice and community service.

The House is advised of the recent application to ACMA by Swan City Community Radio Inc. to establish and provide a community radio service to this region. The City of Swan is geographically the largest local government area in WA and is understood to be the only region with city status within the metropolitan area without due representation via community radio.

The Midland CBD currently falls within the LAP of Kalamunda Community Radio (KCR), however the two regions fall within different local government areas with vastly different community profiles and KCR does not actively represent or cater for the Midland CBD community.

from 427 citizens

Embassy Assistance

To the Honourable the Speaker and members of the House of Representatives

This petition of citizens of Australia and Queensland- A citizen of Australia is seeking a passport but has problem of lack of help from office of Australia in London. We request said office assist Australian citizen even though he is stuck inside of Embassy of Ecuador. He is apparently with no criminal record anywhere. Papers should be sent to him at Embassy of Ecuador. This is hereby requested by all signed below. Officials if necessary will be welcomed in Embassy. Australian staff in London are requested to do as requested to help with passport.

from 17 citizens

University of Newcastle

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

This petition of the staff, students and residents of the University of Newcastle, Callaghan, NSW draws to the attention of the House that this community is left without reasonable access to
Pharmaceutical Benefits Scheme (PBS) prescriptions dispensed by a pharmacy on campus, approved under section 90 of the National Health Act 1953, due to an unintended consequence of the application of the pharmacy location rules. This leaves a community of 24,652 students (including 980 living on campus), 2,723 permanent and 2,478 part-time staff without reasonable access to PBS services. This includes a large number of key groups (e.g. culturally diverse groups and people with disabilities) who are unfamiliar with or unable to access government subsidised services, like the PBS, outside of the university's service delivery support network.

We therefore ask the House to remedy this lack of reasonable access to pharmaceutical benefits for staff and students at the University of Newcastle by requesting the Minister for Health to exercise the Discretionary Power to approve the proposed pharmacy at shop 11 0b, Level 1, Shortland Building, University of Newcastle, Callaghan, NSW, 2308.

from 3,725 citizens

Prostate Cancer
To the Honourable The Speaker and Members of the House of Representatives

This petition of an 81 year old survivor of prostate cancer and surgical castration draws to the attention of the House: the continuing use of the outmoded and unnecessary procedure of surgical castration as a treatment for prostate cancer and the severe physical and emotional harms resulting therefrom.

We therefore ask the House to: enquire into and take such action as may lead to the abolition of this procedure within Australia.
from 1 citizen

Parliamentary Zone: Parking
To the Honourable The Speaker and Members of the House of Representatives

This petition of the undersigned draws the attention of the House to the ongoing lack of adequate parking and public transport in the Parliamentary Zone. This was most recently brought to our attention by the decision of the National Capital Authority (NCA) to close the Patrick White Lawns car park and remove around 400 parking spaces without consultation.

We therefore ask the House to request the Minister for Regional Australia, Regional Development and Local Government and Minister for Arts and Sport, the Hon. Simon Crean, to seek urgent advice from the NCA as the chair of the Inter-Governmental Committee on Parking, on the implementation plan for parking and public transport in the Parliamentary Zone. We also respectfully request that the Minister direct the NCA to consult with relevant stakeholders on this plan.
from 2,132 citizens

Petitions received.

PETITIONS

Responses

Mr MURPHY (Reid) (10:03):

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

Live Animal Exports

Dear Mr Murphy

Thank you for your letter of 28 November 2012 enclosing a petition submitted for the consideration of the House of Representatives Standing Committee on Petitions regarding live animal exports from Australia to the Middle East.

The Minister for Agriculture, Senator the Hon Joe Ludwig, is the minister responsible for the matters raised in the petition. I am advised that Senator Ludwig will lodge a written response with the petitions committee.

from the Minister for Trade and Competitiveness, Dr Emerson

Dear Mr Murphy

Thank you for your letter of 29 November 2012 enclosing a petition submitted for the consideration of the House of Representatives Standing Committee on Petitions regarding live animal exports from Australia to the Middle East.

I understand the expectation that, as Minister responsible for the matters raised in the petition under Standing Order 209(b), I will lodge a written response with the petitions committee.
Please accept the following as my response for consideration by the committee, presentation to the House, recording in Hansard and posting on the committee's website.

Over the last eighteen months, the Government has worked with the livestock export industry to raise standards and increase control and oversight. The new regulatory system for the export of feeder and slaughter livestock, the Exporter Supply Chain Assurance System (ESCAS), aims to ensure that exported Australian livestock are treated in accordance with the international animal welfare standards set by the World Organisation for Animal Health (OIE) throughout the entire supply chain. ESCAS sets the highest animal welfare standards for exported livestock anywhere in the world.

The Government understands and shares the community's concerns about the welfare of Australian livestock exported for feeder or slaughter purposes, particularly in light of the recent culling of the consignment of Australian sourced sheep in Pakistan. Animal welfare remains a top priority for the Government in our livestock trade.

Throughout the events in Pakistan, the Government sought through senior-level representations to prevent the culling and maintained its evidence-based position that the sheep were fit and healthy for human consumption. The Department of Agriculture, Fisheries and Forestry (DAFF), as the industry regulator, is undertaking an investigation of the alleged ESCAS non-compliance and will make the results of the investigation public when it is completed. All relevant information is being considered to determine if regulatory action against the exporter is warranted, and if it is, what it should entail. The events that took place were distressing not only to the Australian community, but the industry and government alike. It is important to recognise however that this was an isolated incident that is not a reflection of the trade as a whole.

In addition, it is also important to note that, as a result of ESCAS, Australian sheep for the Islamic festival Eid al Adha were required to be processed in OIE compliant abattoirs in the Middle East and over 80 per cent of cattle being slaughtered in Indonesia are now stunned before slaughter.

As well as helping to raise animal welfare standards internationally, ESCAS ensures the viability of a trade that is worth $1 billion a year to the economy and provides 10,000 jobs in regional communities. The system enables industry and the government to identify individual supply chains, enforce improvement in supply chain processes and ensure that exporters are held accountable for animal welfare outcomes. If incidents do occur, there is now a mechanism for DAFF to investigate allegations of animal welfare breaches and take regulatory action where appropriate.

Suggestions that the live trade could be completely replaced by chilled and frozen meat fail to take into account the requirements of the market and the problems sourcing skilled labour and transport solutions in remote Australia. While Australia has developed a boxed meat trade, the lack of refrigeration and cold chain facilities in some export markets, as well as strong cultural preferences for freshly slaughtered meat, precludes Australia from currently servicing all of its markets with processed meat products.

I thank you and the committee for your interest in this important issue. For more information about the ESCAS regulatory framework and results of investigations please go to www.daff.gov.au/aqis/export/live-animals/livestock/escas.

from the Minister for Agriculture, Fisheries and Forestry, Senator Ludwig

People Trafficking

Dear Mr Murphy

Thank you for your letters of 23 August 2012 to the Minister for Home Affairs and Justice, the Hon Jason Clare MP, and the Minister for Families, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP, about a Petition recently submitted for the consideration of the Standing Committee on Petitions regarding Australia's international obligations under Article 6.6 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Trafficking Protocol).
I note that the Minister for the Status of Women, the Hon Julie Collins MP, has responded on behalf of Minister Macklin as the Commonwealth's Support for Trafficked People Program falls within Minister Collins' portfolio responsibilities. I am responding to your letter as criminal justice policy and matters involving slavery, slavery-like practices and people trafficking pertain to my portfolio responsibilities.

I note the petitioners' concerns regarding the welfare of victims of people trafficking. The Government shares these concerns. People trafficking, slavery and slavery-like practices are heinous crimes and serious violations of human rights. As a result, the Government has a comprehensive strategy in place to target people trafficking in all its forms. The measures under this strategy address the full cycle of trafficking from recruitment to reintegration and reflect the four central pillars of Australia's anti-people trafficking strategy: prevention; detection and investigation; prosecution; and victim support and protection.

As you would be aware, Australia ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Trafficking Protocol), which supplements the United Nations Convention against Transnational Organized Crime (UNTOC), in 2005. The Australian Government takes its international obligations, including those under the Trafficking Protocol, very seriously.

Article 6.6 of the Trafficking Protocol states that each Party shall 'ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered'. Under Australia's domestic legal system, compensation for victims of crime is a matter for States and Territories. Each State and Territory has a victims' compensation scheme, which may be available to victims of people trafficking, slavery and slavery-like practices. I note that a number of these victims have accessed compensation from these State and Territory schemes.

As such, the Government's view is that Australia has implemented Article 6.6 of the Trafficking Protocol. Given these considerations, the Government does not support establishing a Commonwealth victims' compensation scheme at this stage.

Thank you for drawing the Petition to my attention. I trust this information is of assistance.

from the former Attorney-General, Ms Roxon

Fisheries

Dear Mr Murphy

Thank you for your letter of 23 August 2012 to the Minister for Agriculture, Fisheries and Forestry, Senator the Hon Joe Ludwig, concerning petition no. 697/1128, submitted to the Standing Committee on Petitions in relation to the proposed network of marine parks in Australia's Exclusive Economic Zone. Given the matter largely concerns an area of my portfolio, Senator Ludwig referred your letter to me for advice. I appreciate your letter and regret the time it has taken to reply.

Forty new Commonwealth marine reserves came into effect on 17 November 2012. They comprise the Coral Sea Commonwealth Marine Reserve and the South-west, North-west, North and Temperate East Commonwealth Marine Reserves networks. The process to develop the reserves has involved extensive public consultation, has been based on the best available science and underpinned by independent socio-economic research.

For the first time, examples of the diverse range of marine ecosystems and habitats in Commonwealth waters and the biodiversity they support, have been included in Australia's reserve network. The new Commonwealth marine reserves add more than 2.3 million square kilometres to Australia's marine reserve estate, resulting in a total area of 3.1 million square kilometres of Commonwealth waters being managed primarily for biodiversity conservation.

The Commonwealth marine reserves network has been developed based on the 1998 commitment by the Australian, state and territory governments to establish a National Representative System of Marine Protected Areas (NRSMPA). A representative system of marine protected areas is one that includes example of
the biological diversity of the marine environment, i.e. its species, communities, habitats and ecosystems, irrespective of whether these are under threat. A representative system, such as the one that Australia has been developing over a long period, provides an insurance policy against unintended consequences of human activities and against large scale impacts such as those arising from global climate change. Such systems strengthen the health and resilience of ecosystems and in doing so enhances their capacity to withstand and adapt to pressures.

The Goals and Principles for the Establishment of the NRSMPA in Commonwealth waters were developed to guide the identification of areas representative of the diverse ecosystems and habitats in Commonwealth waters. They provide guidance about how to design regional networks of marine reserves that meet the principles of 'comprehensiveness', 'adequacy' and 'representativeness'. There are four goals and twenty principles.

The four goals set out what features should be included in a representative network. Goal 1 indicates that marine reserves networks should include examples of all provincial bioregions occurring in a marine region. Goal 2 indicates that the networks should include all oceans depths within each provincial bioregion (on the basis that different biological communities live at different depths). Goal 3 indicates that the networks should include examples of all types of marine benthic and demersal biological features known to occur at a sub-provincial scale (for example, the key ecological features identified through the marine bioregional planning program). Goal 4 indicates that examples of the different types of physical seafloor features should be included in the reserve networks (for example, underwater seamounts, canyons, and plains, as different ecological communities associate with different types of seafloor habitats). The twenty principles have further guided the design of the networks, based on ecological and policy considerations (for example, one principle states that, wherever possible, biodiversity features should be represented more than once; another principle is that the four goals should be met at the least socio-economic cost).

The Commonwealth marine reserves network was developed through an extensive planning and public consultation process. Over 600,000 people provided comment during the various stages of consultation; with the vast majority of comments supporting the creation of marine reserves. There were a number of key steps in the process, which drew on the best available scientific information and advice and included opportunities for public input and consultation with stakeholders from the diverse industries and interests in Australia's marine environment. The key steps were:

- development and release of Bioregional Profiles for the South-west Marine region, the North Marine region, the North-west Marine region and the East Marine region (the East Marine Bioregional Profile included both the Temperate East and Coral Sea marine regions) between October 2007 and May 2009;
- the identification and release of Areas for Further Assessment between May 2009 and March 2010. The release of the Areas for Further Assessment was followed by the gathering of more information by the Department of Sustainability, Environment, Water, Population and Communities (the department) about activities in these areas, as well as targeted consultation with marine industries and other interests to ensure that options for the location of reserves were developed with a sound understanding of their socio-economic implications;
- the release of draft marine reserves network proposals which were subject to periods of consultation of 90 days in each region between May 2011 and February 2012. Over 2000 people attended meetings in coastal centres around Australia and over 500,000 submissions were received.
- announcement of the final Commonwealth Marine Reserves Network proposal on 14 June 2012, followed by a period of public comment between July and September 2012. Over 80,000 comments were received, with a large majority expressing support for the proposal; and
- following consideration of a report from the Director of National Parks on the comments...
received, the reserves were proclaimed under Australia's national environmental law and came into effect on 17 November 2012.

The Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES) was commissioned to undertake a socio-economic assessment of the potential of impacts of the reserves network proposals in each of the five regions. In each region, ABARES consulted with, and was guided by, a working group comprising representatives from state/territory governments, fishing industry bodies and the department. In conducting the assessments, ABARES analysed the catch history data held by fisheries management agencies for all commercial fisheries that would be potentially displaced from the proposed marine reserves. The ABARES assessments included a range of statistical analyses, social impact assessments, economic modelling and case studies to provide a variety of perspectives on potential impacts.

As well as drawing on data from fisheries logbooks, ABARES obtained additional information by conducting a series of surveys, interviews and focus groups. The analyses undertaken by ABARES informed the Australian Government's decisions on the final network proposal and were summarised in the Regulatory Impact Statement (RIS), which was developed in consultation with the Office of Best Practice Regulation.

ABARES concluded that the impacts of the draft and final marine reserves network proposals on economic activity and overall fisheries production were small to moderate, with around one per cent of annual average catch likely to be displaced. However, the government has recognised that some fisheries, businesses, communities and individuals could be significantly affected by the proposed marine reserves networks and has announced that a fisheries adjustment assistance package will be delivered to support implementation of the proposed reserves. The ABARES analysis indicates that amendments made to the draft networks following public consultation resulted in an overall reduction in the total estimated displacement of fishing catch.

The displacement of catch likely to arise from the new marine reserves (estimated to be up to 1,530 tonnes) is similar or smaller than the seasonal variations in catch experienced by Australia's wild catch sector over the last two years for which data is available (decline of 9,235 tonnes between 2007-08 and 2008-09 and decline of 921 tonnes between 2008-09 and 2009-10). The extent to which product sourced from the proposed marine reserves is consumed locally or exported is unclear. The estimates of catch displaced also do not take account of the potential for the industry to recover the lost supply in other areas where it is ecologically and economically sustainable to do so. Given these factors, the level of catch estimated to be displaced by the proposed reserves seems unlikely to have any significant impact on the supply chain either in Australia or overseas.

Declaration of the new marine reserves is a major achievement for the long-term conservation and sustainable use of Australia's oceans and has been achieved with modest impacts on industry and recreational users. Excluding the waters of the Great Barrier Reef Marine Park, about 96 per cent of Commonwealth waters within 100 km of shore will remain open to recreational fishers. The petroleum industry continues to have access to Australia's most prospective offshore areas for exploration and development, while not being permitted to access the Coral Sea or other highly protected areas.

The reserves within each network will be managed under a network management plan, similar to the South-east Network Management Plan, a draft of which has recently been subject to public comment. While management plans for the new reserve networks and the Coral Sea Commonwealth Marine Reserve are being developed, transitional management arrangements will be in place. This means that until the new management plans come into effect on 1 July 2014, there will be no "on the water" changes for users in the new areas added to the Commonwealth marine reserve estate. The current management arrangements for pre-existing reserves (or areas within new reserves that were formerly reserves) will remain in place until the new management plans come into effect.
Further information on the final Commonwealth marine reserves network is available at www.environment.gov.au/marinereserves.

Thank you for bringing the petition to my attention.

from the Minister for Sustainability, Environment, Water, Population and Communities, Mr Tony Burke

National Container Deposit Scheme

Dear Mr Murphy

Thank you for your letter of 17 September 2012 to the Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, concerning the Standing Committee on Petitions' consideration of a petition for the introduction of a container deposit scheme for beverage containers (698/1138). Your letter was forwarded to me as the matter you raised falls within my portfolio responsibilities.

Australia's environment ministers have been actively looking at ways to better manage packaging waste and litter. Following the completion of preliminary studies, environment ministers agreed in July 2010 to develop a Regulation Impact Statement (RIS) on options to increase packaging resource recovery and decrease packaging litter, including both industry-managed co-regulatory approaches and national Container Deposit Legislation (CDL).

Consistent with Council of Australian Governments (COAG) requirements, a full and thorough analysis of the impacts and potential costs and benefits of regulatory options must occur before governments introduce new arrangements. The COAG RIS process has two stages. Firstly, a Consultation RIS is developed and released for public comment. Secondly, on the basis of public feedback, a Decision RIS is prepared and provided to ministers to inform their decision making.

In 2010, when they agreed to commence the RIS on options to address the environmental impacts of packaging, environment ministers made a commitment that the process will be "transparent and consultative". Accordingly, there was considerable stakeholder consultation undertaken during the development of the Consultation RIS. In addition to ongoing engagement with stakeholders, an initial workshop to scope parameters was held in December 2010, with a follow-up workshop in July 2011 to further refine the options selected for analysis.

The Standing Council on Environment and Water (SCEW) released the Packaging Impacts Consultation RIS for public comment on 7 December 2011. The Consultation RIS examined seven options, including two CDL models. During the consultation period, public forums were held in capital cities as well as three regional centres (Bunbury, Townsville and Albury). In total around 250 people attended the sessions.

The closing date for public submissions was 30 March 2012. A total of 197 substantive submissions were received, expressing mixed views on the options presented in the Consultation RIS. In addition, around 3,000 campaign submissions were received with a form message in support of a national CDL. Almost all submissions identified a need to take action to address packaging waste and litter and a large number suggested that industry should take greater responsibility for the environmental impacts of packaging.

When SCEW met on 24 August 2012, ministers carefully considered the submissions received during the consultation process and committed to progressing to a Decision RIS to provide a more detailed analysis of the potential impacts of the options.

In response to consultation feedback, ministers agreed to include three further options in the Decision RIS. In total the Decision RIS will consider ten options, three of which are CDL models. One of the new options will be a national CDL model based on the existing South Australian system.

The Australian Government is committed to ensuring that options for better managing packaging waste and litter are properly considered through the formal process. It would be premature for the government to make a
decision on a particular regulatory option before the current COAG RIS process is concluded.

Thank you for the opportunity to respond to the petition.

from the **Minister for Sustainability, Environment, Water, Population and Communities**, Mr Tony Burke

**Australian Army History Unit**

Dear Mr Murphy

Thank you for your letter of 29 October 2012 concerning the petition on budget cuts to the Australian Army History Unit.

The 2012-13 Defence Budget was developed following a comprehensive review of the Department's budget to identify contributions Defence could make across the Forward Estimates to support the Government's broader fiscal strategy of achieving a surplus in 2013-14. In these times of global fiscal restraint, many Australian Government departments and agencies are being asked to contribute to maintaining Australia's strong fiscal position and Defence must also play its part.

Defence's contribution to the Government's fiscal strategy will have no adverse impact on operations in Afghanistan, East Timor or the Solomon Islands. The provision of equipment to Defence personnel on operations will not be adversely affected. There will also be no adverse impact on the number of military personnel in the Australian Defence Force.

To put the budget reductions in perspective, in 2009-10, the Labor Government, for the first time, budgeted over $100 billion for Defence across the Forward Estimates. Last year in the 2011-12 Portfolio Additional Estimates Statements, Defence's Budget across the Forward Estimates period was $103.4 billion. In this Budget, the Government has budgeted $103.3 billion for Defence across the four year Forward Estimates period.

This level of funding will maintain Australia's status in the top 15 nations in terms of world Defence expenditure, along with Canada either 13th or 14th in that list.

The Army discretionary budget was reduced as part of Defence's budget reduction. Army's budget reductions were focussed to minimise the impact on military capability in support to operations. Accordingly, Army reduced the budget of many discretionary areas.

This year's reduction in funding has to been seen in the context of an additional $675,000 that was provided for work brought forward from this financial year into 2011-12. This increased the total 2011-12 budget for the Army History Unit to $3.4m and effectively offset some of the reductions this financial year.

The Australian Army History Unit has a budget of $1.3m this financial year. The reduction in budget has been achieved by some reduction in the publishing program, introducing e-book technology, and holding the Chief of Army History Conference on a biennial basis.

The Australian Army History Unit will remain an important part of Army for years to come. The Army remains committed to military history and will conduct a Chief of Army Military History Conference in 2013. It will also retain the Military History Grants Scheme.

Cambridge University Press will produce three new titles this financial year under the Australian Army History Series imprint. The Army is appreciative of the need for the publishing of Australian military history to continue, and is considering the increased use of electronic technology as a more effective means of promoting military history. The use of electronic technology allows Army to continue to publish Australian military history, while simultaneously making a significant and long-term cost saving.

The Chief of Army, Lieutenant General David Morrison AO, spoke to the National Security Institute on 26 October and said, "We (Army) have steadily rebuilt our capital base through prudent investment by this Government and the previous government since the East Timor crisis of 1999. We are far better equipped than we have been at any time during my career and we are in the midst, budget constraints notwithstanding, of the most significant re-equipment program since the end of the Vietnam War".

I hope this information is of assistance.

from the **Minister for Defence, Mr Stephen Smith**
Australia Post: Agents Licensing

Dear Mr Murphy

Petition - request for post office at Lakeside Estate, Pakenham

Thank you for your letter dated 10 October 2012 concerning a petition submitted for the consideration of the Standing Committee on Petitions requesting a post office licence to be granted within the Lakeside Estate, Pakenham, Victoria.

Under the Australian Postal Corporation Act 1989, Australia Post is responsible for the day-to-day running of the organisation, including all decisions relating to its operational network. As a Government Business Enterprise, Australia Post does not receive any funding from taxpayers and, as far as practicable, it is required to perform its functions in a manner consistent with sound commercial practice.

Australia Post has advised that it regularly reviews and makes adjustments to its retail network based on emerging or changing customer needs. In determining whether additional retail outlets are required, a number of factors are taken into account. These include the location and viability of existing outlets in the vicinity, the changing distribution of population and the volume of business likely to be transacted at all outlets, should there be a change to the network.

With customer numbers visiting post offices across Australia in decline, Australia Post must be sure that any new outlet would generate enough new business to be financially sustainable.

Australia Post has reviewed postal services in Pakenham and its Victorian administration has advised that the likely level of new business to be gained from the establishment of a retail outlet in the Lakeside Estate would be insufficient to justify action at this time. Lakeside Estate residents currently have access to postal services from the Pakenham Post Office, which is located approximately 2.9km away, and from the Officer Licensed Post Office (approximately 3.9km away).

While noting Pakenham's population growth since 2006, Australia Post has advised that there has been no corresponding increase in customer patronage at the Pakenham Post Office. Customer numbers have dropped year-on-year since 2008/2009 and Australia Post believes demand for postal services would be insufficient to make any new outlet financially viable.

Australia Post considers that the Pakenham Post Office is able to handle existing customer demand. While queues will be evident at some peak times, staffing is considered adequate to serve current customer numbers. The recent installation of self-service terminals will assist customer flows and reduce customer waiting times.

Australia Post has reviewed all the circumstances of this matter and has advised that it is satisfied that the existing postal facilities are adequately meeting the community's reasonable needs. While Australia Post does not have any plans to establish a new retail outlet in Pakenham in the immediate future, its Victorian Retail Sales and Service Unit will continue to monitor the area to ensure its network remains appropriately configured.

I trust this information will be of assistance.

from the Minister for Broadband, Communications and the Digital Economy, Senator Conroy

Research and Development

Dear Mr Murphy

Thank you for your letter of 31 October 2012 concerning the petition requesting that science and research funding be maintained.

The Gillard Government believes that science and research is central to an innovative and smart Australia which is why the government has maintained record investment in science.

Despite difficult fiscal conditions, the Mid-year Economic and Fiscal Outlook (MYEFO) report reaffirmed the government's commitment to support high quality research by ensuring no change to the $880 million allocated to the Australian Research Council (ARC) or the $771 million National Health and Medical Research Council (NHMRC) grants funding. I am also pleased to confirm that Cooperative Research Centres grants will be allocated in full in 2012.

In the university sector alone the government has invested more than $43.2 billion in core
university funding from 2008-2011. This is a 50 per cent increase on the previous four years under the Howard Government. In the four years from 2012-2015 we will invest a further $58.9 billion in universities.

Science and research has also benefited from historically high levels of government funding. The Gillard Government have invested almost $9 billion in science, research and innovation in 2012-13, an increase of 35 per cent since 2007.

These investments will provide funding for new research training opportunities, help researchers pursue their careers in Australia, and ensure that vital collaboration between researchers and industry partners can proceed. The Gillard Government's continued investment in the best and brightest researchers will help ensure that Australia remains at the forefront of science and research.

On 19 October 2012 the Minister for Health, the Hon Tanya Plibersek MP, announced $652 million in funding for 1,141 new NHMRC grants for ground-breaking medical research across Australia.

On 22 October 2012, the ARC announced the opening of Linkage Projects proposals for funding commencing in 2013. On 5 November 2012, I announced almost $360 million in funding for new research projects under the ARC's National Competitive Grants Program (NCGP). The research projects will begin in 2013. In addition, I announced $3.2 million in funding to Queensland University of Technology as the lead organisation for an Aboriginal and Torres Strait Islander Researchers' Network funded for four years under the NCGP Special Research Initiatives scheme.

I trust the information provided is helpful.

from the former Minister for Tertiary Education, Skills, Science and Research, Senator Evans

Parliamentary Behaviour

Dear Mr Murphy

Thank you for your letter of 31 October 2012, inviting my response to a petition presented to the House, from the National Council of Women of Australia expressing concern about standards of behaviour in the House.

As Speaker, I have strongly advocated high standards of behaviour of members at all times. I have written to the Chief Whips of all parties, to the Member for Melbourne and to the non-aligned members, so that the terms of the petition can be provided to all members. I have also taken the opportunity to restate my commitment to high standards of behaviour of members of the House. In addition, I have commended to members a discussion paper of the House Standing Committee of Privileges and Members' Interests of 23 November 2011, Draft Code of Conduct for Members of Parliament, for their further information and guidance.

Thank you for bringing this matter to my attention.

from the Speaker of the House of Representatives, Ms Anna Burke

Parkinson's Disease

Dear Mr Murphy

Thank you for your letter of 26 November 2012 regarding a petition requesting funds for clinical research into Parkinson's disease and the development of medication and treatment to improve the quality of life for Australians with Parkinson's disease.

The National Health and Medical Research Council (NHMRC) is the Australian Government's peak funding body for health and medical research. NHMRC invests in research through a variety of funding mechanisms including investigator-initiated research projects and clinical trials, broad programs of research, training awards for scholars and postdoctoral fellows, career research fellowships and special strategic research programs.

In the period 2001-2012, NHMRC has provided $62.8 million to fund 362 grants for research into Parkinson's disease. This has included annual funding of over $7 million a year for each of the past five years. Given this, we can expect that research into Parkinson's disease will continue to attract substantial Commonwealth funding.
The Commonwealth also provides extensive assistance for medications for, and the treatment of, Parkinson's disease.

In 2011-12 over $51 million was spent on medications used in the treatment of Parkinson's disease through the Pharmaceutical Benefits Scheme. This Scheme provides access to a wide range of medicines for all Australians, at a substantially subsidised rate.

There are a range of Medicare items that support people with chronic and complex health needs, including those living with Parkinson's disease, and provide remuneration for medical practitioners, including GPs, to spend more time with their patients. These include items for health assessments, medication management, case conferencing, chronic disease management and time-based GP consultations which yield higher rebates for longer consultations.

As the petition highlights, Parkinson's disease is the second most common neurological condition in Australia. It is complex, disabling and costly for those who suffer from it, and is difficult for their carers and families. I hope this information illustrates the extent to which the Commonwealth is providing assistance to Australians with Parkinson's disease and how it is aiming to reduce their medication and treatment costs. In addition, substantial research funding is being provided to develop a better understanding of this condition, and new and better ways to treat and manage it.

Once again, thank you for writing.

from the Minister for Health, Ms Plibersek

Pension Assistance

Thanks for your letter of 29 November 2012, about a petition recently submitted for the consideration of the Standing Committee on Petitions regarding pension eligibility for extended absences from Australia.

The Department of Human Services delivers payments and services on behalf of a range of government departments and agencies. The policy and legislation for payments and services during overseas absences falls within the portfolio responsibilities of the Minister for Families, Community Services and Indigenous Affairs, the Hon Jenny Macklin MP. I have referred your correspondence to the office of Minister Macklin for consideration.

Once again, thank you for writing.

from the Minister for Human Services, Senator Kim Carr

PETITIONS

Statements

Mr MURPHY (Reid) (10:04): As we start the parliamentary year I will open with some basic refreshers on the House petitioning requirements, and the timing constraints on petitions in this last year of the 43rd parliament. Speaker, as you know, petitions must be prepared with care because the House has rules which govern petitions and which the Petitions Committee uses to assess petitions for compliance. These help to ensure the authenticity of petitions and protect those who sign them.

I will now outline the basic requirements—further information is available through the Committee's website, the secretariat and members' offices. A petition to the House must:

- Be addressed to the House of Representatives;
- Refer to a matter on which the House has the power to act—so a federal legislative or administrative matter only;
- State the reasons for petitioning; and
- Contain a request for action to be undertaken by the House.

A petition must meet these rules:

- The address to the House, reasons for the petition, and the request—which must not exceed 250 words—are written on the first page of a petition, followed by the full name, address and original handwritten signature of the principal petitioner;
• The language used must be moderate and the terms cannot be illegal or promote illegal acts;
• The specific request on the first page must appear on subsequent pages, followed by original handwritten signatures; and
• A petition must not be amended after signature collection.

Given we expect the House will be dissolved in August, this means that there are five further opportunities for petitions to be presented at this time by me in my capacity as chair. Therefore, not only is it important for petitioners to be conscious of the rules surrounding petitioning; they should also be conscious of the time constraints of the parliamentary calendar, the timing of their signature collection and delivery of the petition to the committee. Petitions cannot be assessed, presented or referred to a minister during a parliamentary recess or caretaker period. But a petition does not lapse; it will be received and held for assessment when sittings recommence. Thus, petitions received after the committee's last meeting in the 43rd Parliament will be tabled in the House after assessment by the committee of the 44th Parliament some months later.

These timing constraints obviously also apply to members who may present compliant petitions at certain times. I therefore urge all members who receive petitions to deliver them to the committee for processing as soon as possible; and, if they choose to present a petition, to do so as quickly as practicable after it has been certified. The timing of presentation is important, because the most significant follow-up action—a referral to a minister—can only occur after a petition is presented. Therefore, if a member finds that they are no longer able to present a petition, they should return to the committee so it can be presented in this regular presentation timeslot on sitting Mondays.

With the remainder of this parliament providing a shorter period for a petition to go through its cycle of assessment, presentation, referral and, finally, the tabling of a ministerial response, petitioners need to be aware that some petitions prepared in the 43rd Parliament may not be tabled or responded to in this parliament. So the key message is to prepare and submit petitions early.

I take this opportunity to wish all members of the Chinese community a happy Chinese New Year in the Year of the Snake. Kung hei fat choy.

The SPEAKER: I thank the member for his cultural awareness of a rather large, important event for the Chinese community over the weekend.

COMMITIES
Intelligence and Security Committee Report
Mr Byrne (Holt) (10:08): On behalf of the Parliamentary Joint Committee on Intelligence and Security, I present the Annual report of committee activities 2011-2012.

Reviewing administration and expenditure on an annual basis is one of the primary functions of the committee. Section 29 of the Intelligence Services Act stipulates that the committee has an obligation to review the administration and expenditure, including the annual financial statements, of the Australian intelligence community (AIC).

On 18 June 2012 the committee tabled its Review of administration and expenditure No. 9, 2009-2010.

This review examined a wide range of aspects of the administration and expenditure of the six intelligence and security agencies,
including the financial statements for each agency, their human resource management, training, recruitment and accommodation. In addition the review looked at issues of interoperability between members of the AIC.

Submissions were sought from each of the six intelligence and security agencies, from the Australian National Audit Office (ANAO) and from the Inspector-General of Intelligence and Security (IGIS).

The committee also received five submissions from members of the public or public organisations which included:

- Asylum Seeker Resource Centre
- Brigidine Asylum Seekers Project
- RISE.
- Refugee Council of Australia

These submissions all dealt with ASIO security assessments of refugees.

On 25 March 2011 the committee held a private hearing at which ASIO, ASIS, DSD, DIGO, ONA and DIO appeared before the committee. On 16 June 2011 the committee held a public hearing—its first since July 2006—and heard from representatives of the Refugee Council of Australia, RISE (Refugees, Survivors and Ex-Detainees), the Asylum Seeker Resource Centre and ASIO in relation to visa security assessments.

The committee took very seriously the concerns put before it by various refugee and asylum seeker advocacy groups but it also recognised that the job of ASIO is a very difficult one. Therefore, the committee welcomed the efforts, introduced by ASIO on 1 March 2011, to streamline the process of security assessments in an attempt to clear the backlog and to process future assessments in less time. The committee was satisfied that the current regime for visa security assessments is the correct one and noted that the IGIS has stated that ASIO is doing its job in a 'proper and legal manner'.

Overall, the committee was satisfied that the administration and expenditure of the six intelligence and security agencies is sound, although I would draw members' attention to section 1.32 of the report about the committee's 'concerns raised in relation to the efficiency dividend' impact on agencies' during the review. One thing about this committee is that we have a very close working relationship with the intelligence agencies, and I am here to tell this chamber that, if this committee feels the efficiency dividend starts affecting the operability of the intelligence agencies in discharging their duties, then it will bring it to the parliament's attention. So we will be having further reports, reviews of administration and expenditure Nos 9 and 10. But I just wanted to flag that particularly crucial point.

There were two reports on the listing of organisations as terrorist organisations that were tabled in the period under review. The two reports dealt with 11 organisations, comprising 10 relistings and one initial listing.

The reports were:

- review of the listing of Al-Qa'ida in the Arabian Peninsula (AQAP) and the re-listing of 6 terrorist organisations; and,
- review of the re-listing of Ansar al-Islam (AAI), Islamic Movement of Uzbekistan (IMU), Jaish-e-Mohammad (JeM) and Lashkar-e-Jhangvi (LeJ) as terrorist organisations.

The committee did not recommend disallowance of any of the regulations in relation to the 11 organisations.

I would also like to thank the very hardworking secretariat—Jerome Brown, Robert Little, Jessica Butler and Sonya Gaspar—and my deputy chair, the member
for Berowra, sitting over there. It is wonderful having the former Attorney-General for his counsel, wisdom and advice on these matters. It is a bipartisan committee. It works very hard to be a bipartisan committee to work in the national interest.

The other thing I would like to say is in terms of various assertions about the committee that I have heard. The committee discharges its duty very carefully. It does so, as I said, in a bipartisan manner, balancing national security interests and privacy interests at the same time. It will continue to do so in any subject matter that it is charged with looking at.

So I thank the secretariat; I thank all of the committee members. I look forward to hearing the deputy chair's contribution on this particular report.

In accordance with standing order 39(f) the report was made a Parliamentary paper.

Mr RUDDOCK (Berowra) (10:13): I thank the chair for his very generous comments. I am not sure whether he had been party to my thinking, because I did in fact plan to broaden my comments a little in the context of some of the points he was making in relation to a report that might seem somewhat anodyne. I add to his comments my thanks to our professional staff and I ask members, in reading this report of the Parliamentary Joint Committee on Intelligence and Security entitled Annual report of committee activities 2011-2012 to have regard to a recent statement by the Prime Minister on Australia's national security thinking. It goes on to say that the national security decade was a time of a rapid ramp-up of resources. Now, inevitably, we are in a period of consolidation. I am interested that we also have the member for Melbourne Ports, because he is familiar with some of the arguments that I am now going to raise.

I do not think we are in a position to look at these issues in relation to national security on which we are reporting, unaware of some of the events that are occurring internationally. The matters on which I will comment are not matters that I am privy to. They are matters that you will read about in the newspapers. I was just looking at some of them as I thought about what I might say today about Australians abroad and some tragic events more recently in Bulgaria. I read about what is happening in Syria and the reports of Australians abroad engaged in activities in that region. In some cases their work is said to be humanitarian, but in others the reporting suggests that they are active participants. These are people who can come back to Australia after they have been trained in organisations that ought to be of considerable concern to us.

And so I am glad that the chair mentioned paragraph 132, because it raises concerns that the committee had about the impact of the efficiency dividend on agencies. I do not think that it is appropriate, in the context of the comments that have been made about national security, that these observations by the committee that has responsibility for looking at these issues should be ignored. This ought not to be a period of consolidation that sees a contraction in the expenditure available to national security agencies, if that is the government's intention. I think that observation is quite pertinent.

In relation to the other matter that the chair spoke of—in relation to the concerns
that were raised about security assessments of refugees—I do not think that people should be unaware of the way in which the refugee convention says decisions should be made. We do not have to accept people as refugees if they are of security risk. Yet findings have been made by the government that people were refugees before the security assessments took place. We would not be asking this question in this report if the government had been rigorous about ensuring that no decisions were made on refugee status before the security assessments had been made, and it was a major error. The committee report does not bring it out, but I think it is pertinent that people should know we are only being asked to look at this decision because of flawed decision making initially.

Constitutional Recognition of Local Government Committee Report

Ms ROWLAND (Greenway) (10:18):
On behalf of the Joint Select Committee on Constitutional Recognition of Local Government, I present the committee’s Preliminary report on the majority finding of the Expert Panel on Constitutional Recognition of Local Government: the proposal, timing and likely success of a referendum to amend section 96 of the Australian Constitution to effect financial recognition of local government, incorporating a dissenting report.

The Joint Select Committee on Constitutional Recognition of Local Government was established on 1 November 2012 to inquire into and report on the majority finding of the Expert Panel on Constitutional Recognition of Local Government. The expert panel recommended financial recognition of local government, as opposed to other forms of recognition, such as symbolic, through an amendment to section 96 of the Australian Constitution. The committee has received 131 public submissions to date. The overwhelming majority of these submissions support an amendment to the Constitution to create certainty around the direct funding of local government by the federal government. At the committee's first public hearing in Sydney on 16 January, the evidence given largely reinforced support for the proposed amendment.

Our Constitution is not keeping pace with how government needs to operate to deal with the many daily challenges of contemporary Australian society. The report recommends that a referendum be held on the issue of financial recognition of local government and that the wording of the amendment proposed by the expert panel is the wording that should be used—that is, amending section 96 so that it reads:

… the Parliament may grant financial assistance to any State or to any local government body formed by State or Territory legislation on such terms and conditions as the Parliament thinks fit.

As remarked by the Minister for Regional Australia, Regional Development and Local Government, it is in the interests of the nation for the Commonwealth to directly fund local government. Local government is the conduit of communities, and today more so than ever local government is called upon to deliver and facilitate services to meet the needs of their communities.

A consistent concern relating to the proposal has been the question of timing for the best chance of success. The Australian Local Government Association’s apparent reluctance in its submission and evidence to the committee seemed to be indicating that this referendum should be delayed, even though they have been actively campaigning in favour of it for many years. The member for New England summed up the frustration of the majority of committee members,
suggesting the lack of confidence that ALGA displayed in itself and in the Australian people is something that maybe it needs to look at.

The need for this change is clear. The challenge is how best to seize the opportunity to deliver this transformation. The success of a referendum will require bipartisan support not just at a national level but also across the states and territories. It will also require a widespread effective public education program. It is not lost on any of the committee members that the last successful referendum in Australia was in 1977 and that specific referenda on local government failed in 1974 and 1988. The committee inquired into the capacity of Commonwealth agencies to do the necessary work in preparation for a 2013 referendum, and the answer was unequivocal. The time frame would be the time frame required by government, so if the government required that certain things be finished by a certain date they would be.

My colleagues the coalition members of the committee opened their dissenting report by noting that the coalition has committed to support the appropriate financial recognition of local government in the Australian Constitution. It is important that this bipartisan support be gained at a state and territory level.

We have the cross-party agreement that this issue needs to be addressed in a timely way and we have the relevant agencies ready to move to prepare for a referendum. The final recommendation outlines the necessary preparatory activities required to make this happen in 2013. This matter demands our prompt attention. We need to keep the wheels rolling so that the necessary preconditions can be met and the required steps can be taken in time to get this vital question put to the people in 2013. The committee will be holding another public hearing in Sydney next week and will hear from local government bodies and receive updates from the Australian Local Government Association and from Commonwealth agencies. The final report will be tabled in March. My thanks to all those who provided evidence to the inquiry and to my committee colleagues. I commend the report to the House.

In accordance with standing order 39(f) the report was made a parliamentary paper.

**Mr COULTON** (Parkes—The Nationals Chief Whip) (10:23): I rise today to speak to the dissenting report from the coalition members of the Joint Select Committee on Constitutional Recognition of Local Government. Basically, the coalition is in favour of recognising local government but the timing of the recommendations in this report, which is a preliminary report, we feel is a little premature. This committee has until mid-March to run, and I would have thought that the appropriate time to make the recommendation to either proceed or not proceed would have been at that time and not at the start of the process. The chair of the committee highlighted the frustration of the committee with some of the witnesses, noticeably the ones from the Australian Local Government Association, who had been pushing this referendum but then seem to have got cold feet at the last minute.

The expert panel that looked at this issue concluded some time ago. The ministers had about 10 months to bring all the state and local government organisations on board. It seemed that very little had been done in that particular time. Having said that, I still think in the next few weeks there is an opportunity for the minister to remedy that, and others are very keen for this to happen. I mentioned constitutional recognition in my maiden speech to this place and it is something very
important to me. One of the frustrations I have found is that a lot of people had come to a position on this before the wording was actually decided. This is a very minimal change. This is basically closing the loophole to enable the funding processes that are already in place to continue. There is, in some ways, a part of me as a former local government mayor wishing that this referendum was asking for more but, in fact, it is not. It is only asking to close the loopholes so that some of the regional programs such as Roads to Recovery can continue.

As a regional member, the words of Professor Twomey, who actually spoke against this referendum saying that it was going to favour regional local government areas, were enough reason for me to want to support it. The executive of the Australian Local Government Association said that the politics of 2013 are of such a toxic nature that this referendum should not proceed. In my entire life, I cannot remember a federal election that was not hard fought. I cannot remember a federal election where the government and the opposition were in the same place, where there was going to be perfect harmony and where there was going to be no conflict. There is the idea that this is somehow a more tense and conflicted era and that, therefore, the likelihood of this referendum succeeding is diminished.

The committee has a hearing in Sydney next week to gather more information. If the minister decides to go ahead with this there is going to be a big effort required not only from the minister but also from other members in this place who are keen for this to happen, and also from the associations. I think our state and national bodies could be doing more. They have access to their communities right across Australia. If they want this to happen, it will happen.

To those people who are less enamoured with the idea of this referendum, all I can say is what is being proposed is a minimal change. If you are ambivalent about it, keep that to yourself and there might be some chance. The coalition members are very clear in the dissenting report. That the announcement in this report should go ahead regardless, I think, is premature. If in the next few weeks we find that there is a lack of support and indeed opposition from the states and an ambivalence from ALGA then I think that the minister should consider his position.

The SPEAKER: The time allotted for statements on this report has expired. Does the member for Greenway wish to move a motion in connection with the report to enable it to be debated on a later occasion?

Ms ROWLAND: I move:

That the House take note of the report.

The SPEAKER: In accordance with standing order 39(d), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Report and Reference to Federation Chamber

Ms ROWLAND (Greenway) (10:28): I move:

That the order of the day be referred to the Federation Chamber for debate.

Question agreed to.

DELEGATION REPORTS

Australian Parliamentary Delegation to the United Kingdom and Poland

Mr SCHULTZ (Hume) (10:29): I rise to present the report of the Australian Parliamentary Delegation to the United Kingdom and Poland from 5 to 15 November 2012. I also want to make some comments related to the make-up of the delegation, which was led by the President of the Senate,
the Hon. John Hogg, in a very dignified and professional manner. The delegation also consisted of the Hon. John Murphy MP, the member for Reid; Mr Michael Danby MP, the member for Melbourne Ports; Ms Sharon Grierson MP, the member for Newcastle; Senator David Bushby, a senator for Tasmania; and me, as deputy chair. We were ably assisted by Mr Tim Bryant, the delegation's secretary. The delegation worked exceptionally well together with the intent of strengthening the parliament-to-parliament relations between the Australian parliament and the United Kingdom and Poland.

I thank the Department of Foreign Affairs and Trade for its oral and written information, which was complemented by the Parliamentary Library, both of which ensured that we were well briefed. Our appreciation must go also to DFAT officers at each destination. Many individuals and organisations met with the delegation members and gave most generously of their time and knowledge. I wish to particularly acknowledge the extensive briefing from the Australian Deputy High Commissioner, Mr Adam McCarthy, and the Rt Hon. Sir Alan Haselhurst MP, Chairperson of the Executive Committee of the Commonwealth Parliamentary Association and Chair of the CPA UK Executive Committee, who welcomed and briefed the delegation on the current agenda with which the CPA is dealing.

All members found the London visit most informative, with the generous contribution by the five committees or committee chairs offering an opportunity for each member of the delegation to learn more about the functioning of committees and the Commonwealth Parliamentary Association. Thanks must be given to the Rt Hon. Michael Moore MP, Secretary of State for Scotland, who gave his time to ensure that the delegation had full understanding and details regarding the possible independence of Scotland. A referendum on Scottish independence is planned for 2014.

In the Republic of Poland, the delegation was privileged to have advice, support and words of wisdom from Ms Jean Dunn, the Australian Ambassador to Poland, and the embassy officials. They were extremely professional in every aspect of the delegation's visit.

The first part of the visit to Poland focused on Krakow, giving the delegation a cultural and educational view of this city with 23 universities. President Hogg officially opened a cultural exhibition documenting the lives of Polish Siberian deportees to Australia. In Warsaw, President Hogg was presented with the Medal of Gratitude of the European Solidarity Centre by His Excellency Mr Borusewicz, the Speaker of the Senate, on behalf of the Polish parliament.

We as Australians never forgot 11 November, Remembrance Day, whilst we were overseas. It was foremost in our minds. We visited the Commonwealth war graves at Rakowicki Cemetery. We were reminded that at the end of the Second World War the British Army gathered together Commonwealth graves from all over Poland into three cemeteries, Rakowicki being the largest. Those buried there died while prisoners of war during the German occupation. Twenty-two Australians are buried at Rakowicki Cemetery. The delegation was welcomed by Major Aleksander Gladki. President Hogg and I laid a wreath at the Cross of Sacrifice, and the delegation laid a rose at the gravesides of the individual Australians. I have to say to you, Madam Speaker, that that was a very compelling experience.
The delegation now recognises that there is a great opportunity for the two parliaments to work more closely to support and strengthen each other, as both countries have much in common. I noted with some satisfaction the spontaneous positive reaction of the Polish people to the Australian flags on the ambassador's car and the positive comments about the quality of Australian wines.

Once again, I compliment President John Hogg on his leadership and all members of the delegation for their cooperation with each other and their commitment to work. I again thank the many officials who assisted in a professional way to ensure that the delegation achieved the aims of the visit, and I present the report.

Ms GRIERSON (Newcastle) (10:34): It is my pleasure, as a member of the delegation to the UK and Poland, to follow the member for Hume. I would like to second all the comments that the member for Hume made in thanking and acknowledging all the formal contributions to the success of our delegation trip. It is important to always remember that the Prime Minister of this country, the Minister for Foreign Affairs and the Minister for Defence cannot visit all these countries. The Minister for Trade cannot visit all these countries. So delegations have an important role in reinforcing those partnerships and relationships and saying: 'Yes, this is a relationship that is important to Australia and that we value. We value it enough to send our members of parliament to these countries to visit.'

Certainly in the UK the visits to committees were very interesting, because they have more power than our committees. They actually set their own work program. They do not have to have it approved by both chambers of parliament, as here. We found that they stressed the staunchly bipartisan nature of their committee work. I think, when I reflect on the last five years, that perhaps that is something that has slipped away somewhat. We are more powerful as backbenchers, like me, if we are parts of committees that really focus on change, reform and highlighting issues that are central to this nation rather than political expediency.

It was particularly interesting to meet the Foreign Affairs Committee, a very powerful select committee—which featured, of course, in the new James Bond movie, Skyfall. It was interesting to once again meet Baroness Liddell. Many members here enjoyed her hospitality when she was the ambassador to Australia. But the big issue facing Britain, of course, was whether they should stay in the European Union. There was great debate around that issue. Interestingly for me, their views on economic risk were very strongly put to us, as were the history of the UK and its independence. It seemed very difficult for many of the members to embrace the European Union. However, I took time to speak to a lot of the young people who worked in the houses of parliament. One's partner was Spanish. Another's partner was German. These people are living in a united Europe and enjoying it. The European Union, of course, won a Nobel peace prize for some of the changes it has brought about. It was an interesting debate, as was the independence quest for Scotland—a very interesting debate to be part of. We also concentrated on our combined positions in security and on terrorism—the work we have done together—and certainly the support that the UK gave us for our temporary seat on the UN Security Council, which we were successful in achieving, and our work in Afghanistan together. These are very valuable.
On an evening we were free, I had the great pleasure to visit the Ledbury restaurant, which is run by a young man from Newcastle called Brett Graham. It has two Michelin stars. Brett is a TAFE graduate from my city and started his restaurant in 2005. In 2010-11 Ledbury became the UK's No. 1 restaurant and Brett was named Chef of the Year. It is wonderful to visit young Novocastrians who are making their mark in the world.

It was lovely to meet with the Speaker of the House of Lords. She took the time to say to me how much she as a woman enjoyed the Prime Minister's speech last year on misogyny. These are things women parliamentarians say to each other, and the Scottish women, of course, took me aside to share that as well. They are some of the personal encounters.

The highlight for me of the Scotland trip was the visit to Glasgow. I particularly thank Ian Davidson, the MP for Glasgow South West, who hosted us for a whole day. He took us to look at shipbuilding work and to BAE Systems and we had a roundtable with economic people from Glasgow about urban renewal and change and about the Commonwealth Games bid—Glasgow hosts the Commonwealth Games in 2018. I thank Ian Davidson. There are great parallels between his city and my city.

Visiting Poland was an absolute privilege. Of course, there are many Polish people living here in Australia, but, as the member for Hume said, it is quite an experience to stand at a Commonwealth war grave and know that that country has been invaded and occupied many times and has experienced great turmoil. I thank Ambassador Dunn, in particular. Her attention to detail was incredible. It made our trip and our understanding of Poland so much deeper and more worthwhile.

COMMITTEES
Health and Ageing Committee
Report and Reference to Federation Chamber

Ms HALL (Shortland) (10:39): On behalf of the Standing Committee on Health and Ageing, I present the committee's report on adhesive arachnoiditis.

The foundation of the report was a half-day roundtable held in September last year. I would like to thank the committee secretariat for their work in organising the roundtable and preparing the report for tabling and my fellow committee members for their contribution to the report, particularly the deputy chair, Steve Irons, the member for Swan, who was instrumental in the committee inquiring into adhesive arachnoiditis, and the previous chair, Steve Georganas, the member for Hindmarsh. I would also like to thank all those sufferers of adhesive arachnoiditis who shared their stories with the committee, which in many cases caused them considerable distress.

Adhesive arachnoiditis is a painful condition. It is associated with inflammation and scarring of the arachnoid membrane, one of the delicate membranes surrounding the spine. Symptoms include chronic pain, lack of bowel and bladder control, impaired sexual function and compromised reflexes. The presentation and severity of symptoms vary between individuals and over time. Restricted mobility and even paralysis are consequences for those most severely affected. In short, this is a horrific condition, a disabling condition and a condition that does not go away. There are a number of factors which, either alone or in combination, can trigger adhesive arachnoiditis. These include complications of bacterial and viral infections, degenerative back conditions and trauma due to injury and surgical procedures. A significant issue
raised relates to the risks associated with exposure to a diagnostic agent used in Australia until the late 1980s.

The committee's roundtable provided a means to raise the profile of this little known condition, to highlight some of the major challenges facing sufferers and to identify options for providing practical assistance. There is no doubt that the physical, social and emotional impacts of adhesive arachnoiditis are real and catastrophic. At the roundtable, the committee heard how those living with this debilitating condition were much more likely to suffer from depression or seek relief from the constant pain through substance abuse. The committee also heard how the unrelenting pain had some sufferers contemplating suicide.

The stress of living with this painful condition is made worse for those who attribute their adhesive arachnoiditis to medical procedures that were in fact intended to relieve their suffering. The committee is aware that some sufferers have litigated, seeking compensation from medical professionals and from the manufacturers of the implicated diagnostic agents. The committee itself does not have the authority to investigate individual claims or to order compensation. In the context of corporate social responsibility, the committee has urged the relevant manufacturer to consider establishing a charitable foundation and engage with sufferers to determine how they can be assisted.

Diagnosis can be a lengthy and frustrating ordeal for sufferers. Adhesive arachnoiditis is a little known condition, even among health professionals. The committee heard how one sufferer was only diagnosed after recognising the symptoms herself after reading a newspaper article. Another sufferer was told for many years that she had fibromyalgia. For many sufferers diagnosis is more than just a label. It validates their experience and can provide a framework to help them better cope with the condition. The committee recommends awareness raising through education and training for general practitioners and health professionals working in pain clinics.

Unfortunately, there is currently no cure for adhesive arachnoiditis. Treatments are limited and largely revolve around managing pain. But the prohibitive cost of medication was raised at the roundtable. One participant told the committee how he needed to find more than $120 each week to cover the cost of pregabalin, a medication specifically for neuropathic pain. So I am delighted to confirm that from next month pregabalin will be subsidised and available through the Pharmaceutical Benefit Scheme. That is great news for chronic pain sufferers.

The committee also recommended that Medicare Locals and other health providers engage with adhesive arachnoiditis sufferers to optimise pain management. To establish an improved evidence base, the committee recommends support— (Time expired)

In accordance with standing order 39(f) the report was made a parliamentary paper.

Mr IRONS (Swan) (10:44): As Deputy Chair of the House of Representatives Standing Committee on Health and Ageing, I rise to respond to the chair's statement on the report Living with the pain of adhesive arachnoiditis: report on the roundtable into adhesive arachnoiditis. I start with the following statement:

Our guiding principles are to focus on patient needs, respect people, communicate honestly and act with integrity. We are bound by a promise to keep our customers at the heart of everything we do. We do this work in partnership with Government, industry, the community and our peak industry association,
Any sufferers of adhesive arachnoiditis will recognise this motherhood statement taken from the GlaxoSmithKline website. GSK is the company that released the Myodil and Pantopaque products into the medical world, which are a cause of the condition known as adhesive arachnoiditis, described in the report as a painful condition. We heard the chair say in her statement that this is a horrific condition.

The report states that the committee very much appreciates the contributions of all participants to its inquiry. The roundtable made clear to the committee how debilitating adhesive arachnoiditis can be to sufferers. The committee very much sympathises with and hopes that the recommendations of the report will help to improve the quality of life for sufferers and their families and carers. I particularly mention Mr Max Scott from my electorate of Swan, who first brought to this terrible condition to my attention. I also thank Mr Joern Hagemann and his daughter and carer, Mrs Erika Zorzit, who both came to visit me about Mr Hagemann’s condition. Their visit gave me the extra impetus to cajole, urge and convince the Standing Committee on Health and Ageing to commit to a roundtable and I thank my fellow committee members for their support in agreeing to the roundtable.

In particular I thank Steve Georganas, the previous chair, and Jill Hall, the current chair, both of whom played their part in getting this roundtable up. I thank the secretariat for their work on this difficult report as I felt there was a level of trepidation in dealing with this subject due to the long litigious history of the subject and the ongoing litigation. Thanks must also be given to the previous member for Throsby Jennie George for tackling this issue back in the early 2000s with the support of Jill Hall.

I also mention Mr Jonathan Martin from my office who spent a considerable amount of time dealing with sufferers and providing me with valuable research. His efforts should not go unnoticed by the people who read this report. During my time involved with the forgotten Australians apology more than three years ago, the comment that the Leader of the Opposition at that time, Malcolm Turnbull, made in his speech when he said, 'We believe you,' was, for many people, a significant moment. I think the same significance could be taken by arachnoiditis sufferers from the comments made by Professor Michael Sage, a radiologist, when he stated:

I believe that the most common cause of chronic arachnoiditis is Myodil, and most people have been suffering for 40 years. … These people have suffered, mainly because we were using a dye, Myodil, with no alternative. … there was a gradual recognition—with poor literature, I might say—that there was a problem. A needle was introduced to allow us to suck it out; the problem was that it was often impossible to suck it all out anyway. The bottom line was that, if there was some alternative, we should not have been putting it in. I was very concerned about this.

The report's recommendation 1 goes back to the first part of my statement that was taken from the GSK website. This recommendation's first paragraph states:

In the context of corporate social responsibility the Committee encourages GlaxoSmithKline to consider establishing a charitable foundation to assist sufferers of adhesive arachnoiditis.

This is a decision that only GSK can make. However, if we are to believe all the motherhood and community caring messages stated on their websites around the world, we can only hope that they honour these statements. If they do not act, their response to this recommendation will give us a true indication of GSK's real community concern. In the report there is a comment that states there is an acceptable failure rate of 10 per
cent for people who contract arachnoiditis from a myelography. I ask: would that be an acceptable failure rate for a motor vehicle manufacturer? The clear answer is no. My experience with manufacturing is that a one per cent failure rate is acceptable before they have a recall. I encourage people to read this report and again thank all the people who were able to finally have this debilitating condition brought to public awareness through this report. I commend this report to the House.

In accordance with standing order 39(f) the report was made a Parliamentary paper.

The DEPUTY SPEAKER (Ms O'Neil): The time allotted for statements on this report has expired. Does the member for Shortland wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Ms HALL (Shortland) (10:49): I move:

That the House take note of the report.

The DEPUTY SPEAKER: In accordance with standing order 39(d), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Reference to Federation Chamber

Ms HALL (Shortland) (10:49): I move:

That the order of the day be referred to the Federation Chamber for debate.

Question agreed to.

BILLS

Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Abbott.

Mr ABBOTT (Warringah—Leader of the Opposition) (10:50): The Fair Work (Registered Organisations) Amendment (Towards Transparency) Bill 2013 is important legislation because it is vital for our country that we have clean unions. It is absolutely important for the workers and, indeed, for the businesses of Australia that the unions, which are so significant in many workplaces, are properly and honestly run. This legislation strengthens the requirements upon union officials to act honestly and in good faith, and it is so obvious right now that this is absolutely necessary. We have seen many scandals in a number of unions. We have many investigations going on right now into possible improper conduct. It is absolutely vital that we strengthen the requirement on union officials to act honestly and in good faith. The other thing this bill does is increase penalties on union officials who do not act honestly and in good faith. It is absolutely obvious that right now penalties are manifestly inadequate. They have, to give credit where it is due, recently been increased by the government in response to issues particularly in respect of Health Services Union, but the government's increases only raised the penalties on individuals to $6,600 and on organisations to $33,000. Under the government's increases, they are still simply civil penalties.

So my private member's bill proposes to increase penalties to $340,000 to provide for criminal as well as civil sanctions, including imprisonment of up to five years. Lest anyone think that this is in some way anomalous or in some way singling out unions, I want to make it crystal clear that what this bill seeks to do is to put exactly the same regime, as far as we can, in place for unions and those running unions as applies to companies and those running companies. If a union official or a company official does the wrong thing, they should face the same penalty for the same wrongdoing. This is what my proposed private member's bill seeks to do.
What the coalition seeks to do above all else is ensure that the rule of law operates in our workplaces. This is our fundamental commitment: to the rule of law everywhere but particularly in the workplaces of Australia. There are three major elements in the coalition's declared policies to ensure that the rule of law operates in our workplaces. The first, which this bill gives expression to, is to ensure that we have reasonable requirements and appropriate penalties on union officials. The second is to establish a registered organisation commission. This will separate the conciliation and arbitration functions of the Fair Work Commission from its law enforcement functions. The bill seeks to ensure that the law enforcement functions are pursued diligently, professionally and expeditiously. The third, and very important, element in the coalition's policy commitment to establishing the rule of law in our workplaces is the full re-establishment of the Australian Building and Construction Commission, with full power, full authority and full funding.

We have seen a very sorry state of affairs in a number of unions, but in particular the Health Services Union. I know that there would be many people on both sides of this House who lament the state to which this union has been reduced. We have seen the national president of this union face criminal charges alleging, amongst other things, that millions of dollars of low-paid union members' money have been wrongly directed into businesses associated with the family of the gentleman in question. We have seen the former national secretary of that union, now a member of this place, subject to civil and, more recently, criminal charges arising from claims that hundreds of thousands of dollars have been misdirected into electoral activities and tens of thousand dollars have been misdirected into matters that can only be described as personal indulgences. According to the report of Mr Ian Temby QC, some 20 millions of dollars of low-paid union members' money may have been improperly used in this union alone. We have also seen very credible claims of private slush funds in the 1990s in the Australian Workers Union. I commend the member for Barton for the way he has raised this subject.

Fair Work Australia currently has eight major investigations underway into possible improper conduct in unions. At least four large unions are involved: the Communication Workers Union, the Community and Public Sector Union, the Nursing Federation and United Voice. These are large unions currently the subject of Fair Work investigations.

There is a serious problem of governance in our unions. There is a serious problem of malfeasance inside the union movement and it is incumbent upon this parliament to do what it can to give this country the clean, well-run, honestly-run unions that the workers of Australia deserve.

It will, if I may say so, be quite a test for this government in considering this bill. We know that more than 50 per cent of the parliamentary members of the Labor caucus are former union officials. The challenge for members opposite will be: do they back the interests of members, of workers; or do they back the interests of officials? This is a very serious challenge for members opposite: to resist the pull of the mates network and stand up for the interests of the ordinary workers of our country. We know how powerful members of the mates network are. Michael Williamson, the former boss of the Health Services Union, was not only the National President of the Australian Labor Party at the time he assumed his high office and he was not only one of the faceless men referred to by the current head
of the Australian Workers Union in his notorious Lateline interview on the night of the change of Labor leadership; Michael Williamson has obviously been a godfather figure to many members opposite. We had the Assistant Treasurer, the member for Lindsay, even cite this gentleman in his maiden speech as someone who has made such an extraordinary contribution to his career.

I say to members opposite: it is high time that we put the ordinary working people of Australia first. It is high time that we put the interests of workers ahead of the interests of union officials, and that is what the coalition intends to do.

I know members opposite like to characterise the political debate as pitting the friends of the workers on one side of the parliament against the friends of the bosses on the other side of the parliament. Well, unless the government is prepared to show it is serious by entertaining the bill that I am putting before the parliament, what will be exposed is that the real friends of the workers of this country are on this side of the parliament. The people who want to see a fair go for the workers of this country and to see honest unionism are the people on this side of the parliament. I commend the bill to the House.

Bill read a first time.

Mr MORRISON (Cook) (11:00): On this day those on that side of the House will not be able to block the introduction of this bill into this House. Last year I stood in this place with my colleagues and sought to restore an important tool to the toolbox that is needed to ensure we have proper border protection in this country again, and those on that side of the House shouted it down, blocked it and used every tactic possible to prevent the reintroduction of temporary protection visas into the laws of this country. Today they will not be able to do that because today I introduce a bill to the House to put back into the toolbox what this government, which has failed on our borders, took out of that toolbox in November 2007. Along with the decision to abandon Nauru and offshore processing—to abandon the policy of the former Prime Minister, Mr Rudd, who stated just days before the election that he would turn boats back—they abolished temporary protection visas. And what happened? Cost, chaos and tragedy—things that will hang on the head of that government for as long as they sit on those benches and for as long as they cleave to those policies if they go back to opposition.

Under this government’s watch, we have seen an unparalleled level of failure on our borders. We have made a simple plea to them: admit you got it wrong and put back the policies that worked. On every occasion we have sought to do that they have rejected it, and it is only after they have been dragged kicking and screaming that they have relented in modest terms. There remain to be implemented large tracts of the coalition policy that was so successfully implemented by the Howard government. We all know of the tragedies and we all know of the cost.

But what I was amazed to see last Friday is that this government made a declaration in their budget. They actually said they would stop the boats. When I look at the budget,
they have budgeted next year to see the cost of asylum seeker management to fall by almost a billion dollars and then after that it will fall by another billion dollars. And it will go back to an annual figure, on their figures, reduced by some $500 million in the out years. What this government actually put in its budget, which is now under scrutiny in estimates, is that in the out years of their statements they are going to realise a $1 million saving. Well, they must be governing for the implementation of the coalition policies or the election of a coalition government, because that is only way we are going to see those sorts of savings implemented in this country—that is, if we restore the policies that worked.

The fiscal fantasy of this government on asylum seeker policy and management is breathtaking. Let us look at the record. In 2008-09 there was a blowout of $2.3 million; in 2009-10 there was a blowout of $233 million; in 2010-11 there was a blowout of $1.37 billion; in 2011-12 there was a blowout of $1.34 billion; in 2012-13, this year, which by the way is not yet finished, there is a blowout of $2.15 billion; and next year they say they are going to save money! But what have they changed? Nothing. This is a government that continues to put across this fantasy to the Australian people on border protection and now they are trying to bank it in the budget. And that I think proves the lie. Not only did this government fail on a borders, they have failed on the budget. They cannot manage the borders and they cannot manage the budget.

So we come to this House today and say: put back the policies that worked. We ask the government to support this bill. The bill which is before you achieves two things. It restores a temporary protection offshore visa. This is for people who illegally enter Australia and arrive at an excised offshore place when they first come to Australia; do not have protection from any other country; are found by the Australian government to engage Australia's protection obligation; and meet health and character requirements. The visa is temporary for a term of up to three years to be set by the minister or his or her delegate, and it gives the holder the right to work, special benefits payments and access to Medicare. Temporary visas can be applied for successively, but on the conclusion of the term of the visa—and this is important—unless the minister allows an application for a permanent protection visa to be made it does not give the right for family reunion at any time during their stay; it does not give the right for the holder to re-enter Australia if they depart; and it is a condition of the visa that the holder satisfy mutual obligation requirements for receiving special benefit payments.

Importantly, if the holder of that visa is to be given a further temporary visa, we will consider their refugee claim again. The good news is this: thankfully, people's refugee status is not always permanent—and let us hope it is not. What this policy provides the Australian people with is an opportunity to provide safe haven, which is our obligation under the refugee convention. But that obligation is never permanent. That is a complete fiction which is put out there by those who oppose temporary protection visas. Our duty is for safe haven. This bill provides for that safe haven but it says Australians will not be mugs. At the end of the term of the visa, we will reassess your claim; and if you are in a position to return home, then home you will go.

I was with the shadow minister at the table and the shadow minister for foreign affairs in Sri Lanka just a week-and-a-half ago. Things are changing in Sri Lanka. They are definitely changing in Sri Lanka—5,700 Sri Lankans have returned from India to Sri Lanka unviolated. So there is an opportunity
under this policy to ensure that when it is safe to go home people will go home. This is not a passport for permanent residency that we are offering, which is what the government offers. That is the sugar on the table that this government put on many years ago and that has attracted the more than 500 boats that have arrived since. What this does is sensibly put in place a policy which honours our obligations but at the same times says, 'We won't be mugs.'

The other thing this bill does is to deny, ever, a permanent visa to someone who has sought to come to Australia and has moved to a country in which they could have sought asylum, including in countries such as Indonesia or, indeed, Malaysia, where the UNHCR provides the opportunity to assess people's claims. If you come that transit route to Australia, under a coalition government you will never, ever get a permanent visa to this country. That is the message this government should be sending to those who would seek to use people-smugglers but, importantly, to people-smugglers themselves who would try to sell this fantasy of permanent residence in Australia under a coalition government—because it would be a fantasy under a coalition government. It is not going to happen, and it is important that we put these measures in place.

The government have been saying they will never support temporary protection visas. They said the same thing about Nauru and they said the same thing about Manus Island. They said the same thing about excising the entire Australian mainland. So I will believe them until they change their minds, which this government tend to do fairly regularly. But they need to come to the table on this, because it is an important element of the toolbox which needs to be put back in place. But it is frustrating that we have been having this debate for five years and the government still reluctantly and stubbornly refuses to move on this issue of temporary protection visas and denying permanent residence to those who come to Australia illegally by boat.

They have to be forced into everything. They had to be forced into reopening Nauru. They had to be forced into reopening Manus Island. They had to be forced into sending back people who are coming from Sri Lanka. That was not a government policy. They were forced into it because there was a boatload of pirates on their way to Australia, and each day we reminded the government that if they let a boatload of pirates into Australia and did not send them back then even their keenest advocates and believers would laugh out loud. So they were forced into that decision, but that decision itself does not go far enough because it is the coalition policy to send back every boat that comes from Sri Lanka, and we will do that by equipping the Sri Lankan government to give effect to that policy in the first place closer and safer to their shores.

So make no mistake: the coalition will restore the policies that worked. The people of Australia understand that. The people-smugglers understand that. And we will restore order to our borders. But I give this government this opportunity: support this bill. Admit you got it wrong. And then—perhaps then—they could start to make some headway. But I do not think that will happen. This government are in denial on our borders and will remain forever thus. (Time expired)

Bill read a first time.

The DEPUTY SPEAKER (Ms O'Neill): In accordance with standing order 41(c) the second reading will be made an order of the day for the next sitting.
**Minerals Resource Rent Tax Amendment (Protecting Revenue) Bill 2013**

*First Reading*

Bill and explanatory memorandum presented by Mr Bandt.

Mr BANDT (Melbourne) (11:11): The purpose of this bill is to protect the revenue generated from the Minerals Resource Rent Tax, or the mining tax, from being eroded when state governments increase royalties. Labor's mining tax is a dud. Gina Rinehart is popping the Moet. This tax was born from backroom negotiations where the country's richest miners met with those supposedly representing the Australian public. We now know that Gina Rinehart and the big miners won and that the Australian people were sold out by Labor. Instead of the billions promised by Labor, this tax has only collected $126 million. Labor failed to stand up to big business and is now attacking everyday Australians to balance the budget. To meet the now-abandoned goal of a political surplus, Labor are cutting more from single parents than they have raised from the miners with this tax. It takes guts to stand up to the miners, because they have big money. But slugging single parents is apparently much easier, because they cannot fight back as hard. Labor is attacking some of Australia's hardest-working families while letting big business off the hook. That is gutlessness of the first order.

If we do not fix this mining tax before the budget, expect more Labor cuts, more hits to our science and research sector, and more delays to the much-needed public schools spending boost. The only way that we can fund the services that Australians expect is by taking on big business, that sends most of its profits overseas, and making these mining companies pay their fair share. If we want a more caring society we need a proper mining tax; otherwise, society will become more dog-eat-dog and governments will keep cutting services and making the rest of us pay more.

We also now know that Labor's promise of spreading the benefits of the mining boom is just empty rhetoric. If this is spreading the benefits of the boom, it spreads so thin that everyday Australians will not be able to taste it. Labor is squandering the opportunity of this once-in-a-generation boom. The rhetoric about sharing the opportunity of the boom is an empty slogan. We should be using the revenue of the boom to invest in schools, disability insurance, lifting people out of poverty, and infrastructure for clean energy and high-speed rail. We should also collect more revenue to take some of the heat out of the boom, which has created a two-speed economy and a higher dollar. The boom is devastating some industries, like manufacturing, tourism and education, especially in the south-east of Australia. And we should be using the revenue to invest in research, science, skills and innovation to set us up for life after the mining bubble bursts. Instead, we have billions being siphoned out of the country to overseas shareholders and nothing to show for the digging up of our country's wealth.

After Labor caved in to the big miners, the original estimate of what a mining tax would raise was severely downgraded to around $4 billion. Since then, we have seen further downgrades, with the latest estimate putting potential revenue at just $2 billion. We now know that even $2 billion was a heroic overestimate, with the Treasurer announcing last week that the mining tax had collected a tiny $126 million in the first two quarters. The Greens warned this would happen. We clearly identified the loopholes in this tax and urged the government to close them. They have failed to act and so now we are doing so with this bill. The government's
minerals resource rent tax is a pale shadow of that recommended by the Henry tax review, with its low rate, exclusion of most minerals, and other unjustified concessions, such as accelerated depreciation, conceded by Labor after the mining industry launched a $20-million advertising campaign.

The particular weakness of this tax addressed by this bill is the interaction with mining royalties levied by the states. The government has effectively given the states a blank cheque to raise mining royalties by promising to rebate the cost of all royalties to the mining companies. And I note that Labor routinely, and often rightly, criticise the state premiers. Well, they have just handed them the till to the Commonwealth coffers and allowed them to determine how much this mining tax raises. The Henry review considered crediting companies for royalties paid. It said very clearly, however, that state royalty regimes would need to be fixed at a particular point in time to ensure that the Australian government does not automatically fund future increases in royalties. Under the government's original RSPT, the refund was limited to royalties imposed at the time of the announcement. The government foolishly moved away from this principle in its negotiations with the big-three mining companies and the subsequent deliberations of the Policy Transition Group and agreed to also rebate any future royalty increases.

The West Australian, New South Wales and Tasmanian governments have already announced royalty increases and the Queensland government increased royalties in October of last year. Under the terms of its current policy, the government will have to refund these additional royalty payments to companies paying them, which reduces the revenue from this tax by billions of dollars. The government has threatened to cut grants to states which increased royalties after July 2011, but this may prove difficult and it may, moreover, be circumvented by the Commonwealth Grants Commission principles of horizontal fiscal equalisation.

This bill presents a better, clearer remedy to this problem of the government's own making. We had warned the government about this problem at the time, moving an amendment to the MRRT legislation on 19 March 2012. This bill essentially reprises that amendment and will restrict the rebating of royalties to those in place as at 1 July 2011, protecting the Commonwealth's revenue from erosion by the states. Costings of this measure provided by the Parliamentary Budget Office estimate that, by just closing this one loophole, we would be able to raise an additional $2.2 billion in revenue over the forward estimates and $3 billion by 2016-17. This is $2 billion that could protect the almost 100,000 single parents forced onto the dole by Labor or could contribute to increasing Newstart by $50 a week.

The mechanics of this bill are simple and effective. Item 2 of the bill amends section 60-25 of the MRRT Act to provide that any increase in royalties after 1 July 2011 should be disregarded when calculating royalty credits for the Minerals Resource Rent Tax. Item 3 provides that the bill will apply to MRRT assessments from its first year of operation—namely, the 2012-13 financial year. Item 1 is the consequential amendment to item 2 and amends section 2-1 of the act to clarify that the intention of the act is that mining profits may be reduced by a miner's Commonwealth, state and territory mining royalties amounts in force on 1 July 2011. These three amendments will ensure that any increases to royalties by state governments will not reduce MRRT revenues.

I want to thank my crossbench colleagues who have announced their support of this
Bill. This bill could pass if Labor has the courage to fix the holes in its failed mining tax. I urge the government to find the courage to make good on the Treasurer's 'Bruce Springsteen' song-and-dance routine. Have some guts; have some real conviction. Stop playing the Springsteen records backwards and hitting working people while letting the big miners off the hook. If Labor fails to support this bill, the Australian people will know once and for all that all the tough talk about Gina Rinehart is just for show and they will punish Labor for its lack of courage come September. We must pass this bill before the budget, because if we do not the government has only got two other options: make more cuts to Australian working families, like we have seen with single parents, and keep more people in poverty or raise the taxes and the charges that the rest of us have to pay.

This mining tax was supposed to set Australians up for generations. This is a boom that will not come again. We will not raise this much money to secure ourselves for the future, to fund the services Australians expect and to allow us to transition to a clean energy economy ever again. If we do not raise this revenue now, the government will come after everyday Australians to make them pay more or continue to keep people in poverty or make further cuts, including those to single parents. It is appalling that Labor is taking more money off single parents than it has raised from this tax.

The purpose of this place should be to stand up for the Australian public, and if that means standing up to the big miners, who are sending 83 per cent of their profits offshore, so that we get a fairer deal for the rest of us, so that we can fund the services Australians expect, that is what we should do and that is what the public expects from us. I commend the bill to the House.

The DEPUTY SPEAKER (Ms O'Neill): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

Environment Protection and Biodiversity Conservation Amendment (Moratorium on Aquifer Drilling Connected with Coal Seam Gas Extraction) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Katter.

Mr KATTER (Kennedy) (11:22): There are some 8,000 wells that have already been agreed to by the government. We are informed there are some 13,000 applications that almost certainly will be agreed to. I emphasise 'we are informed'. The register is anything but up to date in Queensland. Recent media articles have said that the three liquefaction plants in Gladstone will not operate a surplus at that level of operation, of 20,000 or 30,000 wells or whatever it is. They may need to go up to 45,000 or 60,000 wells to ensure that the three liquefaction plants are able to operate and not go broke. If you want to be technical I think it works out to something like a well every five square kilometres in Queensland, over the entire surface area of the state.

The Queensland land mass probably has one-tenth of its surface area underlaid by coal. That coal is not in the way-out-west outback, where it never rains and there is not much happening on the ground in the near desert conditions. It is right along the coastline of Queensland, some 40 or 50 kilometres away from the massive rainfall and the huge sugarcane and banana industries of Australia. It is not far away at all. Then we have the massive Galilee Basin reserves, which are further back but are still
not out in the dryland. The point I am making is that all of these wells are going down in the very productive agricultural areas of Queensland. They are not going out in the bad-land areas where no one is going to give a damn whether there is a well or not.

The other little geography lesson that the House obviously needs—because they would not have passed such ridiculous legislation to allow this coal-seam gas to go ahead if they knew this fact—is that the cattle and sheep industries of Australia produce about one-third of our agricultural export earnings. That is about $10,000 million and maybe as much as $12,000 million a year. They create some 40,000 or 50,000 jobs, particularly in the beef industry where the processing side of the industry is huge. It is dependent upon an underground aquifer. All of inland Queensland is flat as a billiard table. There was nothing there before settlement because there was no surface water. It is flat. It is the never-ending sameness of the never-ending plane.

If you drive through my old state electorate, west of the Great Dividing Range, there is not much variation at all in the topography, so we have to get our water from underground. That underground aquifer, the Great Artesian aquifer, could become contaminated or run down to a point where we could not economically extract the water. The kangaroo industry employs many people in inland Queensland and kangaroo numbers now are probably 100 or 1,000 times higher than they were in the days before settlement and before water was made available throughout this area.

Another geography lesson is that it is about every seven kilometres between watering points. If you want to run a station property you will put a watering point where your cattle can get water about every seven kilometres. The kangaroos reckon this is terrific. They can range over an area one thousand times more than they were ranging over before.

The previous speaker quite rightly said that the gas industry is 83 per cent foreign owned. The latest figures I saw said it was 87 per cent foreign owned with a further seven per cent being negotiated away. This is going to be our second- or third-biggest export item. What will Australia get out of it? We are told there might be 2,000 jobs in the three liquefaction plants in Gladstone. The media report that there are two in Western Australia and that one is proposed for the Northern Territory. That would be another 2,000 jobs there. So yes, we do get 4,000 jobs out of it. It is not huge but there is a little bit of benefit there. The royalties are almost negligible, as the previous speaker outlined. What does Australia get out of it? If there are no jobs, all the income goes overseas to the owners of the gas wells. Clearly, one of the things we are going to get out of it is contaminated aquifers.

I am probably the strongest pro-mining man in this parliament. I think I am the only one who has a background in mining. I worked as a labourer, I worked my own mines and I floated my own company, so I know the industry very much from the coalface all the way up to the top. When the government fell in Queensland I was the mines and energy minister. I know every aspect of this industry intimately. I have spent a fair proportion of my life down shafts and down in the centre of the earth, analysing, assessing and being worried for cave-ins or other potential disasters. We get a bit carried away with these things, saying things like, ‘Oh, this may contaminate.’ A quarter of the entire surface area of the city of Charters Towers—which at one time was bigger than Brisbane—was once cyanide heaps. They were wind carved and barren and, because they looked so weird and
wonderful, they appeared on postcards. Sadly, they have since been removed. There is not a single case in the 130 or 140 year history of that town of any one suffering from cyanide poisoning. I can speak with authority, because my family was there before the town; we were there on the fields.

We can get carried away with this. As a miner, I know that when we look for copper we are looking for copper sulphate; where you have copper sulphate it is a rich zone. It is in the below-the-water-table zone; and in that zone copper sulphate is a poison. It is used in a large number of commercial poisons. Copper sulphate is a poison, but that is what we are actually looking for. Of course, it can contaminate water. Some of us attempted to get the water out of these areas because they were so high in copper sulphate—so high that we could extract the copper and make some money.

The coal-seam gas people have been given the extremely critical resource—water. Trevor Lee, with one of the most successful meat-processing operations in Australia—it supplies meat to Coles supermarkets—had an application for water knocked back. That company produces a thousand jobs, directly and indirectly. Those jobs will be around for a thousand years, but the coal-seam gas is going to be here for 10 minutes. In 40 or 50 years' time it will be gone. (Time expired)

Bill read a first time.

**The DEPUTY SPEAKER (Ms Owens)** (11:32): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

**Aviation Laws Amendment (Australian Ownership and Operation) Bill 2013**  
**First Reading**

Bill and explanatory memorandum presented by **Mr Katter**.
sacrificing the interests of their country to help themselves. If you put the entire airline onto the international market—it will no longer be an Australian company—you will get a lot more for your shares. There will be a lot more people buying the shares or available to buy the shares, so the share price will go up. If you offload the marginal routes, then you will make bigger profits. If you offload the marginal routes, your rate of return will increase dramatically. Let's cut the services; let's do this.

A certain prominent person, whom I will not name, knew of my family's relationship with the company. My father opened the first flight into New York; it was Qantas's way of thanking him. This person of great prominence in Qantas said to me: 'If your minister—who was the leader of the party I belonged to then, the National Party—is determined to move to a fair dinkum open skies policy, we will be left with no alternative but to remove the 5,000 maintenance jobs to Singapore. So you understand, Bobby, that if you allow your leader to fully privatise and introduce a free skies policy, we will be left with no alternative but to remove the 5,000 maintenance jobs to Singapore. So you understand, Bobby, that if you allow your leader to fully privatise and introduce a free skies policy then it will be bye-bye to 5,000 jobs—and you know the implications of that.' He did not have to spell it out to me. If you have nobody here who knows how to take an aeroplane to pieces and put it together again, you are in a bit of trouble. If you have a ping in the motor, what are you going to do? Are you going to send the Boeing 747 from Melbourne to Singapore? Not likely. You are going to keep flying it.

I do not know what everyone else's experience has been but, of the last four flights I have taken, on one I was delayed three hours getting out of Brisbane and then delayed an hour getting back to Brisbane; on the second, I was delayed for 40 minutes; and, on the last one, I was delayed for an hour—which was good because I was going to miss it had it not been delayed. That is three out of four flights delayed and an average of two hours wait time. I will tell you why that is occurring when it has never occurred before: it is because there is no-one around to keep the maintenance going. It is not being done.

In the Dustin Hoffman movie, Rain Man—I think he is autistic or something—he says, 'Yes, there is an airline which has never had a crash; it's Qantas.' That is true apart from its initial period and its days of pioneering. If you take those 15 years out then, yes, Qantas has never had an accident. But now we are getting these down periods all the time. There is something wrong. Nobody knows what is wrong. Maintenance is not being done. If a car does not have maintenance carried out on it, the car will break down. There are unfortunate consequences when aeroplanes break down.

I belong to a political party and one of the founding principles of that political party is that we will not sell this country off. I made a bet with two prominent journalists this morning. I said, 'I will put $300 on the table and, if I cannot find in the national media, every three days, the removal of hundreds of jobs to someplace overseas through an industry closing or the sell-off of some major asset of the country, I will give you the $300.' I will make that bet with anybody. People are sick and tired of watching, on television every night, the transfer overseas of jobs and the transfer overseas of all the great resources and wealth of this nation. They are a little bit sick of it, the people of Australia—watching this place sell us off and sell us out. It is going to stop. If you are a politician and you think it is not, you are making a big mistake. You will pay for it in September, I can tell you.

We are saying that our access to overseas ports is through government agreement. Some will argue that that is not the case. But,
in very lengthy talks with the pilots association, the unions representing flight attendants and all of the other representative groups—particularly the maintenance people—they have assured me that this is the case. There is a little bit of grey area here. But we are saying, in this piece of legislation, that the airline, if it is enjoying the benefits of Australian airline access to these ports, will be Australian. All of the flight staff will be domiciled here in Australia and they will be Australian citizens. It will be 51 per cent owned by Australians and 81 per cent of the maintenance work will be done here. That is what this bill says.

What it really says is that Qantas will remain an Australian company—it will be based here and those maintenance engineers and technical staff will be based here so that if a plane gets into trouble it can get fixed here. It will not keep flying until something terrible happens. I present as proof the number of stoppages and delays which are occurring now with Qantas. We want our airline pilots to be decently paid—(Time expired)

Bill read a first time.

The DEPUTY SPEAKER (Ms Owens): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

Fair Work Amendment (Arbitration) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Katter.

Mr KATTER (Kennedy) (11:43): I was briefly a union representative in my younger days and I was brought up deeply steeped in the traditions of unionism and what it had done for this country. It amazes me that people are so ignorant of their history, so I felt compelled to devote a fair bit of my life to writing a serious history book about Australia. That history book says that, this time last century, in 1912, one in 31 who went down the mines—whether it was in Tasmania, Victoria, Queensland, New South Wales or Western Australia—never came back up again. They died from accidents. In the report produced in, I think, 1922, Dr Crompton said that for every one who died from an accident, there were 30 who died from lung disease.

To bear that out, when you walk out of this place you will see a big picture of the first member for Kennedy, Charlie McDonald—my predecessor. I am very proud of Charlie McDonald. Charlie had to leave this place because he was effectively dying of miner's phthisis, the lung disease. The first Labor Premier anywhere in the world, the first leader of a Labor government anywhere in the world, was Anderson Dawson, the Premier of Queensland. He had to retire from politics and took to alcohol really just to overcome the incredible pain that he was living in. Of the 2,000 people who dug the sewerage ditches in Sydney, every one of them who worked there for more than two years died of miner's phthisis lung disease. This could easily have been stopped with damping down laws. They had it in South Africa, where they were protecting the indigenous miners over there. They had it in Wales, where the English or London landholders treated the poor Welsh miners like slaves. They had it there, but they did not have it here. We had no damping down laws. So the trade union movement in the early days—I think even Labor people would admit it ran rather badly off the rails from the fifties onwards, but it is starting to restore itself now.

Obviously in discussions with these people, we have had requests on issues from the trade union movement—much maligne
by people in the opposition on a continuous basis—and one issue is arbitration. I also want to say, and I think it is important to say, that Andrew Fisher, the third Prime Minister of Australia, also left this place because of lung disease, and his father died of lung disease. If you look at a representative sample of the early Labor politicians, then you had an almost universal problem with every single one of them—either dying or dead or in dreadful pain—as a result of a simple lack of governments will to protect mineworkers.

This bill, the Fair Work Amendment (Arbitration) Bill 2013—the ALP made very big of reintroducing the arbitration commission, and God bless them for it. But as a person who has, over the years, become someone of a very cynical persuasion, I said at the time, ‘You won’t be getting your arbitration rights back.’ The arbitration commission was restored, called Fair Work Australia—a jazzy name, but it is just the arbitration commission restored—but there was a little hitch. I might add as I go past that before 2007 the only time in Australian history that a Prime Minister lost his seat in parliament was when the then Prime Minister abolished the arbitration commission. Stanley Bruce lost his seat in parliament. The second time that a Prime Minister lost his seat in parliament was when he removed the arbitration commission—that is, John Howard. I regarded John as a very fine person personally, but unfortunately it will be a terrible blemish upon himself and his government that he took our right to a fair go away from us.

The towering ignorance of the opposition in this place, and in elements of the ALP as well, means they do not understand. Kevin Rudd quoted it in this place, but Kevin let us down with this legislation, I can tell you. Kevin Rudd quoted the founder of the arbitration commission in Australia, if you like, with his famous comment that a contract made by one person is, by definition, not a contract. And that is what you encounter. A young fellow came up to me and told me his boss said this. He said: 'There's your workplace agreement. Just sign there down the bottom.' He said: 'Hold on a minute, don't I get to look at it?' He said: 'You can look at it all you like, but the job you are doing is available under those terms and conditions. And if they're not acceptable to you, then you don't accept the job. We'll have to get someone else to do that job.' So he says: 'My way or the highway.' The bloke just shrugged his shoulders and pushed the form in front of him. The point I am making here is this: if you live in the real world, you know that if you do not have an arbitration commission and you do not have a trade union mechanism for collective bargaining, then you will work for nothing in this country!

All right, the ALP government restored the arbitration commission. Good on them; that is wonderful. But there was a little catch 22. One of the prominent union leaders in Australia was in this place. I said, 'Have you seen this legislation?' She said it was disgusting. I said, 'Well!' And she said, 'Do something about it.' And I thought, 'Well, there's a beauty! I'm an Independent in this place and I've got to do something about it. She's one of the more powerful trade union leaders in the country and she's telling me to do something about it!' But here is the catch 22: yes, you can go to the arbitration commission to get an increase in your pay or change in your conditions—those conditions might be dangerous—but to get that change you have to go on strike. The definition is a 'serious economic loss', which amounts to a strike or a lockout. Lockouts are pretty rare, but when they do occur—that is, a strike or a lockout—they become extremely dislocative for the people of Australia. Immense
hardship is placed on the people of Australia if people are forced to go out on strike to be able to get access to the arbitration commission.

We had a very bitter and bloodthirsty situation in Queensland when the lights were turned off by striking electricity workers in a little division of the power industry in Queensland. They would not switch the lights back on and the government eventually acted with a very high degree of brutality, which I think was excessive even though I am ashamed to admit I was in the government at the time. When the lights are turned off, people react with extreme anger against the people who are striking. We should not have in this country a requirement that to get into the Arbitration Commission you have to dislocate people's lives and disrupt and damage the economy. Without collective bargaining we will be back where we were a hundred years ago. I can give you case after case after case of increasingly dangerous operations in industry, mining and everywhere else. People are desperately trying to make ends meet. I do not blame the mining companies and I do not blame the industrialists or any of the other employers who are desperately trying to make ends meet. What happens in that situation is we get cut back. Overlayed on top of this, the government are flying in foreign workers as well, which is undermining our pay and conditions. This legislation today gives you access to the Arbitration Commission through conciliation without have to go to strike. (Time expired)

Bill read a first time.

The DEPUTY SPEAKER (Ms Owens): In accordance with standing order 41(c), the second reading will be made an order of the day for the next sitting.

Dairy Industry (Drinking Milk) Bill 2013

First Reading

Bill and explanatory memorandum presented by Mr Katter.

Mr KATTER (Kennedy) (11:53): I was listening to Prof. Ted Kolsen, Dean of the Faculty of Economics at the University of Queensland—the most distinguished economics faculty in Australia, with many contenders for Nobel Prizes over the years and many other accolades of which they can be greatly proud—and he said that there were three great shames in Australian history: the way we treated the first Australians, the way we treated the men that came home from Vietnam and what we did to the dairy farmers. I will vividly remember, until the day I die, when Senator Julian McGauran raised the issue that day in the National Party room that I was in. I do not think I have ever been so disillusioned—traumatised is probably the right word—by an event in my life. When it actually came in—I am a pretty tough customer and things do not worry me a lot—I lay in bed that day until 11 o'clock just staring at the ceiling because I knew exactly what was going to happen. When they deregulated the wool industry, we went to a suicide every two months in western Queensland. Thank you, Mr Keating! When they deregulated the sugar industry, we went to a suicide every two weeks. Thank you, Mr Truss and Mr Beattie! When we were going to deregulate the dairy industry, everybody knew it would be infinitely worse.

I hope I am not out of school in quoting Julian McGauran on this, but Julian, as he walked out of the party room that day, said: 'That's it. It's all over red rover for the National Party. They're finished.' I think that seven members left that day. There is no National Party in Queensland; it is the LNP,
which is an affiliate of the Liberal Party, not the National Party. There is nothing left of it in Victoria. There is nothing left of it in Queensland—it does not exist in Queensland, actually—and there is not a lot left in New South Wales either. You can thank your current leader because he was one of the architects of the deregulation of the dairy industry. In New South Wales and Queensland the price for fresh milk, within one day, dropped from 59 cents a litre on average to 42 cents a litre, and this is all a matter of public record: the ABS figures, the inquiries that have been done, every single one of them clearly indicates exactly that figure. That is what deregulation did. I do not blame Woolworths and Coles. They are out there to make a quid and, if they can get away with paying 42 cents, they would be damned stupid to pay 59 cents. If there is social dislocation on the issue, that is a matter for government to address, not Coles and Woolworths—they are not there to be Santa Clause.

So what do you do to fix it up? There were 21,000 dairymen in Australia, and now there are under 7,000. My area had 240, and the last time I looked at the figures we had 42 left. One of the towns up there has the highest suicide rate in Australia. Of course, I am not one to be surprised by that. I knew it was coming down the line for us. I punished myself by going and visiting those 12 or 15 dairy farmers in that first week of deregulation. I do not know why I did it. It was some sort of salving of my own conscience, I suppose, because I was in the party that had done it to them. On every single one of those farms the husband and wife were the only workers there; they did not employ anyone, they got up at 5.30 every morning of their life and went to bed at 7 o'clock at night—they might have a bit of camp in the middle of the day. How would you like to do that? How would anyone anywhere like to live like that? These are the people that were utterly destroyed. We thank the government and the Treasurer very much for calling a debt summit. He called a debt summit because farm debt had risen from $700,000 per farm to $1.1 million per farm over the last two or three years and the matter is very critical. Since the debt summit late last year, the figures for last month are $1.4 million of average debt per farm. We have gone from $700,000 to $1.1 million late last year, to $1.4 million now, and the dairy farmers in Victoria are in open rebellion. Why wouldn't they be?

If they are taking it out on their traditional political parties—the Liberals and the Nationals—who can blame them? In fact, they would be very brainless if they did not take it out on them. One bloke down there at Shepparton said to me: 'You're Labor.' I said: 'Well, I wouldn't like to be Liberal or National Party here. I'm not Labor but—'

The SPEAKER: I am loath to do this to the member for Kennedy but, it being 12 pm, private members' time has concluded.

Mr Katter: When do I get to finish it?

The SPEAKER: Just for the member for Kennedy: in accordance with standing order 41, the second reading will be made an order of the day for the next sitting. When the second reading comes on, the member for Kennedy will have another opportunity.

Bill read a first time.

PRIVILEGE

The SPEAKER (12:00): The member for Windsor is seeking the call.

Mr WINDSOR (New England) (12:00): The member for New England.

The SPEAKER: Sorry; I was so intent on the dairy bill before; my humble apologies.

Mr WINDSOR: Thank you, Speaker. I take the suggestion of naming a seat after me
The SPEAKER: I had one and it got abolished! So it all happens!

Mr WINDSOR: As required by standing order 51, I rise to inform the House of a matter of privilege which may amount to a contempt of the parliament. The matter relates to the unauthorised disclosure of the report of the Standing Committee on Regional Australia on the impact of fly-in fly-out work practices on regional Australia. The report has been adopted but not yet presented. A report in today’s West Australian published the title of the report, information about recommendations and the name of a member who has presented a dissenting report. The committee will consider this matter and, if it considers that the unauthorised disclosure has interfered with its work, I will report to the House if necessary at a future time. Pursuant to standing order 53, I present a copy of the article that refers to the committee's report.

The SPEAKER: I thank the member for New England for bringing it to the attention of the House.

BILLS

Public Service Amendment Bill 2012
Water Amendment (Water for the Environment Special Account) Bill 2012

Returned from Senate

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

COMMITTEES

Gambling Reform Committee
Reference

The SPEAKER (12:02): I have received a message from the Senate informing the House of a resolution of the Senate to refer the advertising and promotion of gambling services in sport to the Joint Select Committee on Gambling Reform.

The message read as follows—

That the following matter be referred to the Joint Select Committee on Gambling Reform for inquiry and report by 16 May 2013:

The advertising and promotion of gambling services in sport, including:
(a) in-ground and broadcast advertising;
(b) the role of sponsorship alongside traditional forms of advertising;
(c) in-game promotion and the integration of gambling into commentary and coverage;
(d) exposure to, and influence on, children;
(e) contribution to the prevalence of problem gambling, and mechanisms to reduce that prevalence;
(f) effect on the integrity of, and public attitudes to, sport;
(g) the importance of spot betting and its potential effect on the integrity of sporting codes;
(h) the effect of inducements to gamble as a form of promotion of gambling services, and their impact on problem gambling; and
(i) any related matters

BILLS

Parliamentary Service Amendment Bill 2013

First Reading

Bill received from the Senate and read a first time.

Second Reading

The SPEAKER (12:02): I present the explanatory memorandum and move:

That this bill be now read a second time.

I will now do the unusual act of reading a second reading speech, as this is a Parliamentary Service bill. The bill amends the Parliamentary Service Act 1999 to reflect provisions of the Public Service Amendment...
Bill 2012 which has now passed both Houses. In March 2010, the Advisory Group on Reform of Australian Government Administration published its report, *Ahead of the game: blueprint for the reform of Australian government administration*, and made recommendations to further strengthen the framework for the Australian Public Service.

This bill reflects many of those changes as far as they are relevant to the Parliamentary Service, and also includes a small number of unrelated amendments.

I turn now to some of the main provisions of the bill.

**Values and employment principles**

The bill revises the existing set of 15 Parliamentary Service Values in section 10 of the act with a set of five values and introduces a set of Parliamentary Service Employment Principles.

Secretaries of parliamentary departments will be required to uphold and promote the new employment principles, as well as the Parliamentary Service Values.

Section 11 of the act will be amended to enable (rather than require) the Parliamentary Service Commissioner to advise the Presiding Officers in relation to any of the values.

The bill also enables the commissioner to give advice to the Presiding Officers about employment matters.

Proposed section 11C sets out the Presiding Officers' powers to make determinations about employment matters.

The bill also includes a statement about the role of the Parliamentary Service in serving the parliament.

**Code of conduct**

The bill amends section 13 of the act to provide for the Parliamentary Service Code of Conduct to apply to all relevant conduct where there is a connection with the employee's employment.

In addition to the existing requirements employees will be required to uphold the proposed Parliamentary Service Employment Principles and the integrity and good reputation of their departments.

The bill allows code of conduct action to be taken in relation to employees who have provided false or misleading information in connection with their engagement. It provides that a determination of a breach of the code of conduct may be made after an employee has separated from the Parliamentary Service.

Secretaries will be required to establish written procedures to determine whether there has been a breach of the code, which must have due regard for procedural fairness.

Section 20 will be amended to clarify that secretaries are not subject to direction by the Presiding Officers in relation to investigations into code of conduct breaches or whistleblower reports.

**Whistleblower reports**

The bill provides for new procedures concerning whistleblower reports made by Parliamentary Service employees. It also enables the Parliamentary Service Commissioner to inquire into whistleblowers' complaints after notifying the Presiding Officers of a proposed investigation.

**Review of actions**

The bill adds an option for reviews of action to be conducted by the Merit Protection Commissioner personally. Currently the commissioner must nominate a person or establish a three-member committee to conduct such a review.
Secretaries
The descriptions of the roles and responsibilities of secretaries will be expanded, including provision for a stewardship role for the Parliamentary Service.

Senior executive service (SES)
The provisions relating to the senior executive service are amended to capture better their responsibilities to the wider Parliamentary Service.

Confidentiality of information
Provisions for the use, and confidentiality, of information in the province of the Parliamentary Commissioner and Merit Protection Commissioner are to be expanded and included in the act, rather than in the determinations. A new provision introduces protections for employees who provide information to the Parliamentary Service Commissioner or the Merit Protection Commissioner.

Immunity from suit
Provisions for immunity from civil proceedings for both the commissioner and the MPC will be moved from the determinations to the act.

Miscellaneous amendments
The bill also proposes a number of miscellaneous amendments to update, clarify and strengthen existing provisions and to remove ambiguity.

Amendments not directly related to Public Service Act changes
Other changes are proposed which are not directly related to the Public Service Act changes. These include enabling the Parliamentary Service Commissioner and Merit Protection Commissioner to delegate their powers and functions, and revising provisions dealing with acting arrangements for statutory office-holder positions to align them with the Acts Interpretation Act 1901.

Summary
In summary, the bill before the House will ensure that the Parliamentary Service Act maintains its alignment with the Public Service Act where relevant, while incorporating appropriate modifications reflecting the different role, scale and structure of the Parliamentary Service compared to the Australian Public Service.

The bill will help ensure that the Parliamentary Service continues to provide impartial and professional support of the highest calibre to assist members and senators to fulfil their constitutional and parliamentary responsibilities.

More details are included in the explanatory memorandum which has been presented.

I commend the bill to the House.

Debate adjourned.

Courts and Tribunals Legislation Amendment (Administration) Bill 2012

Report from Committee
Mr PERRETT (Moreton) (12:08): On behalf of the Standing Committee on Social Policy and Legal Affairs, I present the committee's advisory report on the Courts and Tribunals Legislation Amendment (Administration) Bill 2012 together with the minutes of proceedings in evidence received by the committee.

In accordance with standing order 39(f) the report was made a parliamentary paper.

Mr PERRETT: by leave—I rise today to table the advisory report of the Standing Committee on Social Policy and Legal Affairs into the Courts and Tribunals Legislation Amendment (Administration) Bill 2012. The bill proposes reforms to the
administrative structures and processes of the National Native Title Tribunal, the Federal Court of Australia, the Family Court of Australia and the Federal Magistrates Court of Australia. These reforms have been presented as a means to improve the operations of the affected bodies and achieve savings.

The House of Representatives Selection Committee referred this bill to our committee for inquiry and advisory report on 1 November 2012 to consider the means by which proposed efficiencies will be achieved, the effects on the administration of the courts, and whether the proposed amendments will improve access to justice. After consulting with stakeholders through a public hearing and submissions, the committee was satisfied with the objectives and implementation of the reforms. This bill is predominantly finalising and providing the legislative authority for a number of arrangements already in place or certainly well advanced. The courts, tribunal and Attorney-General's Department have been working together over quite some time to implement the reforms. While commending the bodies on their work to date, the committee considers it prudent for an external review to be undertaken by the Australian National Audit Office at an appropriate point in time. This would provide reassurance that the anticipated benefits in terms of efficiency and effectiveness of the affected courts and tribunal have been achieved.

In regard to ongoing reporting, the committee was satisfied that existing parliamentary processes such as agency annual reports and Senate estimates provide sufficient resourcing oversight. However, the committee recommended additional safeguards for the National Native Title Tribunal by asking the Attorney-General to direct the Aboriginal and Torres Strait Islander Social Justice Commissioner to report on the adequacy of the services provided by the National Native Title Tribunal. In terms of any proposed savings, the committee would like to take the opportunity to remind members that the Parliamentary Budget Office is the most appropriate body to provide advice on potential financial implications of a bill. The committee unanimously recommended that this House pass the Courts and Tribunals Legislation Amendment (Administration) Bill 2012. It is my understanding that the deputy chair of the committee would also like to speak. I commend this report to the House.

Mrs MOYLAN (Pearce) (12:11): by leave—Before discussing the actual findings of the Social Policy and Legal Affairs Committee advisory report into the Courts and Tribunals Legislation Amendment (Administration) Bill 2012, it is worth mentioning the irony that I see in the way that this bill has been referred to committees. I have spoken in the past about the inefficient way in which we are dealing with these bill referrals to committees, where we are referring them to multiple committees for the same outcome. Indeed, I wrote to the former Speaker, the member for Scullin, about this some time ago.

This bill is about achieving efficiency, and it seems ironic to me that we cannot achieve those efficiencies ourselves in the way in which we manage the business of this chamber. It is not only my concern about the lack of efficiency in the management of bill referrals to committees, but also about what I sometimes see as the incredibly short time that committees have to report which does not allow them to do the job justice and to properly consider the implication of some of these bills which have incredible ramifications for the agencies involved in the
changes and, indeed, for the Australian public.

This bill was concurrently referred to the Senate Standing Committee on Legal and Constitutional Affairs. It was referred to the Social Policy and Legal Affairs Committee, and aspects of it have also been examined by the Parliamentary Joint Committee on Human Rights in regard to access to justice. Again, I make the comment that it would be good to see us perhaps streamline the work of this parliament and to make sure that we are not overlapping on the proper scrutiny of bills. Then we can begin to look at how we streamline and make our different agencies in government more effective. But I do thank the Social Policy and Legal Affairs Committee secretariat and my colleagues for the rational approach that they have taken to scrutinising this particular bill by drawing principally from evidence given to the Senate standing committee in the preparation of this report so that there was not duplication of work.

The bill has two principle aims. The first is to legislatively formalise the merger of the administration functions of the Family Court and the Federal Magistrates Court, which occurred in 2008-09. The second is to merge the appropriations, staff and some administrative functions of the National Native Title Tribunal, or the NNTT, with the Federal Court. In total, the bill intends to achieve $4.75 million in savings each year over the next four years. In merging the administration functions of the Family Court and the Federal Magistrates Court, which is now called the Federal Circuit Court, a relatively meagre one-off amount of $6.3 million was returned to the government and 50 staff were shed through voluntary redundancies and attrition. In terms of ongoing savings, the chief executive officer of the Family Court, who has also been acting as chief executive officer of the Federal Magistrates Court since November 2008, stated that no further savings could come from the merger, except for $500,000 a year in reduced compliance costs when this bill is passed. Notably, the Attorney General's Department agreed with this assessment. But even that saving could quickly evaporate. The chief executive officer of the Federal Magistrates Court has a total remuneration package of upwards of $300,000 a year, meaning that if or when such a person is appointed, ongoing savings from this measure will be less than $200,000 a year—not enough to employ another judge to lighten the continually increasing workload of the courts.

Whilst the committee heard evidence that the temporary combined role of chief executive officer of both courts is currently working, this may not persist into the future. As the government's Future governance options for federal family law courts in Australia report, the Semple report, notes on page 6: 'The 'service culture' of the Federal Magistrates Court is, by design, different from that of the Family Court. While the FMC's service culture has certainly been received positively by litigants and legal practitioners, it has also created significant friction and resentment between the two courts in relation to resource allocation and, in particular, judicial support resources … and … tension over resources has distracted the Family Court and FMC from their core responsibilities.' In terms of savings, the Attorney General's Department confirmed to the committee that the recurring $4.75 million intended to be saved under the bill will come from the second aim of the bill, namely the transfer of the National Native Title Tribunal staff, appropriations and administrative functions. The 2012 Strategic Review of Small and Medium Agencies in the Attorney-General's portfolio—the Skehill Review—reveals that $2 million of that will
come from the Federal Court taking over responsibility for mediation from the NNTT. As the Skehill review outlines on page 75, that is because mediation in the NNTT is primarily conducted by tribunal members with a total remuneration package of $280,000 a year, whereas mediation in the Federal Court is undertaken by officers at the legal 2 or SES band 1 level, with total remuneration ranging between $160,000 and $220,000 per annum. Additionally, the level of support provided to Federal Court officers to conduct mediation is less than the support generally provided in the NNTT to members.

Understandably, with less support staff available to the Federal Court mediators, this has caused concern about the potential for delay in native title decisions, which can already take up to more than 10 years, as well as the loss of experienced staff from the NNTT, who have built up years of cultural awareness and sensitivity, which is crucial in hearing and mediating native title claims.

Whilst the committee sought to confirm that there would be a transition of staff and expertise, it is concerning that the Skehill review points out that the $2 million in savings it identified will be realised with 'rationalisation' of staff—or, more correctly, the loss of staff. Considering, too, the significant disparity in pay between the NNTT members and officers of the Federal Court, there is not likely to be a transition of NNTT members, with their collective knowledge and expertise, to the Federal Court.

Due to the relatively constrained inquiry by the Social Policy and Legal Affairs Committee these issues have not been canvassed in depth. But hopefully the more detailed Senate committee inquiry will investigate these aspects more thoroughly and the House will then be more equipped to determine the likely ongoing effects that this bill may have.

**National Electricity Bill 2012**

**Report from Committee**

Mr CHAMPION (Wakefield) (12:19): On behalf of the Standing Committee on Infrastructure and Communications, I seek leave to make a statement on the National Electricity Bill 2012 in discharge of the committee's requirement to provide an advisory report on the bill and present a copy of my statement.

Leave granted.

Mr CHAMPION: The committee has endorsed the content of this statement. On 29 October 2012, the National Electricity Bill was introduced into the House by the member for Lyne. According to the member for Lyne's first reading speech, the purpose of the bill is to 'adopt, in so far as practicable, the existing national electricity law to make the national electricity law an act of the Commonwealth'.

Energy prices and their regulation have been the subject of ongoing debates across states and territories, as well as occupying the attentions of federal governments over several years. In considering options for possible inquiry, committee members debated the relative merits of the various approaches to date, noting that discussion of energy markets and regulation was extremely complex. The committee noted that a select committee of the Senate looking at electricity pricing had reported on 1 November. The committee also noted that the government's energy white paper was released on 9 November 2011. The white paper considers issues including the deregulation of retail energy prices.

The committee notes that the consultation process for the white paper commenced in 2008, and that collective action from state,
territory and the Commonwealth is needed. The committee acknowledged that extremely diverse views exist across the political spectrum as to how energy should be regulated, and that these views are currently being debated in various arenas. The committee took the view that an additional inquiry by a committee of the House would do little to add to the processes already underway.

As has been noted in the House by chairs of other House committees, this committee welcomes the opportunity to examine bills referred to it by the House, and indeed has already conducted inquiries into legislation as part of its work during this parliament. It is important however, that inquiries be conducted in a manner which is both timely and constructive. Given the ongoing consideration about reforms which are in progress, the committee considers that further investigation by a committee of the House is not the most constructive use of parliamentary resources.

The committee considers that issues involving the energy sector, including its regulation, will continue to be the subject of parliamentary and public debate, and therefore recommends that the issues canvassed in the bill continue to be considered in debates in this House.

Tax Laws Amendment (2012 Measures No. 6) Bill 2012

Report from Committee


In accordance with standing order 39(f) the report was made a parliamentary paper.

Ms OWENS: by leave—The bill makes a range of amendments to the tax law. Three of the schedules—schedules 2, 3 and 4—did not attract submissions from stakeholders, and the committee accepts this as support or acceptance of the amendments. Schedule 2 updates the list of deductible gift recipients. The organisations that have been listed or have had their listing extended include: AE1 Incorporated, which seeks to locate and honour the crew of Australia's first submarine; Teach For Australia, which seeks to attract top graduates to teach in disadvantaged communities; and Australia for UNHCR, which raises funds to support the humanitarian programs of the United Nations High Commissioner for Refugees. These are important causes and the committee is pleased that they have been included in this bill.

Schedule 3 extends the immediate deductibility of exploration expenditure already provided to mining and petroleum explorers to geothermal energy explorers. This will restore competitive neutrality in the sector and support a clean energy source.

Schedule 4 extends the interim streaming provisions for managed investment trusts from 2012 to 2014, in line with the government's announcement to defer until 2014 the commencement of the new overall regime for managed investment trusts and the new general trust income rules. The committee expects that coordinating the commencement of these different systems will reduce compliance costs for taxpayers.

The committee received submissions in relation to the other four major schedules in the bill. Schedule 1 clarifies the tax law so that payments under native title agreements will be subject to neither income tax nor capital gains tax. These reforms have been on the policy agenda since 1998 and the committee is of the view that this tax treatment is fully consistent with the unique
nature of native title. At the hearing, however, there was considerable support for the view that the schedule should also provide preferential tax treatment for Indigenous community development corporations. This is outside the scope of the bill and the committee does not believe that a recommendation along these lines would be appropriate.

However, the committee would like to stress that native title is only 20 years old. Indigenous people have spent much of that time proving native title and are still learning how to release the economic potential of that title for the benefit of present and future traditional owners. The evidence given indicates that there is work to be done in finding consensus on what is an appropriate legal framework that recognises native title once it has been transferred through a compensation payment to a monetary form. Finding that consensus will become more important as Indigenous communities explore new mechanisms to unlock the economic potential of native title for the benefit of their community now and in the future. However, the purpose of schedule 1 is to amend the tax law so that it largely reflects the way that the tax office has been applying the law in relation to native title, and the committee believes that it should proceed in its current form. However, the committee expects that, in the coming years, the broader matters raised in submissions and in the hearing will be the subject of board consultation, both in terms of who is involved and the policies that are on the table.

Schedule 5 applies an income based means test to the rebate for medical expenses. The Australian Medical Association argued that a means test should not apply to a medical care safety net because illness does not discriminate on the basis of income. The committee nonetheless supports the schedule because it will result in better targeted health expenditure and a more sustainable health system.

Schedule 6 amends the definition of limited recourse debt, following a High Court case in 2011 where BHP Billiton secured double deductions for its iron briquette plant in Western Australia. Although there was general support for the provisions, there were also concerns about retrospection and whether the schedule will be limited to related party transactions—similar to the facts in the BHP Billiton case. The committee was not unduly concerned about retrospection because the new law will apply from the date of announcement and the policy intent of the provisions is unchanged. Further, there has been only a short delay between the announcement and the introduction of the bill. Although limiting the schedule to related party transactions may appear attractive, it overlooks the fact that the limited recourse debt rules play an important role in the wider integrity of the tax system.

Schedule 7 removes the concessional fringe benefit tax treatment for in-house fringe benefits accessed through salary sacrificing. In-house fringe benefits are those where the employer provides the same or similar goods or services as part of their business. The in-house provisions were initially included in the fringe benefits tax because the tax is imposed on employers and in-house benefits cost less to employers to provide them. However, since then, the in-house rules have evolved into a key element of employee remuneration in some industries, contrary to their original goal.

Overall, the bill makes a range of amendments that will protect the integrity of the tax system, closer aligns it to the underlying policy and achieves important social goals. The bill should pass.
On behalf of the committee, I thank the organisations that assisted the committee during the inquiry, through submissions or participating in the hearing in Canberra. I also thank my colleagues on the committee for their contribution to the report and the secretariat, who worked so hard, particularly over the Christmas break. I commend the report to the House.

Mr CIOBO (Moncrieff) (12:27): by leave—I rise to make comments with respect to that part of the report to which there has been a dissenting report lodged by the coalition members of the House of Representatives Standing Committee on Economics. The chair has quite competently and ably run through the various schedules of the bill. I commend her for that. I would also like to associate myself from the very outset with the comments that she made about the good work that was done by the committee secretariat. They are a tireless bunch and are to be applauded for their efforts.

With respect to the dissenting report, I would like to especially focus on two schedules: schedule 1, native title benefits; and schedule 3, geothermal energy explorers. Schedule 1 basically deals with a multitude of evidence that was put to the committee. The dissenting remarks from coalition members deal with the fact that there was a very clear, unambiguous feeling from those that were present—not all, but certainly the majority of witnesses—that the report that has been formed and the conclusion that has been formed in the report is not consistent with their evidence—that being that the reforms seeking to be made by the bill would in fact be a retrograde step.

What is clear is that, when it comes to native title, Liberal members of the committee were particularly concerned with the evidence was put forward by the Minerals Council of Australia, BHP Billiton, Rio Tinto, the Chamber of Mines and Energy of Western Australia and others. All of this evidence indicated that the changes that are proposed in the bill would be a step that would actually make it more difficult, and not better, for those Indigenous Australians who hold native title.

It was best summarised perhaps by the opening statement that was put forward by the Minerals Council of Australia and was supported by BHP and the Chamber of Mines and Energy. They said:

The Minerals Council of Australia supports the government's policy objective to deliver a more flexible and less legalistic approach to native title and to deliver practical outcomes for Indigenous Australians. We are committed to working with the government to ensure that agreement monies constructively contribute to socio economic outcomes for Indigenous Australians in line with the government's Closing the Gap policy objectives. While we support reforms to the taxation system to maximise the economic value of native title compensation and benefits packages, we are concerned that the proposed native title payment tax treatment may have a range of unintended consequences. Specifically, we consider that those amendments disincentivise investment in intergenerational wealth creation, as tax will be payable on any transfer of monies to future generations or on income earned. It disincentivises the provision of benefits under agreements to Aboriginal people who are resident in an area but who are unrelated to native title determination and it limits the main tax treatment to the defined beneficiaries.

That is important, because it pertains to the very attempt that native title seeks to encapsulate, which is to reward in an intergenerational sense those native title holders as a consequence of agreements that are put in place. One thing that struck Liberal members of the committee was the fact that the majority advisory report effectively outlined that the concerns that were raised by witnesses—in particular, those who
represented the mining lobby—were unlikely to eventuate because native title agreements are structured to prevent it occurring, and this feature of the contracts has been largely driven by the mining companies themselves.'

We find it passing strange that the very agreements that the majority advisory report seeks to rely upon, which are put forward by the mining industry in the main, are in fact by the same authors—that is, the mining industry—who say, 'We've got genuine concerns about this because it is going to result in negative impacts on intergenerational wealth transfer.' So, we think it is a bit of a case of government members of the committee wanting to have their cake and eat it too, to claim that the mining lobby is raising genuine concerns and also that they do not need to be concerned about what the mining lobby says because the mining lobby has already taken care of it in agreements. Liberal members found that counterintuitive.

The final point I would make is in relation to schedule 3, and I reiterate again that the coalition is of course opposed to the minerals resource rent tax and will repeal the tax should we be fortunate enough to be elected at the next general election. Given that this is in fact associated expenditure from the MRRT, we are opposed to it.

**Appropriation Bill (No. 3) 2012-2013**

**Appropriation Bill (No. 4) 2011-2012**

Reference to Federation Chamber

Mr FITZGIBBON (Hunter—Chief Government Whip) (12:32): by leave—I move:

That the following bills be referred to the Federation Chamber for further consideration:

- Appropriation Bill (No. 3) 2012-2013; and
- Appropriation Bill (No. 4) 2012-2013

Question agreed to.

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**National Disability Insurance Scheme Bill 2012**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Mrs GRIGGS (Solomon) (12:33): I rise today to record my support for the highly anticipated National Disability Insurance Scheme. I have been involved with the disability sector and people with disabilities for many years now and agree it is now time that the NDIS be implemented. The Gillard Labor government should not be paying lip service or playing politics with this important issue. It should come clean and explain to Australians how it is going to fund this very important scheme.

All too often we hear those on the other side make announcements and get the media all hyped up. They use weasel words, they spin round and round, but you cannot lock them down. It is time for them to come clean. After all, this is the same government that promised no carbon tax, promised a surplus and in fact reported through a number of its members' newsletters that they had actually delivered a surplus, which we all know is a blatant misrepresentation of the truth. How can you believe anything this Prime Minister or the government says? Most Australians agree that it is a stark, sad reality that the state of the system of support for Australians with a disability is fundamentally broken and that it is now time for the NDIS.

A number of constituents who have contacted me regarding this issue tell me they think it is time that the Gillard Labor government committed to real funding of the NDIS. The Gillard Labor government does not have a good track record of implementation, and this issue is too important to be meddled with or mucked up by the Gillard Labor government and the
politics associated with it. They are a desperate government who will do and say anything to stay in power.

The coalition is ready to work together on this issue so that we can get it right. We have made an offer to work with them. To get this right, a coalition government is absolutely essential. A coalition government is needed to deliver a strong budget surplus and to give certainty to this scheme, which will affect so many Australians with disability and their families. This is the only way a government can guarantee that an NDIS will be sustainable. Territorians want an NDIS. I have spoken on this issue before in this place and shared some of the stories of constituents who have asked me to support the introduction of an NDIS.

The NDIS will help people with a disability participate more fully in economic and social life through the provision of funding for aids, essential equipment, supported accommodation and round-the-clock care. Sadly, we can all agree that most Australians with a disability currently are not getting the support they need, and that is an absolute disgrace. Whether people have been born with a disability or have acquired it during their life, there is currently no real support system for them; there is nothing really for them to fall back on during their time of need. In some instances there are people who can recover the costs of their care due to injury if the injury is through the fault of another or can be covered under an insurance scheme. However, for the overwhelming majority of Australians with a disability it is a lifelong struggle for them and their carers to find the money to pay for essential care and equipment.

It is disappointing that the Labor government has not released a proper set of NDIS rules. It is very hard to determine who will get assistance and who will not without these guidelines. The Gillard Labor government released a discussion paper on the NDIS rules on 1 February 2013. It is a fair statement to say that this paper does not shed light on the NDIS rules—not one little bit. This is disappointing for Australians with a disability and their loved ones who are waiting with high expectations for a firm and rigorous eligibility procedure to follow. The aforementioned paper proposed a series of questions, hardly what we would expect of a draft set of rules. What is clear, though, is that the coalition has supported each milestone on the road to developing an Australia-wide NDIS. We supported the initial findings by the Productivity Commission and have encouraged vehemently the Gillard Labor government to take up our offer of a cross-party committee, so that we can ensure that we can get it right. Not surprisingly, this offer was refused by the Gillard Labor government. We wholly supported the $1 billion in the last budget and will support this legislation.

The coalition believes that the NDIS can be delivered in the timeframe recommended by the Productivity Commission, but this can only be achieved by a prudent government that manages its finances and delivers a budget surplus when it promises. The Gillard Labor government has now promised to deliver a budget surplus over 500 times, and we are still waiting. My hope for all Australians with a disability is that the promise of a fully-funded NDIS is not broken the same way that the carbon tax promise was broken. The coalition stands ready to work with the Labor government to achieve its promise and deliver a well overdue NDIS.

Additionally, medical defence organisations and individuals with a disability are concerned with the measure that allows the NDIS CEO to make directives that a participant must sue or make
claims from insurers when there is the chance that costs could be recovered. Personal injury litigation is an expensive and arduous process and this can be dangerous as it could force more costly litigation upon our already over-litigated society. Insurance premiums will skyrocket, which will trigger a flow-on effect to Australians and on their ever-increasing cost of living. Our overworked courts will be even more clogged-up with unnecessary litigation. As usual, the Gillard Labor government has provided little detail as to how individuals will be assessed, how they will be eligible, what kind of disabilities will fall under the scheme and also what support services will be provided under the scheme. This will not be obvious until the rules and regulations are released, which we do not expect for some time. It would be useful if we had them now; however, this is the path of the process that they are choosing to go down.

The NDIS is a once-in-a-generation reform that will unfold over several parliaments and it is important that we work together to get this right. The Leader of the Opposition has shown his personal dedication and commitment to this issue by dedicating to Carers Australia $540,000 raised by the 2012 Pollie Pedal bike ride. He has also personally met Australians with disabilities and their carers, and with numerous disability organisations, as have many of the members on this side. Carers Australia is a fantastic organisation, and the next two Pollie Pedal rides have been dedicated to raising funds for the organisation to further assist Australians with a disability.

The Gillard Labor government continues to spruik the NDIS as a scheme promoting Labor values and Labor beliefs, but Australians are sceptical, and they tell me that they do not necessarily believe this is the case. The NDIS supports Australian values and Territory values. The NDIS gives Australians with disabilities and their carers a fair go. It will help those who face challenges for reasons beyond their control. The NDIS is designed to empower the individual to remove government from their everyday life and reduce red tape.

The coalition believes that the full implementation of an NDIS would be nothing short of a new deal for people with disabilities, and their carers. We must get this right, and we will get this right with a prudent coalition government with strong fiscal policies for the future of Australia. To get this right it is as essential that we have a high level of consultation and a precise attention to detail from now through to implementation, until we see results that this is working for Australians. The coalition has always welcomed a cross-party parliamentary committee chaired by both sides of politics to oversee the implementation. One of the biggest health reforms since Medicare, it is fundamental that we get this right. A parliamentary oversight committee would lock in all parties and provide a non-partisan environment where issues of design and eligibility could be worked through cooperatively.

While the NDIS will fundamentally help Australians with disability, it will also provide some form of certainty to the selfless carers that care for their loved ones with a disability. A mother should not have to fear for her adult child's safety when she passes on. A father should not have to worry every day of his life how he will pay his 40-year-old son's specialist bills, when he is too old to work. It is important to note that every government in Australia and every opposition in Australia supports and wants to see a successful NDIS. This is a very important point, because it is not the same for the Gillard Labor government's carbon tax.
The Gillard government should accept our offer of a parliamentary oversight committee. This government likes to pay lip service to wanting to have cross-party support for the NDIS, but when the opportunity to get this has presented itself they have declined to participate. What message does this give Australians? The coalition want to give the government, the Greens and the Independents an opportunity to work together on this very important issue. We want to offer our hand of cooperation by moving amendments to this bill to establish a non-partisan oversight committee. And the Gillard Labor government should accept this offer to ensure a successful NDIS delivers results to Australians who need it most. This is the right thing to do.

It was disappointing that at the COAG before last the Prime Minister could not rise above her partisan instincts and agree to work on this with as much support she could find. It is to the credit of Premiers Baillieu and O'Farrell that they continued to negotiate in the face of public attack and misrepresentation by the federal Gillard Labor government. But they stood firm until they reached agreements to host launch sites. The coalition urged the Prime Minister to adopt a more cooperative approach when dealing with our state and territory governments as there can be no NDIS without their buy-in and without their support. It is now up to the Prime Minister to continue to work with the states and territories and to adopt a more constructive approach to reach a more bilateral agreement—hopefully one that will benefit the people of my electorate, Solomon.

Whilst the Productivity Commission never envisaged a problem with the absence of launch sites from a few states and territories, Territorians know that we in the Top End are extremely far from the nearest capital city and without confirmation from the Gillard Labor government about how eligibility tests will be carried out, I cannot be sure that the people in my electorate will not miss out because of Labor's incompetence. The coalition will continue to place this issue above politics and, as I said, we are prepared to work with state governments and the Commonwealth Gillard Labor government toward a better deal for people with disabilities and their carers.

In the last federal budget, we fully supported the government's commitment of $1 billion dollars to the NDIS However this does not add up to the $3.9 billion that the Productivity Commission said would be necessary over only the first phase of the NDIS. It is essential that this scheme is fully funded throughout the rollout phase as this first stage will benefit over 20,000 people with disabilities and their families and carers. Australia is the land of opportunity. The NDIS will provide this for many families across Australia as long as it is fully funded to reach its potential. As I have said, the coalition stands ready to provide strong and stable government. A coalition government can provide this funding with its plan to deliver a safe, secure Australia with a budget surplus.
to establish the National Disability Insurance Scheme to provide the resources that are provided to support people with disabilities and their carers. This particular bill establishes the National Disability Insurance Scheme and the National Disability Insurance Scheme Launch Transition Agency.

I am very pleased that my seat of Corangamite, and indeed the whole of the Barwon south-west health region of Victoria, has been selected to be a launch site. I am looking forward to working with all of the communities across that region to ensure that the National Disability Insurance Scheme launch site provides valuable lessons for the nation and provides us with key insights as to how it should work and how it should be rolled out across the whole nation. In the Barwon region there are at the moment some 5,000 people with significant and profound disabilities. I know from talking to many people with disabilities within my region that they are looking forward to participating in this and getting the necessary resources to support them with their disabilities.

One of the exciting things about the establishment of the National Disability Insurance Scheme is that those with disabilities and their carers will be at the heart of the decisions made about what they require, whether that be aids, care or other things. Whatever it happens to be, it will be their decision as opposed to a decision imposed upon them by a state government, the Commonwealth or an NGO within that space. That is important. Providing people with the opportunity to be at the heart of decisions about what they need is important. The people being at the heart of such decisions will also be able to put in place individualised care and support packages that can best support them with their disability.

With these launch sites—of which Victoria has one—we have had to work closely with the state government, the Baillieu government, to get the agreement and arrangements in place to help support the scheme. It is pleasing that the Victorian government has come on board and is working in partnership with the Commonwealth to make sure that it does work.

In talking to a lot of disability support agencies, they are indicating to me that they are now starting the process of gearing up for the National Disability Insurance Scheme. They are predicting that there will be more workers within the industry. I think it is a good thing to have more professionals working closely with people with a disability and their family support mechanisms; this will also be very important. Last week, I was fortunate enough to be able to announce with the minister that there will be some 80 employees taken on in the not too distant future to help support the Barwon South West launch site. We will be recruiting a whole raft of different people with different experiences and with different qualifications, and I certainly look forward to meeting with those people in due course and hearing firsthand how they see the National Disability Insurance Scheme working.

We also have agreements with some of the other state and territory governments around the nation, and I think that is very pleasing. Disappointingly, at this stage the Queensland government is one example of a government that has not recognised the need for this scheme, and has not recognised the need to partner with the Commonwealth in delivering the National Disability Insurance Scheme. That is extremely disappointing for Queenslanders with a disability and I would hope that the Queensland Premier, in due course, does recognise the need for the scheme, and does come on board and partner with the Commonwealth government in
delivering the National Disability Insurance Scheme.

I can recall when I was first elected to parliament back in 2007 I received a delegation of people with disabilities from my seat. I was surprised at the complexity of the system that was in place, and how difficult it was for individuals to negotiate with funding providers to get in place the individual care packages that they needed that were tailored to them. At that point in time, I was briefed on a concept that was getting around to form an insurance-type body that would help provide funding and support—perhaps similar to a traffic accident commission or a work cover-type model. The conversations at that point in time were only just beginning, but they had begun. I can recall the concept was around making the person with a disability or their carer at the centre of decision-making where they would be assessed and provided with an amount of money that they could use to buy the types of aids they might need, or to engage a carer, or whatever it may happen to be. This seemed to me to make a lot of sense, particularly in terms of what was in place and the complexity of it and, to be frank, the complete and utter underfunding for those with a disability.

I look forward to working with the Geelong region, working with the transition agency and working very closely with disability organisations across my electorate to make sure that not only do we get it right, but the valuable lessons that come from having the disability insurance scheme launch site in Geelong are taken around the country. The Geelong region does have a proud track record of being at the forefront of reform. We do it better than any other region, and I am sure that with Geelong people fully behind this launch site, we can learn how to better support people with a disability and of course their families. That is an endeavour that I personally hold and I know that people in the Geelong area also wish to see occur.

On that note, I look forward to working with the sector, with people with a disability and with their carers not only to deliver this for Geelong, but also to learn important lessons that we can take around the rest of the country.

Mr CRAIG KELLY (Hughes) (12:58): I rise to speak on the National Disability Insurance Scheme Bill 2012 and I do so as someone with a personal and vested interest. Sixteen years and 11 months ago my son, Trent, was born with Down syndrome. The day he was diagnosed was perhaps the hardest day in my life. Words cannot explain the grief parents suffer when they discover all the hopes and dreams that they have for their child are dashed, and their child is born with a disability for life. It leaves one with a great sense of guilt. It is the financial uncertainty, knowing that it is a lifelong condition for which there is no cure. I remember leaving the hospital and thinking of the inequities that a child who is born with a disability is often treated differently by our government and given different financial resources as if they acquired that disability through an injury or through a motor vehicle accident. Further, autism is another disability that affects up to one in 100 Australians.

But as well as having Down syndrome my son is also one of those one in 100 who suffer from autism. Like many parents whose children have been diagnosed with autism, it took a while for Trent to be correctly diagnosed. When he was about 18 months old we had concerns that he had problems with his hearing, because he was not responding to noises as you would expect of a normal child. So, for month after month we took him along to a hearing clinic, where they would put him in a darkened room and
make noises with a puppet in one corner of
the room, expecting him to turn, so that we
would know his hearing was okay. But of
course Trent would pay no attention, so the
hearing specialists thought he had significant
problems with his hearing.

We then went through months and months
of trying to fit him with a hearing aid. The
very minute we put a hearing aid into his ear
he would pull it out. It was a game we would
play for hours and hours on end, and he
would always win. However, one day we
were over at my mother-in-law's place and
he was watching his favourite TV show,
Blue's Clues, on the TV over in the corner of
the room. The very minute he heard the
sound he knew and recognised his little face
turned to it. And I thought, 'You little
bugger. You have been conning us all this
time.' His hearing was okay, but he was
autistic, which provided many of its own
unique challenges.

With both autism and Down syndrome,
Trent does not have any language and he
cannot dress or toilet himself. He has
repetitive habits and he will need care from
my wife and me for his entire life. Now that
he has reached the age of 16, it is time for
him to start shaving. Every week I go
through a procedure where we basically play
jujitsu. I try to get the razor to his face and
he tries to push it away time and time again.
Now that he has got a bit used to it, shaving
is down to about 40 minutes from the
original hour and a half. That is something I
will have to do with my son for the rest of
his life.

But Trent certainly knows what he wants.
He is a happy kid. He laughs as much as any
kid. He is satisfied and comfortable in the
world he lives in that we created for him. He
certainly gets frustrated from time to time
but he can often get past that frustration after
about 30 minutes of hard work. He does not
have to worry about what is happening on
the next day, the next week or the next year.
His world is uncluttered by the worries of
responsibility, social acceptance and the
subconscious fears that plague the rest of us.

But most of all, having a son like Trent
has made me realise that every life is
important; it is precious and it is valuable.
However, caring for Trent is a lifetime task.
There are simply no days off. And, of course,
our greatest worry, something we try to put
out of our minds, is what will happen to our
son when we are too old to care for him or
when we are gone.

There is also the financial concern. The
Autism Society of America estimates that the
lifelong cost of caring for a child with autism
is between $3.5 and $5 million. But all the
money in the world does not make dealing
with autism or Down syndrome easier. Many
parents I know who have children with
severe disabilities are on medication for
depression. Studies have shown that single
mums looking after kids with autism have
the same stress levels as soldiers in combat.
Then of course there is the strain on the
family. Divorce rates for parents caring for a
disabled child are high, at almost twice the
rate of the national average.

Although no amount of money will heal
disabilities such as Down syndrome or
autism, money and resources can improve
the quality of life. It can provide greater
opportunities and it can help take the stress
off families. In my maiden speech in the
House, I talked about the unsung group of
heroes working across Australia today,
whom we may well call our neglected
people: our carers and children with
disabilities. I noted that as a society we ask
our carers to provide over one billion hours
of unpaid work a year, which would cost us
well over $30 billion if we taxpayers had to
pick up the tab for it. Simply, as a society we

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are asking our carers to do more than their fair share of the heavy lifting. I also pledged that during my time in parliament I will be fighting to ensure that our carers and our children with special needs are provided with the resources they rightly deserve and need.

I for one am pleased that we are moving to improve the lot of people with disabilities and their carers. But let us not mislead the public and the carers of people with disabilities about what this bill actually does. The Productivity Commission’s report called for these trials to be funded with $3.9 billion over the forward estimates. But this parliament has kicked in only $250 million a year over the four years for the trials. That is just 25 per cent of what the Productivity Commission called for. So, before the NDIS has even started, this parliament has short-changed Australia’s disabled by 75 per cent of the funds necessary just for the trials. Yet, we seem to be able to find money for almost everything else. And we do not have a clue about how we are going to pay for the full NDIS roll-out, which is going to cost upwards of $8 billion a year.

So, if any member of this parliament claims that they have delivered a National Disability Insurance Scheme, when the truth is the trials are short-funded 75 per cent, they are simply hoodwinking the public, and they are involved in a cruel hoax on our nation’s disabled and their carers. No-one can say they have delivered the NDIS until they have actually delivered the funding needed, and it is delivered on a sustainable basis. That is what the debate should be about.

There is not a split match between members on either side of the House when it comes to our desire to deliver an NDIS and to deliver better services for our carers and kids with disabilities. However, I have great concerns that the government is playing politics with the NDIS. We have had the community service minister shrieking across the chamber here, ‘We own the NDIS!’ No-one owns the NDIS, and when it is finally delivered—which may be in seven years time—it will be owned by the people of Australia. What the public wants to see is this issue tackled in bipartisan spirit with every member of the House working together to deliver an NDIS. We know, according to the Productivity Commission’s report, that to deliver this in full could take seven years—spanning the lives of three parliaments. To do that over three parliaments we need stability. We need to have a bipartisan approach through those next three parliaments over those next seven years.

To address that issue and that problem, my good friend the member for Dawson, someone who understands disabilities from his own life experiences, thoughtfully put together a motion to establish a joint select committee on the National Disability Insurance Scheme. This would have overseen the implementation of the NDIS; it would have been subject to terms of reference and agreed upon by both the Prime Minister and the opposition leader and ratified by the entire House; it would have comprised four government members and senators, four opposition members and senators, one Greens member and one member of the non-aligned group—either a senator or a member of the House of Reps; it would have been jointly chaired by a government member and an opposition member; and, most importantly, this committee would have remained in existence until the full implementation of the NDIS is achieved. If members of this current parliament were truly concerned about the welfare and opportunities of our disabled, rather than playing politics, they should have supported that motion. Instead, it was
completely rejected. Such conduct raises further concerns about whether this government is really truly concerned about a better deal for our disabled, or whether it is just here to play politics with the most vulnerable members of our society. I call on the government to rethink its negativity, to rethink its opposition to this bipartisan approach and to create an opportunity where both sides can go ahead on a bipartisan approach.

Going forward, to deliver the NDIS over three parliaments in seven years, there are a few very important things that we need to get right. Firstly, we need to be very careful that any funding we put forward goes to provide resources to those who need them the most, is not captured by the bureaucracies and is not wasted on needless administration. Most importantly, we need to work out how we are going to fund the NDIS on a long-term, sustainable basis—for we could have all the good will in the world, we could tour the countryside talking up the NDIS, we could print glossy brochures to stick up in our windows and hand out around our electorates, we could take the applause from disabled groups and we could design the most effective and the most efficient scheme to provide those services, but unless we show how the NDIS will be paid for on a sustainable basis the NDIS will remain nothing but a mirage.

As I said, the funding must be on a sustainable basis. It cannot be funded by deficit spending. This is the reason why there are only two ways that we can fund the NDIS. The first is that we must cut the waste. We must eliminate every indulgent and feel-good scheme. Perhaps we should set up a museum of government waste here and put in all the long lists of wasteful schemes we have seen from this government, so that every single parliamentarian walks past them every day and does not repeat those mistakes. We must end the palpable waste that I have seen in this place, which has made me sick to the stomach since I have been here. We need to develop a culture of thrift across the bureaucracies—and, when one reads in today's papers that senior Climate Change Authority executives have been dining out at posh Italian restaurants and leaving the taxpayers to pick up an almost $2,000 bill, we need to take to this culture of indulgence with a meat axe. Most importantly, if we deliver the NDIS, we are only going to achieve this by making sure that our economy is running on all cylinders and by lifting our productivity. We cannot do this by introducing new taxes and red tape that raise the cost of doing business in Australia and make Australian industry uncompetitive, for ultimately the only way we can deliver the NDIS is for it to become a social dividend from a productive economy running on full steam.

Look at some of the policies that this government has promoted which jeopardise our ability. On the government's own figures, the carbon tax will reduce Australia's GDP by a cumulative total of $1 trillion by 2050—$1 trillion reduction in GDP! That is the greatest threat we have to delivering the NDIS. We need policies to deliver this NDIS: we need policies that foster individual economic opportunity; we need policies that promote free markets and protect them with effective competition laws; and we need policies where we can see the economy grow, for that is the only way that we can deliver the NDIS and provide it on a sustainable basis.

Ms O’NEILL (Robertson) (13:13): I think that the National Disability Insurance Scheme Bill 2012 is a very important piece of legislation and I am certainly pleased to rise and speak on the NDIS, which is an area of considerable debate in the community. I think it is an issue in which the community is
looking to people in this House to participate in a fulsome and wholesome way, having waited so long for this issue to actually rise to the top of consideration for governments.

I have to acknowledge the very heartfelt and honest assessment of the member for Hughes's own commitment to the disability sector, and I acknowledge the personal journey that he is on. Around this entire chamber there would not be a person whose life has not been affected or impacted in some way by disability, whether that was at the moment of birth or a disability that has been acquired in some shape or form during the course of one's life—so I think that all of our hearts might be in this. But before I become, perhaps, too gentle on the member for Hughes—I know he is sturdy enough for the critique that I would like to offer—I would just like to focus in on a couple of words that he has mentioned.

Mr Neumann: He was talking about Campbell Newman in Queensland.

Ms O'NEILL: Absolutely—because one of the things the member for Hughes said was, 'We have to have the desire and we need some action.' These words are very important. This is the government which has the desire and this is the government which has taken action to address the very real and pressing issues facing people who experience disability. We had 12 years of the Liberal-National coalition. They had the opportunity to do something about this issue while in government. After all—let's face it—this is not a new issue. There have been powerful community responses to this issue over many years. But in the 12 years of the Howard government there was no vision, no desire and certainly no action—no real action. Nothing happened in this space that was anywhere near as significant as the vision this Labor government is offering the people of Australia. We are doing so in response to the people of Australia waking up and saying, 'We have to be able to respond to this issue better than we have been able to so far.'

At the end of 12 years of Liberal government, we had plenty of crowing about a surplus. A surplus is a great thing—but not in and of itself. Achieving a surplus after we have looked after the poor, the vulnerable and the people who are experiencing disability—that would be something to be proud of. But we have to make sure that we have ideas, that we have vision. We have to use the money that Australian taxpayers offer up in ways that respond to the real and pressing needs in our community. That is what the NDIS is. It is a real response to real people. It does require vision and it certainly requires leadership—and the only people who will offer that leadership and bring about the delivery of the NDIS are the Labor government.

We can look to Queensland, as my colleague here in the chamber suggested. When this debate emerged, after the Productivity Commission report, all of the states engaged in the discussion. I am proud that New South Wales was the first to come on board to get this trial going—because the people who are dealing with the challenges of disability do not need to wait any longer. They do not need to go to the bottom of a pile of possible policy considerations for those opposite. They need to be at the forefront of our consideration. They worked so hard to get attention onto this sector. So now is the time to act.

The reality described by the Productivity Commission is that there are indeed pockets of success in some states but that, overall, there is no disability support arrangement in any of the states or territories around Australia which really meets people's needs. Having said that, I want to make sure I put on the record my personal admiration for the
amazing workers and carers—the community effort which has provided the degree of response which has been offered to people with disability until now.

But we have reached a point where, quite frankly, the system rules—and the people have to fit in with that system. Currently, there are a range of options available to only some people with disability. We need to make a change to that. We know that any person who has a significant disability will need support. Some will need early intervention; some will not need early intervention but might need something later on. The individualised nature of the responses required means that we must start anew—to create a system which serves the people, not continue to ask people with disability to fit in with a system which, as has been proven, is not meeting their needs.

In acknowledging the workers, the carers and the community support, I wanted to bring attention today to the great work being done in my own community—around Gosford in the seat of Robertson. I particularly wanted to mention Fairhaven, a local community group which started up with parents who had children with disability. About 50 years ago, a group of parents—who probably could not afford the time or the money, but who could not afford not to act—gathered together and decided to create educational opportunities for their very special kids. From that has grown an amazing organisation led very ably by Jim Buultjens and his great board, his staff, the volunteers and the parents of the people who use that facility to create opportunities for work and opportunities for social engagement. They do great work. They are 100 per cent behind getting this National Disability Insurance Scheme off the ground, and it cannot happen too soon for them.

I also want to acknowledge the work of the House With No Steps, which has agencies right across the country. I went to an amazing event at the end of last year, entitled the Glitz and Glamour Ball. Many, many local community members with disabilities were there, as were their families and friends, and I have never been to a night of such celebration in the entire time that I have been in this parliament. The outfits were out of this world, and the doctors from Gosford Hospital, who had put together a band, were setting up and getting ready to play, and the minute the participants of that night heard that the band was about to play they were on the dance floor. In terms of the notion of disability, so often it is framed as people having less than capacity. The reality is that people who have labelled disabilities are people who enable the rest of us, in so many ways, to look at the world with different eyes, to appreciate the things we have and to be taught new ways of being, including not to be embarrassed about putting your dancing shoes on and getting out on the dance floor and really enjoying music when it is offered. That was certainly my experience of the night with the people from the House With No Steps at the Glitz and Glamour Ball.

The community is behind this piece of legislation. In my electorate, we also have one of the aspect schools, which deals with and assists families of children with Asperger's or autism spectrum disorders. Their participation in the process that led to the establishment of this legislation, which has come out of the Productivity Commission's report, was really very significant. What we have before us is the product of many, many conversations with key advocates of the community to make sure that what we are proposing is something that is seen to be sustainable, that is seen to be fair, that is seen to be a timely and
appropriate response to the real issues that are happening for people experiencing disability, and their families and their carers.

In essence, this bill creates the foundation for this very important reform. It will, when implemented through this parliament, fundamentally change what is available as an option for people who face disability, whether it is at birth or acquired. And it does not matter through what means that disability might be acquired; it might be a later revelation of a genetic disability, it might be a car accident or it might even be an unfortunate situation where somebody, a young man or woman, dives into the water and finds themselves permanently disabled in a way that no family can anticipate.

The Productivity Commission’s Disability care and support report that came out in 2011 was very widely accepted. Certainly there were a number of community campaigns to encourage people to respond to that with the Count Me In campaign. At this point of time, I would like to note also the leadership of advocates in our community, people who have come to see me individually. A businessman who lives outside my electorate but has a disabled daughter was one of the first to come to see me and asked me to sign up to the Count Me In campaign. There was also a number of disabiliTEAs that I attended—I will be speaking to that later this evening as I put forward a notice of motion on this issue—at Pearl Beach and Kariong in my electorate.

But I would also like to note the broader leadership of the Mariners, that great local team from the Central Coast right at the top of the soccer football table. We are very proud of them and they are very proud to put their name to the Every Australian Counts campaign as well. They have argued that they have had a long interest in improving care and support and independence for people with disability, and they continue to do that. I am sure that, like me, the Mariners and the people who support the Mariners are waiting for this legislation to pass because, as I said at the beginning of my speech, no-one in this chamber and no-one in the community would be unaware of the challenges faced by people with disabilities and by families who are caring for people with disabilities.

One of the reasons that the NDIS is held in such high esteem in our community is that it has been produced out of a process of long and careful consideration with stakeholders. Families have had a say, carers have had a say and of course people with disability have had an important input into this legislation. Critically, the National Disability Insurance Scheme Advisory Group and the National Disability Insurance Scheme expert groups have participated in putting forward ideas in four key dimensions, including eligibility and the assessment of disability. Of course we need to talk to the experts, we need to talk to families, to understand the challenges the current system presents and to provide alternatives. We also have had advice on quality, safeguards and standards. Obviously there are challenges across the states, so creating a national capacity for choice and control for people with disabilities has been one of the key areas that has been attended to. Workforce and sector capacity have also been considered in the preparation of this bill. This government has also funded the National Disability and Carer Alliance to make sure consultation is ongoing.

In July this year the government will be launching sites across the country, in South Australia, Tasmania, the ACT and, happily, close to me in the Hunter region of New South Wales and also in the Barwon area of Victoria. This means that 20,000 people will be part of the launch sites that are going to enable us to really work out what is the best
way to proceed on a much larger scale for all Australians who find themselves encountering disability.

The scheme is based on the principle of providing long-term certainty for the resourcing of disability and care. One of the things that has often been raised with me in my consultations with local constituents is that, when somebody is identified as having a disability, the insecurity of not knowing what help they might be able to get or how long the care might be available for is one of the pressing concerns that leads to an incredible anxiety. We understand that short-term responses are an inadequate response for a whole-of-life disability and that is why the scheme considers the whole-of-life context of people’s disabilities.

The other thing that has emerged from the good care that has already gone on is the fact that everybody’s care is unique. There are individual needs. To be able to choose carefully the response that suits you and enables you to achieve the most that is possible with a disability is a key concern of this government. We also want to look at supporting carers. As the member for Hughes pointed out, a billion hours of carer responsibilities is a very big contribution. We need to make sure that we are caring for the carers, and that is a critical part of our consideration as well.

All of this means we have to move away from the crisis model that has prevailed—the crisis model that was adequate for those on the other side of the chamber when they were in government. It is no longer adequate. The time has come in this country for us to respond to this reality, and this government is committed to making sure it improves the lives of people with disabilities. (Time expired)

Mrs ANDREWS (McPherson) (13:28): I acknowledge the contribution to this debate on the National Disability Insurance Scheme Bill by my colleague the member for Hughes, who has very direct and personal insights into the disability sector. I would also like to acknowledge a comment by the member for Robertson, who said that all of us have been touched in one way or another by the disability sector. Whilst today I do not intend to go into any personal interactions of my own, I am often reminded of and am very thoughtful about a young boy in my electorate who is severely disabled and requires almost constant support from his family and their friends. When I think about the disability sector I think of that little boy, of his quality of life and of the quality of life of his family and their friends. I believe most strongly that we have a responsibility to help him and to help his parents and his carers and we have a responsibility to help those in our community who live with a disability to try and make their lives a little bit easier and to try and make the lives of their carers a little bit easier as well.

The bill that is before the House today will establish the framework for a national disability insurance scheme and an associated national disability insurance scheme launch agency which will operate the launch of this scheme in five sites across Australia from July of this year. The five launch sites are a result of an agreement that was reached between the Commonwealth and five states and territories, with two states—Queensland and Western Australia—not hosting launch sites. But both of those states have submitted proposals to be part of the scheme.

Approximately 20 per cent of Australians currently have a disability and many of them face the same challenges as other Australians; however, with the added difficulty of having to face these challenges with a disability that often makes it so much more difficult for them. I will use
employment as an example of one of those challenges. There are many Australians with a disability who want to be part of the workforce. However, disabled Australians are 50 per cent less likely to be employed than those without a disability. Providing those Australians with the assistance to get back into the workforce will not only benefit them by increasing their personal wealth but be of enormous benefit to the individuals' self-esteem. It is not easy, as many of us know, to secure employment in the current economic environment, but it is even more difficult for those people with a disability to secure any employment. We need to be doing what we can to assist them.

I would like at this point to acknowledge the assistance that carers provide to those Australians suffering a disability. Without the support of carers, many disabled Australians may not be able to do the things that are so often taken for granted, such as purchasing groceries, going for a walk or preparing a meal. It is the carers that step in and do that as well as providing constant and continuous care and support to those individuals. It is disturbing to note that in a country such as ours 45 per cent of disabled Australians are living in poverty, a number which is more than double that of other OECD countries. That is unacceptable. We need to ensure that as a nation we continue to help these Australians to maintain the best quality of life possible and we need to have a system that will provide support for those who need it and that will place the individual at the centre and in charge. Currently we find ourselves with a system where the support being given to Australians is not determined by need but by a number of factors such as what state the person with a disability may live in, whether it is an inherited disability or whether it was acquired in a workplace accident or a motor vehicle accident and so on. This system is also characterised by waiting lists for accommodation, respite, early intervention, and aids and equipment, with rationing also taking place in some instances. This is not the system that disabled Australians deserve, nor is it the best system that we can provide.

On 17 February 2010, the Productivity Commission was tasked to investigate the adequacy of support for disabled Australians and on 14 April 2010 the commission began its public inquiry. When the commission handed down its draft report into disability care and support on 28 February 2011 the report found that the current unmet need for support for disabled Australians was $6.3 billion and that a national disability insurance scheme should be created. This finding was reiterated in the final report to government, into disability care and support, on 31 July 2011.

The coalition has continually stated that it supports a national disability insurance scheme and has supported each step along the way, such as the initial work done by the Productivity Commission, the $1 billion put forward in the last budget and, of course, this legislation. It is common sense to implement a system which operates on a person-centred and self-directed model, thus reducing red tape and empowering individuals to decide what support they need, rather than to have to navigate the bureaucracy of state and federal assistance. The final report by the Productivity Commission states:

The benefits of the scheme would significantly outweigh the costs... The NDIS would only have to produce an annual gain of $3,800 per participant to meet a cost-benefit test. Given the scope of the benefits, that test would be passed easily.

It was further noted in a report prepared by PricewaterhouseCoopers in November 2011 that a national disability insurance scheme could increase employment participation for people with a disability by 370,000 in 2050.
Clearly, a national disability insurance scheme is not something that can be put to the side, that we can put on hold. It must be brought to the fore and that must happen as soon as possible. However, we must approach it with the requisite attention to detail that we would apply to any major project that this parliament would undertake. It is important that we get this right.

I recognise that, as with all registered programs, issues may arise in the future which need to be appropriately adjusted as time goes on, but we need to get the vast majority of the system right. So we need to be prepared to modify in the future as required if experience from the implementation phase indicates that changes are necessary. It requires us to consult with the Australian public, including our disability organisations, our providers, our carers and our disabled Australians. I am aware that the Senate Community Affairs Committee is currently holding an inquiry into the bill and that there are some issues that need to be investigated, including concerns about eligible participants needing to have acquired the disability prior to turning 65. I like my colleagues on this side of the House are eagerly awaiting the findings of the report when they are handed down, which I understand will be on 13 March 2013.

This bill is also only one part of the legislative framework that will govern the scheme, as the National Disability Insurance Scheme Launch Transition Agency, the organisation responsible for operating the launch site, will be governed by the National Disability Insurance Scheme rules. The rules will establish areas such as eligibility and assessment criteria and provide the finer detail as to how the scheme will operate, while the bill we are currently discussing is only the framework. It is important that we see the rules as well before the legislation is finalised. It is also important that we provide Australians with funding certainty. It is interesting to note that the annual debt interest repayments that this government is paying are nearly equivalent to the cost of the unmet need of Australians with a disability. Instead of the waste and the deficit, this money should be allocated to achieving this reform.

I also note that members of the government continue to claim that an NDIS represents only Labor values. This is inherently wrong as the scheme is a reflection of Australian values, such as giving all people a fair go and helping fellow Australians when they need a hand. Ensuring that the implementation of the scheme goes to plan is not something that just the government can claim as it is also an ambition of the coalition and of the parliament. Let us move on from party politics—it is not the most important issue. That is why the coalition has continually called for the establishment of a cross-party parliamentary committee that would be chaired by members of both major parties and would oversee the scheme's establishment and implementation. To date the government has not taken up this suggestion but I would hope that is something we could work towards in the future. We on this side of the House have offered to work in a bipartisan fashion in the best interests of all Australians on an issue that attracts support from both sides of the chamber.

A national disability insurance scheme provides an opportunity for many Australians, and it is up to us to make it happen. However, we are also tasked with the responsibility of ensuring that we deliver a well-rounded, fair and effective scheme that benefits all Australians. It is important that the message of bipartisanship that the coalition has extended to the government is
received and that they reconsider the establishment of a cross-party parliamentary committee that will oversee the scheme.

Disabled Australians deserve assistance that will suitably match their needs and restore their quality of life as much as possible. I await the findings of the Senate inquiry into the bill and hope that in my role as the member for McPherson I can ensure that the voice of my constituents is heard in this discussion and that our disabled Australians get the assistance they deserve.

Ms Brodtmann (Canberra) (13:40): Last year a young mother came to see me in my electorate office in Tuggeranong. This mother was struggling to cope with the needs of her two autistic children. Despite the availability of some very good services here in the ACT, the reality is that there are enormous financial and emotional stresses associated with raising children with disability. This young mother’s life was difficult. She had no certainty about the future or what was in store for her young children. She did not know how she would be able to afford to pay for their care in the future.

Before Labor was elected, I would have had little more than kind words and compassion to comfort this young mother. But this brave mother in my electorate office was not seeing me for comfort or help or to ask me to assist with a difficult situation, which is commonly why constituents see their local members. In one of those moments that make you proud to be part of a progressive government, this mother of two children with autism wanted to thank me and the Gillard Labor government for initiating the National Disability Insurance Scheme. She had heard about the NDIS and wanted to get more information, but the main reason for her visit was to express her passion and enthusiasm for a national insurance scheme that could help parents like her. Her enthusiasm was palpable. It is not often a constituent comes to see you to say, ‘Congratulations; this is life-changing legislation,’ but that is what happened with that young mother that day, and, through a few tears, she also had plenty of smiles.

In August last year, I heard similar sentiments when the Parliamentary Secretary to the Prime Minister, Senator Jan McLucas, joined my colleague the member for Fraser and I at an NDIS forum here in Canberra. At this forum, we heard very troubling stories about the lack of services, of people only being able to be bathed twice a week and of families in crisis and struggling. It was incredible to watch as Senator McLucas explained how the NDIS will work and what it meant to those at the forum. The people attending the forum started talking about the possibility of improved outcomes for their children. They told us how this would ease pressures on their families and their relationships. I heard directly from people with a disability, who told me they will now have choice and greater control over the support they will receive. I also heard about the hope of families and those with a disability when they talked about having choice over their care for the first time. Most importantly, many of those who attended these NDIS forums like the one held here in Canberra were involved in the consultation process or were able to have input through the government’s website. There was an NDIS advisory group and NDIS expert groups, who gave the government valuable technical advice on the design of key elements of the scheme. Their advice was in areas such as eligibility and assessment, quality safeguards and standards, a national approach to choice and control for people with disability, and workforce and sector capacity.
But we did more. The government also funded the National Disability and Carer Alliance to go out and talk to people with a disability and their families and carers as well as their service providers. We wanted to find out what they thought was important in the design and implementation of the scheme—because it was vital to the outcome that so many people were able to have input into the NDIS design and implementation process. It means the disability sector has a large degree of ownership of this scheme. It is in large part created by them to meet their needs. The outcome of the lengthy and involved consultation process is that, for real people facing real challenges, their lives now look a lot better, thanks to this bold and innovative initiative of Labor.

While some in the media like to focus on peripheral issues, we are here today introducing legislation that will forever change the lives of millions of Australians. This is truly landmark legislation and policy. This is the type of policy that will be held up in the future as one of the great legacies of the Gillard Labor government.

The DEPUTY SPEAKER (Mr S Georganas): Order! The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour. The member for Canberra will have leave to continue speaking when the debate is resumed.

STATEMENTS BY MEMBERS

Australia Day Awards

Mr FRYDENBERG (Kooyong) (13:45): On Australia Day I had the great privilege to attend Boroondara's citizenship ceremony. It was an opportunity to acknowledge some outstanding contributors to our community who selflessly help others. I acknowledge Terry Rolleston, our 2013 Citizen of the Year, for his work with the Rotary Club of Glenferrie and for his commitment to the Boroondara Family Network, the Boroondara Farmers Market, Boroondara Cares, and Parkinson's Victoria. Joel Porter is our Young Citizen of the Year, who at 18 has done some great work as a St John Ambulance cadet. Maureen Russell is Volunteer of the Year for her work in helping people with intellectual disabilities.

Outstanding Community Service Award winners were: Lorri Beer for her work with the Legacy Widows Club, the Kew Neighbourhood Learning Centre and the St Vincent de Paul Society; Jack Chan for his work with the Edmund Rice Camps; Marge Currie for her work as a Scout leader for nearly 46 years; Linden Hearn for being an outstanding principal of Rossbourne School, which supports students with identifiable learning disorders; Sarah Moss, a year 12 student at Camberwell Girls Grammar, for her work with children in orphanages in Thailand and who has raised money for communities in Thailand; Annette Subhani for founding the Sharing Circles program and supporting the Boroondara Interfaith Network; and Jane Khoo for establishing a not-for-profit dance group. All these people make a wonderful contribution to our community. So Australia Day is not just an opportunity to celebrate what is great about our nation and welcome our newest citizens; it is also an opportunity to particularly acknowledge the great leaders in our community. (Time expired)

Australian Correctional Officer Medal

Mr FITZGIBBON (Hunter—Chief Government Whip) (13:46): In this great country, we have a fine tradition of recognising those who serve in uniform. At the top of the tree, of course, are those who serve in the uniforms of the Australian Navy, Army and Air Force, but we also award medals to non-military personnel. We have, for example, the Australian Police Medal,
the Australian Fire Service Medal and the Australian Ambulance Service Medal. So I ask the House: why not have the Australian Correctional Officer Medal? Our prison officers do wonderful and sometimes dangerous work—work which plays an important role in the maintenance of law and order in our society. I believe them to be worthy of the same sort of recognition enjoyed by others serving in the uniforms of government forces and agencies.

**Chinese New Year**

Mr EWEN JONES (Herbert) (13:47): Last weekend, we celebrated Chinese New Year in Townsville, as we did all around Australia. This year is the Year of the Snake. I was born in the Year of the Rat, which is apparently the best looking of all in the Chinese horoscope! A weekend of celebrations were hosted by the North Queensland Chinese Communication Group and the North Queensland Chinese Society, which was established in Townsville when Townsville had a population of only 50,000 or 55,000 people in 1969. The president, Iris He, and Stephen Lin took us through our paces on Saturday at the official launch of the Chinese New Year. We saw children dancing and singing as only children can. We saw kung-fu displays, and the Chinese Christian Choir were absolutely fantastic. This was followed by a dinner. I was unable to attend the dinner last night, but that saved them a considerable amount on catering! Over 200 people feasted and were entertained throughout the evening. It was topped off with a magnificent fireworks display.

Names such as Leong, Jue Sue, Goon Chew and Chun Tie are synonymous with North Queensland. They have been a vital group behind the development of North Queensland and have led the way with philanthropy and community building ever since indentured labour and gold rush times. We are better for having them as part of our community. Jenny Stirling summed it up best when she said that the Chinese people have so completely integrated in our society and yet are able to so strongly hold onto their own culture. There is a lesson in this for all of us.

Robinson, Dr Aunty Mavis Jean

Mr HAYES (Fowler) (13:49): Each year on Australia Day we recognise the amazing contribution that some of our citizens make to our community. This year, an individual receiving the highest honour and recognition in the City of Fairfield was a good friend of mine, Dr Mavis Jean Robinson, better known to many of us as Aunty Mae. Aunty Mae was deservedly named Fairfield Citizen of the Year. As a Fairfield citizen for over 40 years, Aunty Mae is dearly loved and respected by young and old alike. Proving my theory that many of our noblest people are often drawn to become teachers, Aunty Mae has done much to improve the educational outcomes of Aboriginal youth throughout our communities. Through her work—particularly at primary schools and secondary schools and at the department of education in general—Aunty Mae has done much to encourage improved teaching techniques, particularly in the areas of reading and literature. She has also contributed much to the education of Aboriginal youth by contributing to the development of the Aboriginal curriculum and participating in the development of the South-West Sydney Aboriginal Student Achievement Awards.

Aunty Mae is revered by our local Aboriginal community, as well as the community in general in both Liverpool and Fairfield. Her warm spirit and effort to foster harmony have truly touched many who have had the privilege to meet her. I would like to
thank Aunty Mae for her wonderful contribution and to congratulate her on being named Fairfield Citizen of the Year for 2013.

Freiberg, Ms Robyn

Mr BUCHHOLZ (Wright) (13:50): I rise in the House today to advise members about the Scenic Rim Citizen of the Year for 2013. Robyn Freiberg of Boonah was announced as the Scenic Rim Australia Day Citizen of the Year and the Fassifern District Australia Day Citizen of the Year at events in Beaudesert and Boonah over the Australia Day weekend. Robyn received the award in recognition of her contribution to the community as a long-serving and very hardworking member of the Boonah Show Society—as chief steward in the horticultural section and as the annual Boonah Show secretary—and in the Boonah Country Music Club. The award also acknowledges her volunteer work as a station manager of community radio station Rim FM, organising sponsorship and fundraising for the station as well as presenting on air two mornings a week.

Robyn was chosen from amongst some very deserving nominees for the Citizen of the Year award, including Judith Dull and her husband, Wayne Dull, of Roadvale; Harry Donaldson of Kalbar; Christine Purtle of Beaudesert; Jodie Clifford of Boyland; and Kelli Rabbitt of Boonah. Christine Purtle went on to win the Senior Cultural Award, along with Finella Loch of Beaudesert and Ian Glegg of Boonah. Kelli Rabbitt went on to win the Senior Sports Award for 2013, together with Chrissie Brown of Beaudesert. I congratulate all of the nominees for their wonderful work and the way that they contribute to our community, which makes it a better place to live.

Blair Electorate: Ipswich Turf Club

Mr NEUMANN (Blair) (13:52): Premier Campbell Newman of Queensland is a 'won't do' for Ipswich. In February 2012, the then Bligh Labor government committed $6 million for the Ipswich Turf Club, a vital upgrade for racing in Ipswich. Racing has been going on in Ipswich since 1848. There are 52 race meets every year, and the Ipswich Cup is the most visited provincial race day in Australia, with a $5 million turnover. The Ipswich Turf Club provides $150,000 in funding for local charities.

I was bewildered this morning to look at the Queensland Times, which said that the Ipswich MP—it is an LNP member, Ian Berry—backs redevelopment of the turf club. In fact, he claims that it would be good for local jobs and for the Ipswich economy. Well, I say to the LNP member for Ipswich: show us the money. Show us the $6 million, because the LNP state government in Queensland have refused to put one dollar towards this vital project. We want money, not mouthing; we want investment, not inactivity; and we want action, not articulation. Mr Berry, it is time to put up the money. Stop getting headlines in the Queensland Times and show the $6 million to Ipswich, which is important. Ipswich Turf Club is important because it means jobs in Ipswich, good recreational facilities in Ipswich and more money for local charities. Show us the money.

Queensland Floods

Mr O'DOWD (Flynn) (13:53): On Saturday I visited more citrus farms, more cane farms and more cattle properties in the Wallaville district, which is upstream from Bundaberg, which of course was hit by bad floods over the last couple of weeks. Abbotsleigh Citrus was one such farm that was badly hit, and its loss is estimated at about 5,000 trees. It has lost its whole blueberry plantation, which was washed away. Some of these plants have been recovered and are going to be re-established
under the igloos, which have also been wrecked. There is another guy who owns a cane farm on the Burnett River, and as we speak his cane farm is slipping away into the river. On the citrus farm itself, the people have to contend with rotten animal carcasses in the trees—cows and pigs. The people themselves are very traumatised. One lady told me that she cannot go to sleep—she can still hear the sound of drowning animals and their gurgling and gasping for air.

I would also like to thank the mayors in my electorate—Wayne Kratzmann from South Burnett, Don Waugh from North Burnett, Ron Carige from Banana, Gail Sellers from Gladstone, Mal Forman from Bundaberg, Margaret Strelow from Rockhampton and Terry Munns from Woorabinda. They all did a wonderful job in combining with the emergency services and easing the pain as best they could. Thank you.

National Multicultural Festival

Ms BRODTMANN (Canberra) (13:55): Over the weekend Canberra staged the National Multicultural Festival. The ACT Minister for Multicultural Affairs, Joy Burch, officially launched the 2013 extravaganza which saw over 250,000 people gathered in Canberra's civic area and more than 400 stalls.

Having attended the festival in the past I can honestly say this year was the biggest and best ever—it was huge. For the three days of the festival there was more food, more dancing, more drink and more music than ever before. I had the chance to serve dosas with my friends from the Indian community—and if you have not tried a dosa then you obviously should experience it because it is one of the wonders of the cuisine. A major feature of the festival was the India in the City celebration. I managed to get away with a few words in my passible Hindi and I do not think I embarrassed myself too much. Special acknowledgement goes to Deepak Raj Gupta for all his hard work. Another prominent spectacular was the Chinese New Year celebrations for the incoming Year of the Snake. I would like to acknowledge the outstanding services of Sam and Chin Wong for their contribution and that of the Chinese community. It was a sight to behold—glitter was showered over all of us to honour the new year. Sunday was topped off by the Greek Glendi, which gave us all an indulgence in Greek food and culture, and thanks to Paul Levantis for his involvement in that. Congratulations to Minister Burch—the festival was a true celebration of Canberra's diversity and its harmony.

Chinese New Year

Mr TUDGE (Aston) (13:56): Yesterday, as you would be aware, hundreds of thousands of Australians and hundreds of millions of people across the world celebrated Chinese Lunar New Year—the Year of the Snake. This is a very special occasion for people of Chinese ethnicity, and I caught up with many Chinese Australians in my electorate yesterday and on Saturday to celebrate with them on this important day. I am also going to be catching up with William Wai, the President of the Chinese Elderly Citizens Club, from my electorate and the members of his organisation to have a further celebration this weekend.

Not only is Chinese New Year a special occasion for people of Chinese ethnicity but in some ways it has become a special occasion for all Australians as well, because it is a time for all of us to stop and reflect on the tremendous contribution that Chinese Australians have made to our nation. They have made contributions across medicine, business and academia and in all other walks of life in Australia. I am very proud to have
Mr Lyons (Bass) (13:58): I have great pleasure in informing the House today that the recent Suncorp Bank Family Friendly Index findings place Launceston, in the electorate of Bass, as the most family-friendly place in Australia to live.

I am not surprised that Launceston has been picked as the country's best place to raise a family. It is something that people like me, who have lived there most of our lives, have known for decades. It is fantastic that the people in our schools, hospitals, police and emergency services can be recognised in this way and I would like to congratulate them for their hard work. Our volunteers are the heart of our community and we see them every day delivering meals to the elderly, helping out with sporting clubs and sporting events, and working in our hospitals. We know that this is a wonderful place for families to enjoy. You can enjoy the famous museum, the QVMAG; the Cataract Gorge; and no other city in Australia has such a wonderful family-friendly recreational facilities within the heart of the city as Launceston does. Launceston has great weather which is conducive to recreation, sport and our fantastic lifestyle. There are two types of people in Australia—those who live in Launceston and those who wish they did.

Mr Tudge (Aston) (13:59): I have previously spoken in this House about the government's $107 million cuts to Victorian hospitals which are having a direct impact on my electorate. Five palliative-care beds from Wantirna Health have had to close as a result of Prime Minister Gillard's decision to cut health funds in my electorate. I have since discovered that the emergency department at the Angliss Hospital in the electorate of La Trobe, next door to mine, may also have to reduce its hours. They have already cut five surgical beds from that hospital. At the same time that they are cutting $107 million from hospitals they are investing $110 million in carbon tax promotion. Where are their priorities?

Ms Gillard (Lalor—Prime Minister) (14:00): To the Leader of the Opposition, the answer is: of course. I know the Leader of the Opposition is not interested in, or competent with, economics. And I know that the opposition is desperately trying to pretend that the Leader of the Opposition is interested in economic matters. But I suggest to the Leader of the Opposition that, if he is engaging in this pretence, he should not come in and criticise the person; he should deal with the facts. The facts of the Australian economy are these: unlike economies around the world, we have low unemployment, low inflation and low interest rates; we are AAA-rated by all three major credit rating agencies; we have strong public finances; and, during the worst downturn in more than 80 years, during the
worst economic crisis since the Great Depression, we kept creating jobs. We kept creating jobs because this government, including the Treasurer, to whom the Leader of the Opposition refers, put jobs first.

I understand that the Leader of the Opposition, if he had been in government, would have taken a different decision to Treasurer Wayne Swan. He would not have put the jobs of 200,000 Australians first; he would have consigned them to the unemployment queue. He would not now be getting our economy ready for the challenges of the future. He would not be embracing a clean energy future. He would not be embracing the digital economy. He would not be laying out a strategy for us to tap into the growth in our region, the Asian region. He would not be revolutionising this nation’s approach to skills and to schools to ensure that we win the economic race by winning the education race. He would not be engaged in economic policies of that depth and complexity. I understand that.

Because this government has focused on jobs, we have more than 800,000 Australians in jobs that have been created since this government came to office. Because we are investing now for the future, Australians can look forward to a future in which we will see strength, fairness and prosperity in our nation. We will see us harvest the benefits of being a smarter country. None of this future is assured. To get there, we have got to make the right choices. This government, including the Deputy Prime Minister and Treasurer, the member for Lilley, are making those right choices. If the Leader of the Opposition has an alternate plan then he should table it. He has had more than enough opportunity as Leader of the Opposition to do it, but I suspect we will never see it. Instead, we will continue to see this personal criticism.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:03): I have a supplementary question for the Prime Minister. Does the Prime Minister rule out redesigning the mining tax, which was the Treasurer’s own handiwork?

The SPEAKER: Order! The Prime Minister has the call. I was waiting to give her the call until I had silence from those who had asked the question.

Ms GILLARD (Lalor—Prime Minister) (14:04): The answer to the Leader of the Opposition’s question is as follows. First, the Leader of the Opposition, if he spent any time following economic matters, if he in any way studied the economic debate, would know that we have been critical of the reckless approach of state governments to royalties. Interestingly enough, the opposition that has always criticised an efficient profits-based tax in the minerals sector has gone tick, tick, tick to Liberal royalty increases around the country. We have been concerned about increases in these inefficient taxes and we have asked the GST Distribution Review to look at the matter. We have received their conclusions, and they are that the current treatment of royalties under the MRRT is both unsustainable and undesirable. That is a reference to what state Liberal governments are doing. We have said that through the Heads of Treasury process we will work on that with state counterparts in coming months. If the Leader of the Opposition in any way kept up with economic matters and economic debate, he would be well aware of that. The Leader of the Opposition should also recognise that a profits-based tax is more efficient than royalties, and if he is concerned about these questions then he should take them up with state Liberal counterparts.
Work and Family

Ms ROWLAND (Greenway) (14:06): My question is to the Prime Minister. What is the government doing to ensure the rights of Australian workers, particularly working mums, are protected?

Ms GILLARD (Lalor—Prime Minister) (14:06): I thank the member for Greenway for her question. She is someone who knows first-hand about the challenges of balancing work and family life. She is doing a great job of balancing work and family life and representing her constituency of Greenway in this parliament. The member for Greenway, like all Labor members, knows that the purpose of our political party, formed more than 100 years ago, has been to provide fairness and decency to working people and, particularly, fairness and decency in workplaces. That is why, across the life of the Labor Party, we have fought for fairness and decency at work. There has been no more important or ferocious fight than the fight we engaged in against Work Choices. We fought the Liberal Party’s Work Choices because it was unfair to every Australian worker. We fought the Liberal Party’s Work Choices because it particularly hit women and young workers. Most particularly, when we look at the statistics for women, women on Work Choices AWAs were earning $87 less a week than women on collective agreements. This had been a stinging attack against the rights of working women. There were celebrated cases like the six mums who worked at a mushroom farm and were sacked after they refused to sign up to Australian Workplace Agreements with a 25 per cent pay cut, and I understand those interjecting supported all of that.

In contrast, we got rid of Work Choices because of that attack on Australian workers, particularly women. We understand that with the new Fair Work system it is important that we keep modernising because the needs of modern families change. The pressures to balance work and family life change over time. Having been the first government in this country to introduce a right to request flexible working conditions, we are intending to extend that right. We are intending to extend that right to workers who are returning from parental leave because, when you have just had a new child, having flexibility in your working conditions is one of the ways that will help you balance work and family life. We will also be extending that right to people who are caring for kids at school. We want to extend that right to people who are in all sorts of difficult circumstances including, particularly, women who may be dealing with domestic violence, are changing their family arrangements as a result and are in a particular time of strain for their family. This is an important change for Australian workers, and we will ensure that we deliver it as part of our Fair Work system, having got rid of Work Choices. (Time expired)

Mining Tax

Mr HOCKEY (North Sydney) (14:09): My question is to the Treasurer. I remind the Treasurer that the mining tax has raised $126 million in its first six months and that it was budgeted for $1 billion over that period. Given that the tax office has spent over $50 million administering the tax, will the Treasurer now face reality, admit defeat and join with the coalition to abolish this failed tax?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:14): I thank the shadow Treasurer for that question which goes to the purpose of the MRRT, but it also goes to the revenue forecasts. I wish to address the question of revenue forecasts immediately.

Ms O'Dwyer: Take responsibility!
The SPEAKER: The member for Higgins might take responsibility for observing the standing orders.

Mr SWAN: Implicit in the Shadow Treasurer's question is that, somehow, Treasury forecasts can never change. The fact is that they do change frequently. In fact, we bring down a budget, bring down an update, and of course they are then matched against revenue heads as they come in monthly. There is nothing unusual about this. For example, when those opposite were in power, revenue was adjusted upwards by massive amounts—unexpected rivers of gold. Over $300 billion in something like three years. Those forecasts were adjusted. The truth is this: at the end of last year and through the second half of last year, there was a dramatic collapse in commodity prices. That collapse in commodity prices has impacted upon profits, and when profits go up resource rent taxes go up, and when profits come down resource rent taxes come down. Of course those opposite have always opposed a resource rent tax. Any amount of revenue from a resource rent tax is a direct affront to those opposite, who go down on bended knee to their mining billionaire friends. Let's be very clear that they do not support resource rent taxes. In fact, if the attitude that is being expressed over there were to have prevailed over the last 25 years, we would never have had a PRRT which has now raised $28 billion, but that resource rent tax was opposed by those opposite just as this resource rent tax is now being opposed by those opposite. The truth is that prices have come down dramatically; but, as the tax commissioner said in his note on Friday, a partial recovery of commodity prices has been reflected in a partial recovery in revenue.

The fact is that this country needs a resource rent tax for our children and our grandchildren. Everyone on this side of the house is proud of the fact that we understand that the Australian people own our mineral resources 100 per cent and that we are all entitled to some of the super profits that flow from those. The attitude of those opposite is to get down on bended knee to the mining billionaires. So what we are seeing here is another misrepresentation and attack on good public policy to hide the fact that they have a vicious attack on the living standards of working Australians plan, by getting rid of the tripling of the tax free threshold, by knocking off the schoolkids bonus—(Time expired)

Mr HOCKEY (North Sydney) (14:14): My supplementary question is to the Treasurer. Given that the Treasurer has already redesigned the mining tax on five occasions, will he now rule out redesigning the tax again before the election on 14 September?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:14): As the Prime Minister indicated before, there is already a process in place going through the federal Treasury and state treasuries to look at the issue of royalties. That was announced following the finance minister's Treasury meeting at the end of last year, but apparently this is another fact that shadow Treasurer is not aware of. The fact is, as I said before, there has been a dramatic impact in terms of commodity prices on the revenue and a somewhat small recovery in the revenue as a consequence of a small recovery in commodity prices.

Mr Hockey: It's $30 a tonne for iron ore!

The SPEAKER: The member for North Sydney has asked his question.

Mr SWAN: What I said on Friday—and I will say it again—was that our Treasury and the tax department will look at the performance of this tax in light of prices and in the normal way.
Employment and Workplace Relations

Mr CHEESEMAN (Corangamite) (14:14): My question is to the Minister for Employment, Workplace Relations, Financial Services and Superannuation. Will the minister update the house on the government's plans to improve flexibility and fairness for working families? Are there any obstacles to these plans?

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (14:14): I thank the member for Corangamite for his question, because he knows, as everyone on this side of the House knows, that Labor are always upfront about what we are going to do in workplace relations. On this side of the House, we believe in work-life-family balance. On this side of the House, we believe in cooperation between employees and employers. On this side of the House, we believe in productive workplaces. That is why I am pleased to advise the member for Corangamite that Labor will extend the National Employment Standards, which provide the right to request flexible work arrangements, to more Australian workers. The sorts of workers who are going to benefit from what we have just announced are carers, parents of school-age children, mature age workers, victims of domestic violence and those who seek to help them.

We also announced yesterday that we intend to provide better roster protection for people who experience sudden changes to their rosters which upset family arrangements, which cause great harm at home. The reason why we are doing these things is that Labor understands that we live in a changing world. We know that the Menzies-DLP vision—of Dad going to work nine to five, of a pipe at home, of Mum not working—does not describe most modern families anymore. We understand that the world has changed, unlike the policy of those opposite. We know that women are participating in the workforce more than ever. We know that fathers want to spend more time with their families. We know that people with disabilities and carers want into the workforce. We understand that families come in all shapes and sizes. This is a positive view of encouraging people to participate and creating good jobs in the future.

But the problem is that there is only one side of Australian politics that wants to be positive about workplace relations. Whenever we talk about workplace relations, someone in the central bunker of Liberal headquarters presses the alarm button and says: ‘Quick; we’d better get out and bash unions.’ We’d better disguise the fact that we do not have a policy for Australian workplaces.’ Even better, someone in Liberal Party headquarters presses the button and says: ‘Quick, let’s rake over something from 20 years ago as a revenge against our Prime Minister.’ At least we talk about workplace relations. I will tell you about Liberal flexibility—because they will not. Under Liberals, it is more flexible to sack someone. It is more flexible to cut their pay. It is more flexible, but they do not have job security. Under Labor, our definition of flexibility is productivity; it is modern families getting a decent go in the workplace. I love it when the Leader of the Opposition reminds everyone, as he did today, that he is the worker's best friend. With friends like him, you don't need enemies!

Mr Robb interjecting—

The SPEAKER: Yes, and I'm not very happy with the member for Goldstein.

Mr CHEESEMAN (Corangamite) (14:17): Speaker, I ask a supplementary
question. In what other ways is the government supporting working Australians to build their prosperity, and what level of support is there for the government's plans?

Opposition members interjecting—

The SPEAKER: The Minister for Employment and Workplace Relations has the call and will be heard in silence.

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (14:18): Labor is doing a lot to promote prosperity in this country. That is why we have seen, while Labor has been in office, the creation of 850,000 jobs. But we know that there is a group of people in Australia who want to hold our prosperity back. Who would these people be? They would be people who do not support the automotive industry. They would be people who do not support the National Broadband Network. They would be people who have never met a public servant they did not want to sack. There is a clear choice in prosperity.

Ms Julie Bishop interjecting—

Mr SHORTEN: It's your policies, Julie; it's not personal.

The SPEAKER: The Deputy Leader of the Opposition is warned! The minister will not take interjections and will refer to people by their correct titles.

Mr SHORTEN: The next challenge to prosperity, of course, is the crazy idea to reintroduce a tax on the superannuation of 3.6 million low-paid Australians. Whoever dreamed that up in the opposition should get a one-way ticket out of the joint. We are the people who want to cut the tax of low-paid working people by cutting their superannuation tax, and only one group in Australian politics—

Opposition members interjecting—

Mr SHORTEN: You might not like the truth over there, but you should have it.

Finally, when we talk about prosperity and threats to it, I love a good Leader of the Opposition quote. Talking about Work Choices, Mr Abbott said:

The Howard government's industrial legislation, it was good for wages, it was good for jobs and it was good for workers. And let's never forget that. I will tell you one thing: we'll never forget about it, but I don't agree with the rest of that quote.

Minerals Resource Rent Tax

Mr IAN MACFARLANE (Groom) (14:19): My question is to the Treasurer. I remind the Treasurer of his statement on Friday that the mining tax failed to raise enough revenue because:

Iron ore prices fell … So a very dramatic drop in commodity prices reflected in a drop in revenue.

Is the Treasurer aware that iron ore spot prices have in fact increased by about $30 a tonne since his own budget outlook, an increase of almost 25 per cent?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:20): Yes, I am. I am absolutely aware of it. The member ought to be aware that it takes months for spot prices to flow through to MRRT revenues. It is not the case that you have a spot price on one day and it is reflected in the MRRT revenues the next, as the member has sought to imply. That is just factually incorrect and yet another example of the extent to which all those opposite will go to misrepresent the basic facts, not just of revenue in the case of the MRRT but the basic facts about our economy.

One of the reasons we are seeing so much bitterness, so much aggression, from those opposite about these questions of modelling, about these questions of forecasts and about these questions of revenue is that they are...
still smarting from the fact that two years ago they were sprung—they were sprung by our forecasters; they were sprung by our advisers—with an $11 billion hole in their election package which they had deliberately tried to hide from the Australian people right through the whole election campaign. That is why we have seen in this House, and particularly from the shadow Treasurer, a constant campaign against the advisers. They are carrying on as if somehow all these forecasts have been done by the government—nothing to do with our advisers, nothing to do with the fact that we are advised by the same professional public servants that they were advised by.

The truth is that we have been through one of the most volatile periods in the Australian economy and in the global economy in over 80 years. For political purposes those opposite seek to deny that. They seek to deny the global financial crisis. They seek to deny that there was an $11 billion hole in their election costings—the biggest bungle in Australian political history when it comes to election costings. That is why they are so embarrassed, and that is why they are conducting these sorts of campaigns about the forecasts which are provided in a responsible way to this government—nothing to do with our advisers, nothing to do with the fact that we are advised by the same professional public servants that they were advised by.

Mr Pyne: I rise on a point of order, Madam Speaker. The Treasurer was asked about the mining tax forecasts. He has talked almost exclusively about the opposition. I would ask you to bring him back to the question he was in fact asked.

The SPEAKER: The Manager of Opposition Business will resume his seat. The Treasurer has the call.

Mr Pyne interjecting—
to the council, but would be able to service that region. Of course, the member would be aware that this would not alleviate the need for a second airport for Sydney in order to secure jobs, ensure economic growth and ensure Sydney's position as a global city. As part of the study that is being undertaken, we are investigating whether RAAF Base Richmond could fulfil some capacity as an interim measure with limited civilian operations.

What we are seeing is enormous growth in aviation—64 million passengers 10 years ago has grown to 111 million passengers during the last full financial year. What that doubling means is that there will be an increased demand for aviation as a result of aviation's critical role as a driver of national economic growth, as a driver of jobs and as a driver of Australia's position in a global economy. Because Sydney has four out of every 10 movements, the capacity's constraints at KSA are a handbrake on the national economy. I note the comments of the shadow minister, and I welcome his comments acknowledging that there is a need for bipartisanship on this issue and that there is a need for this issue to be dealt with. It has been a political football for a long time, but we do need to deal with this issue. There is substantial support amongst many communities for the jobs and economic growth that aviation activity brings, and I look forward to working with the members on the Central Coast about these issues into the future.

**Economy**

Mr SYMON (Deakin) (14:27): My question is to the Treasurer. Will the Treasurer outline the importance of investing in jobs and growth in supporting Australians in their workplaces?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:27): I thank the member for Deakin for that question, because the government put jobs and growth at the heart of our agenda every single day. In fact, that is what we did during the global financial crisis to ensure that Australia avoided the full force of the global financial crisis and the global recession. By doing that we avoided the permanent skills destruction that has caused so much damage to people and communities right across the developed world. Here we have got low unemployment and we have created over 850,000 jobs. Of course, if you looked at what has happened across other developed economies, there is massive unemployment and millions and millions of people out of work. As we have been handling those situations in the global economy, we have been concentrating on an agenda to lift productivity, to create the high-skilled, high-waged jobs of the future. That is what our investment in infrastructure has been all about. It is what the NBN is about. It is what our investment in innovation is all about. It is about reforms to the tax system, most particularly it is about tripling the tax free threshold.

All of that has produced a situation where our economy is now 13 per cent larger than it was prior to the global financial crisis with 850,000 jobs created over that period. Our concern is to use this prosperity so we can support working Australian families, modern Australian families that need access to affordable health and education, modern Australian families that want dignity in their retirement. That is why we have put in place one of the most significant increases in the age pension, and it is, indeed, why we are so committed to compulsory superannuation. It is why we have tripled the tax-free threshold which is so important for work incentives and for cost-of-living relief for many people on the lowest incomes. That is why we have been committed to the Schoolkids Bonus for 1.3 million families, so we can assist them.
with the cost of sending their kids to school. Of course, there is a real contrast here with the actions of those opposite. They want to rip away up to $500 from the superannuation accounts of 3.6 million Australians.

Of course, they have opposed the increase in the superannuation guarantee, which goes to all working Australians. And Joe can tweet what he likes; he came into this House and opposed the increase in the superannuation guarantee. And of course we know that when it comes to working Australians, the opposition will always bow down to the feet of the fortunate few.

Now, I heard that the Leader of the Opposition this morning claimed that he was a friend of the workers. Well, God help the workers if he is a friend of theirs! The opposition are the architects of Work Choice; the architects of this savage attack coming right now against low-income Australians.

Economy

Mr TONY SMITH (Casey) (14:30): My question is also to the Treasurer. I refer the Treasurer to his statement of 27 October 2011, when he said, 'The revenue from the mining tax will be spread right across the country.' Given that the mining tax has raised just $126 million in its first six months, can the Treasurer confirm that when he stated he would spread the benefits of the mining boom he really meant $5.50 for every Australian?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:31): You could tell how embarrassed the member was with that ridiculous question.

Mr Tony Smith: I'll give you five bucks to answer it!

The SPEAKER: And I will give you 94(a) to leave the chamber. The member for Casey will leave the chamber.

The member for Casey then left the chamber.

Mr SWAN: I was saying before, that the attitude that has been taken today is similar to the attitude that their predecessors took with the PRRT. The PRRT was opposed, tooth and nail, by vested interests and by the Liberal Party but it has raised $28 billion.

A government member: They kept the money!

Mr SWAN: They kept it. They did not come into government and say, 'We'll get rid of it.' So, what we have seen again is that they are opposing the MRRT—the MRRT, which is an important long-term reform for Australia, to make sure that Australians get a fair share of the mineral wealth they own 100 per cent.

It just so happens that its introduction has coincided with a bout of global volatility towards the end of last year which had a dramatic impact on commodity prices—a very dramatic impact on commodity prices. This was not an impact on commodity prices that was forecast by anyone in the private sector, by any of the companies, and it most certainly was not forecast by our official forecasters. But the opposition should at least acknowledge that it has had a dramatic impact on revenue. And that is what the government has acknowledged.

But what the opposition will also not acknowledge is that in the second half of last year it was not just the PRRT and the MRRT; it was company tax, capital gains tax and so on. All of them took a very significant hit from this global volatility. The reason this is so important, and the reason this debate demonstrates just how dangerous those opposite would be if they were running the country, is this: what they are saying is that
to make up this 'revenue hole', if you like, that has emerged because of all of these circumstances, they would take the axe to the social safety net and put a sledge hammer through our economy. That is how reckless they are.

And, of course, we heard in the House last week of the retrospective approach they would have taken during the global financial crisis, when they came in here and effectively said that during the crisis they would have cut to the tune of $160 billion, which was the revenue write-down. Well, where would the Australian economy be today if they had been in charge and done that?

So what all this demonstrates is just how dangerous they are, because they are in denial of the most basic facts that go to the core of Australia's prosperity and economic success over the past five years: the ability of a government to move in and protect people and protect families, understanding the volatility in a global economy. Lives depend on that but those opposite are a dangerous alternative because they do not understand the basic facts of our economy—(Time expired)

Families

Mr PERRETT (Moreton) (14:34): My question is to the Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform. How is the government helping Australian working families balance their work and family responsibilities?

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (14:34): I thank the member for Moreton very much for his question. I certainly know he understands, in his own family life, what so many other families face: the daily juggle of getting their kids up and ready for school as mum and dad get ready for work, dropping them off at school and at childcare.

This government also understands those challenges, and that is why we have been determined to support families as they make their choices every single day. That is why it was left to this government to deliver Australia's first national paid parental leave scheme—a national paid parental leave scheme that has now delivered to 260,000 families in this country. And in the electorate of Moreton in Brisbane around 1,600 families have benefited different from our paid parental leave scheme, making sure that families get the choice to stay at home with their newborn babies and get that extra financial support with their bills.

Of course, it was this government that delivered dad and partner pay, just six weeks ago. Six weeks ago we delivered dad and partner pay so that dads, too, can have some time off work to spend that precious couple of weeks at the start of their babies' lives and also get some financial support with their bills.

Since 1 January this year we have seen around 6,000 dads apply for dad and partner pay. So, 6,000 dads are getting the help that they need to spend time at home with their newborn babies. We know that as children grow, families need that flexibility of work, and we have heard from the Prime Minister today about how this Labor government will make sure that as children grow and as parents juggle their work and family responsibilities, we make sure that families have as much flexibility as possible to juggle those responsibilities.

What we also know is that those opposite do not support the choices that families are making. It is this government that has delivered the schoolkids bonus, and those opposite, of course, do not trust the choices
that families are making. They want to take the schoolkids bonus back because they do not trust how families are spending the money. It was this Leader of the Opposition who said, when he was a minister, that he would see paid parental leave introduced over his dead body. No wonder parents do not trust anything he says. Now he says that he has the idea of paying wealthy women $75,000 to have the baby—parents do not trust anything he says. *(Time expired)*

**Budget**

Mr **TEHAN** (Wannon) *(14:38)*: My question is to the Treasurer. Given that we now know that the mining tax has cost $50 million to collect and only raised $126 million in its first six months yet is linked to $15 billion worth of expenditure, does the Treasurer agree with financial commentator, George Megalogenis, who said of the Treasury yesterday: 'You are almost in idiot territory if you are spending the money ahead of its receipt.' *(Time expired)*

Mr **SWAN** (Lilley—Deputy Prime Minister and Treasurer) *(14:38)*: First of all, I want to make the point that all of the policies are fully costed in our budget and fully reflected in our budget bottom line. I know that those opposite find that highly embarrassing because we are delivering for Australia—across the regions of this country—some of the most important projects that Australians have been waiting for for a long time. For example, in Perth, the Gateway project is being delivered. I think that those opposite might want to just take a bit of a breath here, because what we have been doing is putting in place some fundamental investments across our economy. I know they are highly embarrassed by the fact that they opposed the instant asset write-off which has been a massive boon for small business in our community. In fact, that is the policy that they are going to take to the next election—to get rid of it. They want to get rid of that for hundreds of thousands of small businesses. I know they are highly embarrassed by that as well.

I would just be a bit careful, when you are seeking to make your political points, about what you are committing yourself to: a major attack on small business and a major attack on superannuation. It is on something like eight million Australians with superannuation. That is what you are committing yourself to, in addition to getting rid of the tripling of the tax-free threshold.

You can see that the realisation is starting to dawn on a couple of the faces over there about what a sledgehammer those opposite are planning for the Australian economy—

*Mr Briggs interjecting—*

**The SPEAKER:** The member for Mayo is warned.

Mr **SWAN:** small businesses and the Australian workforce.

**Carers**

Mr **CHAMPION** (Wakefield) *(14:40)*: My question is to the Minister for Social Inclusion, the Minister for Mental Health and Ageing, and the Minister for Housing and Homelessness. What is the government doing to support older people, families and carers to achieve the best possible balance between working, caring and social engagement?

Mr **BUTLER** (Port Adelaide—Minister for Mental Health and Ageing, Minister for Housing and Homelessness, Minister for Social Inclusion and Minister Assisting the Prime Minister on Mental Health Reform) *(14:40)*: I thank the member for Wakefield, my colleague from South Australia, for his question. Late in his prime ministership, John Howard bowed to the bleeding obvious and declared the work-life balance issues of
Australia to be a 'barbecue stopper'. He was right. The trouble was, of course, that he then did precious little of substance—

Mr Briggs interjecting—

The SPEAKER: The member for Mayo has already been warned.

Mr BUTLER: to help Australian barbecues run more smoothly: no paid parental leave, no real attention to childcare policy and certainly no thought to the industrial issues involved, unless you count Work Choices. By contrast, this government has acted where the last government just talked. We intend to keep building on those achievements.

While the public and the media debate has tended to focus on the needs of Australian families with young children in this regard, we also know that a good work-life balance is an increasing challenge for older Australians. Australians over 55 are bearing greater caring responsibilities than ever before, often for their ageing parents as well as for their own children or sometimes grandchildren. This is happening at a time when Australia is relying more and more on increased workforce participation by this same group.

Indeed, around a quarter of the total growth in Australia's workforce last decade was by an increase in the number of Australians working into their sixties. While the total workforce grew over that period by about 25 per cent, the number of men in their sixties working grew by 110 per cent and the number of women working in their sixties grew by an astounding 200 per cent. But older workers often do not want to continue the work arrangements they had when they were younger. They want to have more flexibility in their work to take advantage of healthy early retirement or semi-retirement years and, obviously, they want flexibility to deal with their growing caring responsibilities.

Indeed, the ABS tells us that there are as many as one million older workers who want to move from full-time work to part-time work before they retire. Giving those Australians the flexibility and the right to formally request flexible work arrangements from their employer is not just the just the proper thing to do for a cohort that has worked so hard and for so long; it is also now an economic imperative. Extending the right to request flexible work arrangements to Australians over 55 was a direct recommendation of the government's Advisory Panel on the Economic Potential of Senior Australians. It is the right decision and it is a decision that deserves the support of the entire parliament.

Budget

Mr MORRISON (Cook) (14:43): My question is to the Prime Minister. I alert the Prime Minister to the government's latest estimate that spending on boat arrivals will fall by almost $2 billion over the forward estimates on their assumption that the boats will stop. Given that there were 17,270 illegal arrivals in 2012 and the trend is only going up, why is this promise any more believable than her promise to deliver a surplus?

Ms GILLARD (Lalor—Prime Minister) (14:44): First and foremost, the member raises the issue of the budget. We spent some time in question time last week, and indeed today, on issues associated with the budget and the inability of the opposition to recognise that there was a global financial crisis—the biggest economic disturbance since the great depression—and that this of course had implications for the global economy, put millions of people out of work around the world and has had implications,
too, for the budget, writing down revenues by $160 billion.

Mr Morrison interjecting—

Ms GILLARD: Well, the question referred to budget surplus, and I am addressing that.

Mr Morrison: Speaker, a point of order on relevance: my question was about their forecast $2 billion cut in spending. She should answer that question.

The SPEAKER: The member for Cook understands that abuses of points of order will not be tolerated.

Ms GILLARD: Thank you very much, Speaker, and I am addressing the question as it was initially asked. The member absolutely and specifically referred to a budget surplus. I am dealing with questions associated with the budget. If he has misdrafted his question that is a matter for him. I am making the point that if the member is genuinely interested in matters associated with the budget then he would of course, unlike those who proffer economic commentary on behalf of the opposition, have to recognise that we have lived through the biggest global economic event since the Great Depression, that around the world tens of millions of people have been thrown out of work, and that whilst we have come through that with low inflation and low unemployment, strong public finances, strong economic growth and a strong AAA rating, it has had implications for our budget, particularly a $160 billion write-off of revenue. As a result, the government is making decisions that continue to prioritise jobs and growth, because we believe that is important, and we will always put the jobs of working Australians first.

The member, as well as asking very generally about the budget, also specifically referred to budget matters and to asylum seekers and arrivals. I would remind the member that if he wants to look at these questions then it would pay to deal with the facts. I remind him that the government has returned about 1,000 people to—

Mr Morrison: How can you justify a $2 billion cut?

The SPEAKER: The member for Cook is warned!

Ms GILLARD: The government has returned about 1,000 people to Sri Lanka since 13 August. That is many more than the Howard government ever did in as short a period of time. This is part of the way in which the government is addressing asylum seeker issues. Consequently the member, rather than waving around pieces of paper, may want to deal credibly with the facts in this debate.

Schools

Ms OWENS (Parramatta) (14:47): My question is to the Minister for School Education, Early Childhood and Youth. Will the minister update the House on the government's plan to make every school a great school and to give every student in every school access to a great education? And is the minister aware of the impact of not acting to reform school funding?

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (14:47): I thank the member for Parramatta. In her electorate over $100 million has seen improvements or upgrading of 32 classrooms, 16 libraries, 17 multipurpose halls and so it goes from the investment that this Labor government makes in education, because we know that it is the single most important investment we can make in the nation's future. And we know that by properly investing in education we enable children to reach their full potential, get highly paid jobs in the future and of course contribute to productivity. That is why, after inheriting a system that had
suffered from a decade of neglect by the coalition when in government, we worked with states and territories to provide more information to parents through the MySchool website to lift the quality of teaching, to improve literacy and numeracy results through national partnerships and smarter schools, to improve facilities in schools right across the nation and to bring a national curriculum in, set at the very highest levels, to give our kids the best chance that we can.

Every time I visit a school I see this proud investment in place. But the fact is, there is more to do. The Gonski review found that the model for funding our schools was broken, and it found that too many Australian kids are getting left behind. That is why we have developed a national plan for school improvement to deliver extra funding for schools that need it, based on the needs of every student in every single school, delivering the reforms that we know will lift results: improved teacher training, better teaching, more local decision making, more teachers aid, special equipment—those things that are needed now in the classroom to make a difference to the kids’ education for the future.

I am asked by the member about the impact of doing nothing on school funding. The fact is that if we do not act on school funding—and certainly that is the position that the opposition has taken—then not only will education performance around Australia continue to struggle but Australian students will get fewer resources for their education in the future. To be clear: if we stick to the broken funding model that we now have, then Australian schools are likely to be worse off to the tune of around $5 billion. So it is very disappointing for Australian parents to see the Leader of the Opposition cutting the schoolkids bonus and even more disappointing to see the shadow minister declare that a plan to make Australia a stronger, smarter and much more intelligent country is mad. We will deliver a national plan—(Time expired)

Australian Defence Force

Mr ROBERT (Fadden) (14:51): My question is to the Prime Minister. I refer the Prime Minister to a report to the draft Defence white paper, which states: A strong national economy is fundamental to a strong Defence Force. An economic surplus is Australia’s best defence against the uncertain outlook.

Prime Minister: why, according to your own draft Defence white paper, have you now placed Australia’s national security at risk by breaking your promise to deliver a surplus in 2012-13?

Ms GILLARD (Lalor—Prime Minister) (14:51): First, I am not going to speculate about an early, incomplete departmental working document that has been neither presented to government nor circulated to other relevant agencies but has apparently been leaked to the media. It goes without saying that the Defence white paper will be released, as the government has announced. The member, when it is released, may want to study that white paper.

On the question of the Defence budget, can I be very clear with the House and with the member who has asked the question. We were the first government to budget over $100 billion for Defence, and again this year we have budgeted $103 billion across the forward estimates. That is part of making the right decisions for national security. A little bit earlier this year I had the opportunity to outline the first ever National Security
Strategy for the nation, and I refer the member to that.

I also refer the member to the fact that the opposition in the area of Defence has made a series of completely inconsistent statements about whether or not the opposition would add to Defence spending or would not add to Defence spending. We have had different statements from different spokespeople on different days. The Leader of the Opposition has said different things at different times. That kind of incompetence cannot be allowed to prevail. The opposition now has the opportunity to be crystal clear about its statements on Defence and crystal clear about budgeting for Defence and matching savings should they determine to make extra expenditure. I indicate, for example, that they have made commitments about indexation of military superannuation that have not been properly accounted for—

Mr Pyne: I rise on a point of order on relevance. The Prime Minister was asked about her putting national security at risk because of her failure to deliver a surplus in 2012-13. She is now again spending her whole answer talking about the opposition. She was not asked about the opposition's policies.

The SPEAKER: The Manager of Opposition Business will resume his seat. The Prime Minister has the call and will return to the question before the Chair.

Honourable members interjecting—

The SPEAKER: Order! The Prime Minister has the call.

Ms GILLARD: The government will outline the Defence white paper. The government's budget for Defence is as I have outlined it. If the opposition wants to be taken seriously on this question it needs to be crystal clear about its policy statements, about costings and about matching savings. Given the completely contradictory statements made to date, no-one, at this point, can take the opposition seriously on Defence.

Mr Robert: I seek leave to table page 82 of the draft Defence white paper that does not have 'early working draft' on it. It is complete. It is well structured—

The SPEAKER: The member for Fadden will resume his seat. Is leave granted?

Leave not granted.

The SPEAKER: I remind members that when they have been told they no longer have the call, they no longer have the call.

Health and Ageing

Ms O'NEILL (Robertson) (14:55): My question is to the Minister for Health. Will the minister update the House on how the government is implementing its plan to secure the future health and wellbeing of all Australians?

Ms PLIBERSEK (Sydney—Minister for Health) (14:55): I thank the member for Robertson for her question. Since 2007, Labor has delivered stronger health services and our plans for the future are very clear: more doctors, more nurses, more allied health professionals, more beds, less waiting, building and rebuilding of our hospitals and GP services, expanded primary care, cheaper medicines, dental care, cancer prevention and services.

When I heard that Real Solutions was coming out, I thought that I had better set some time aside to read the health section but, as it happens, I did not need very much time at all. There is not much planning there—a one-page list of slogans. You only need to look at the states to be able to read the tea leaves.

Mr Tudge interjecting—

The SPEAKER: The member for Aston is warned!
Ms PLIBERSEK: In Queensland: cuts of $1.6 billion. In Victoria: $616 million cut. We are investing in reducing waiting times for hospital patients with projects like the $15 million to expand the surgery centre at the Heidelberg Repatriation Hospital in Victoria that was opened earlier this month. Part of more than $1 billion in capital and facilitation money was set to reduce emergency department and elective surgery waiting times. However, we see that despite this new investment waiting times in states like Victoria have been going backwards for a year—longer waiting times in emergency and longer lists for elective surgery.

We are putting primary care in the hands of local communities through Medicare Locals. The shadow minister said he wants to slash thousands of jobs from Medicare Locals: doctors, nurses and allied health professionals. We have seen the rebuilding that is on top of the cuts in Queensland—4,000 health workers were cut by Campbell Newman. We are building and rebuilding hospitals and GP clinics. Just this morning, I turned the first sod on the new Canberra GP super clinic and, more recently, I was in Gosford, with the member for Robertson, looking at her beautiful new site for a GP super clinic up there.

In dental care, $5 billion will be invested in dental care over coming years, with $2.7 billion so that 3.4 million kids can see a dentist as easily as they now see a GP and almost $2 billion extra invested into public dental that is already taking people off waiting lists in the ACT, Tasmania, South Australia and very soon in New South Wales.

Real Solutions has a lot of aspirations. It has a lot of slogans, but not much detail there. In fact, I have seen more detail in a fortune cookie in the last week.

Asian Century

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (14:58): My question is to the Minister for Trade and Competitiveness and the Minister Assisting the Prime Minister on Asian Century Policy. I refer the minister to page 83 of the Australia in the Asian Century white paper in which it claims one of the government's achievements is 'returning the budget to surplus'. Has the minister written to his counterparts in Asia to correct this false claim, and has he apologised for making it?

Dr EMERSON (Rankin—Minister for Trade and Competitiveness and Minister Assisting the Prime Minister on Asian Century Policy) (14:58): Hope springs eternal. After 1,099 days I have finally got a question on policy from the opposition! On the weekend, I celebrated three years since I last had a question from the opposition. Therefore, I welcome this question with open arms. I welcome the fact that the Gillard Labor government has developed a sophisticated plan to engage Australia in the opportunities presented by the Asian century. We will have by 2030 three billion middle-class customers in Asia as we diversify our economy. We will continue to sell gas and minerals.

Ms Julie Bishop: Speaker, I rise on a point of order on relevance. At the risk of encouraging the minister to break into karaoke, I ask that he address the question: has he apologised for the false claim in the white paper?

Dr EMERSON: This engagement will mean that we will diversify our economy into services and back into agriculture and into sophisticated manufactured goods as we take advantage of regional supply chains. The Australian economy is the envy of the world. When it comes to the budget position of the Australian economy, we are achieving
Dr EMERSON: The Leader of the Opposition wonders why we are not going down the New Zealand path, which was a path to recession. At all times, the Labor government will put jobs first.

Dr EMERSON: The question is about budget policy and surpluses. I have indicated that this government is achieving the most rapid fiscal consolidation in Australia's history. I could not be more relevant.

The SPEAKER: The minister will return to the question.

Dr EMERSON: The Leader of the Opposition wonders why we are not going down the New Zealand path, which was a path to recession. At all times, the Labor government will put jobs first.

The SPEAKER: The Minister for Trade will resume his seat. The member for Mackellar will resume her seat. The minister has the call and will refer to the question before the chair.

Dr EMERSON: The question is about budget policy and surpluses. I have indicated that this government is achieving the most rapid fiscal consolidation in Australia's history. I could not be more relevant.

The SPEAKER: The minister will return to the question. The member for Mackellar will resume her seat. The minister has the call and will refer to the question before the chair.

Dr EMERSON: The question is about budget policy and surpluses. I have indicated that this government is achieving the most rapid fiscal consolidation in Australia's history. I could not be more relevant.

The SPEAKER: The minister will return to the question.

Dr EMERSON: The Leader of the Opposition wonders why we are not going down the New Zealand path, which was a path to recession. At all times, the Labor government will put jobs first.

Dr EMERSON: The question is about budget policy and surpluses. I have indicated that this government is achieving the most rapid fiscal consolidation in Australia's history. I could not be more relevant.

The SPEAKER: The minister will return to the question.

Dr EMERSON: The Leader of the Opposition wonders why we are not going down the New Zealand path, which was a path to recession. On budget policy and on surpluses, we will always put the interests of the working men and women of Australia first. We have done that before and we will do it again because this is a Labor government that believes in the working men and women of this country and not the reckless and highly irresponsible policies that the coalition has always invoked.

The SPEAKER: The minister will resume his seat. Is the Deputy Leader of the Opposition seeking to table a document?

Ms Julie Bishop: Clearly, the minister has not read his own white paper, so I seek leave to table page 83.

The SPEAKER: The Deputy Leader of the Opposition will resume her seat. There is no need to table a document that has already been tabled.

Carbon Pricing

Mr NEUMANN (Blair) (15:03): My question is to the Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation. What are abattoirs and meat processors doing to save
costs and reduce greenhouse gas emissions? How do their actions contrast with the predictions about the impact of the carbon price on the sector?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (15:03): I thank the member for Blair for his question. He has been very active in relation to this issue in particular. Members of the House will recall the prophecies of doom and gloom made by the coalition in relation to carbon pricing and how it would operate in the meat processing sector. Guess what? The doom and gloom has not transpired. Senator Joyce claimed that a leg of lamb would cost $100. We had another claim by the coalition that for each head of cattle admitted to an abattoir it would cost $575,000. And it was all garbage; it was all rubbish. All the rubbish that the other side went on with about this issue was totally deceitful and misleading.

The reality is that the government has worked very closely with the meat industry in applying the carbon price within the industry. It is leading to new investment in new technologies that will cut electricity consumption, reduce emissions intensity, cut greenhouse gas emissions and improve productivity and competitiveness. In making those commitments, the industry has worked with the government. Various grants are being provided to various abattoirs to support the investments being made.

For example, in January this year I and the member for Blair announced a $4.4 million grant to JBS Australia for its Dimmore abattoir facility and meat processing plant. The result is that JBS will slash its electricity costs by $1.1 million a year by covering its settlement ponds, capturing the methane and generating electricity for its site. The emissions intensity of that particular facility at Dinmore—that is, the amount of pollution produced per kilo of beef—will be reduced by 81 per cent. The payback period for the company’s investment is only two years; it will start to get a return on this investment in two years. A very similar project is being undertaken by AJ Bush and Sons at its Bromelton meat processing plant. The government has provided a $6.1 million grant. That investment will cut the energy costs at Bromelton by 46 per cent per year and reduce the emissions intensity of the plant by 64 per cent. These are quite extraordinary productivity and environmental outcomes achieved through the application of the carbon price in the meat processing industry.

Guess what else? These things will all be abolished by the other side. The cow cockies will be down here arguing for these to be kept. The position that the opposition has is so ridiculous, so environmentally absurd and so economically irresponsible that they will be under pressure from people on their own side of politics to keep the carbon price in place. The so-called pledge to get rid of it is simply not credible. (Time expired)

Mr NEUMANN (Blair) (15:07): The minister has talked about the impact of the carbon price on industry. How is the carbon price impacting in other sectors and how is industry responding?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (15:07): This is an excellent supplementary question by the member for Blair, because this experience is being replicated in many other parts of industry. With the application of the carbon price and the disposition of carbon price revenue towards innovative techniques, the capturing of emissions, reductions of emissions intensity in manufacturing businesses, reductions in
electricity consumption and improvements in productivity and competitiveness, we are starting to see a transformation in various industries in this country.

It is precisely what is necessary to reduce the emissions intensity of our economy overall and to square up to our international responsibilities in tackling climate change. Who in their right mind and exercising any semblance of economic responsibility would imagine that our No. 1 trading partner—China, which is introducing a carbon price through an emission trading scheme arrangement and with whom they wish to link our emissions trading schemes—would imagine that Australia could simply sit around and do nothing, as advocated by the coalition? The proposition that the opposition leader has put forward to the community, that this is all the death and destruction of the Australian economy, is not only totally ridiculous and now proved demonstrably to be so, but also that it be repealed is equally absurd.

Ms Gillard: I ask that further questions be placed on the Notice Paper.

Mr Pyne: Madam Speaker, I rise on a point of order. The standing orders state that question time finishes at 10 past three. We have had this debate before on two occasions and on both occasions the Leader of the House has agreed with my contention that question time finishes at 10 past three. The call was due to the opposition. The member for Canning was on his feet and therefore the call should have been given to the member for Canning, not to the Prime Minister.

The SPEAKER: The Manager of Opposition Business will resume his seat. Just before I call the Leader of the House, the member for Cowan indicated that he had a question to me. I will deal with it now. The member for Cowan has the call. I have dealt with the issue before. I will not engage in argument. The member for Cowan has the call.

**QUESTIONS TO THE SPEAKER**

Mr SIMPKINS (Cowan) (15:10): I would like to bring to your attention questions on notice Nos 1193 and 1194 which were submitted to the Minister for Foreign Affairs on 10 September 2012. Given that it has been 134 days without response, could you please ask the minister to reply?

The SPEAKER (15:10): I will write to the minister in accordance with the standing orders.

**AUDITOR-GENERAL’S REPORTS**

Report No. 21 of 2012-13

The SPEAKER (15:10): I present the Auditor-General's Performance Audit report No. 21, 2012-13 entitled *Individual management services provided to people in immigration detention: Department of Immigration and Citizenship.*

Ordered that the report be made a Parliamentary paper.

**DOCUMENTS**

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:11): 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:


Debate adjourned.
BUSINESS
Suspension of Standing and Sessional Orders

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:12): I ask leave of the House to move a motion relating to the time and order of business for the sitting tomorrow.

Leave granted.

Mr ALBANESE: I move:

That the time and order of business for the sitting tomorrow, Tuesday, 12 February 2013 be as follows:

(1) the House, at its rising, adjourn until tomorrow at 12 noon;
(2) during the period from 12 noon until 2 p.m. any division on a question called for in the House, other than on a motion moved by a Minister during this period, shall stand deferred until the conclusion of the discussion of a matter of public importance,
(3) during the period from 12 noon until 2 p.m. if any member draws the attention of the Speaker to the state of the House, the Speaker shall announce that he will count the House at the conclusion of the discussion of a matter of public importance, if the Member then so desires; and
(4) any variation to this arrangement to be made only by a motion moved by a Minister.

Speaker, I had discussions with the Manager of Opposition Business on Friday. This will enable more people to speak on the NDIS legislation that is before parliament in the main chamber tomorrow morning in a way that is orderly, and I thank the opposition for their cooperation.

Question agreed to.

STATEMENTS ON INDULGENCE
Dimopoulos, Mr Nick

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:12): On indulgence, I wish to inform the House of the passing last Thursday evening of Mr Nick Dimopoulos who was the Chief Executive Officer and Commissioner of the National Transport Commission. Mr Dimopoulos made a major contribution to the work of the commission since his appointment in 2006, and I greatly valued his advice. The commission plays a leading role in driving national transport regulatory reforms, and Nick's leadership and guidance will be missed by ministers and officials from across the Commonwealth, states and territories.

In the past three years, Nick and the commission have worked very hard to implement the historic national regulatory reforms, which will provide Australia for the first time with a seamless national transport regulatory system. Nick Dimopoulos was committed to improving Australian transport safety and productivity. Nick's professional career spanned industries such as mining, logistics, finance, infrastructure and transport. Prior to joining the NTC he held senior positions in both the public and private sectors. He headed up the Committee for Economic Development of Australia and worked in the Victorian Treasury and on World Bank infrastructure projects in China. His dedication and professionalism will be sadly missed. Speaker, I passed my condolences on this morning to Nick's widow, Steph, and their children. My thoughts are with them and Nick's colleagues at this time.

Mr TRUSS (Wide Bay—Leader of The Nationals) (15:14): On indulgence, I join in acknowledging and recognising the service of Nick Dimopoulos, particularly in his role as Chief Executive Officer and Commissioner of the National Transport Commission. He had a distinguished career in government and public policy but worked also in the private sector. His work in driving national transport regulatory reform was challenging and required great dedication.
and patience. The task has been in progress for a very long time and bit by bit some progress has been achieved. Certainly, Mr Dimopoulos's work in that regard needs to be recognised and acknowledged on this occasion. His contribution to public and private policy is acknowledged with gratitude and I join the minister in extending the condolences of the opposition to his widow and family.

Gotye

Mr CREAN (Hotham—Minister for Regional Australia, Regional Development and Local Government and Minister for the Arts) (15:15): On indulgence, I wish to inform the House that Australian singer-songwriter Gotye has created Australian music history today at the Grammy Awards in Los Angeles. He scooped the pool with three awards, including the Marquee category of Best Record. Gotye becomes only the second Australian to win Best Record, after Olivia Newton-John last won in 1975. Today, he is the first Australian to win multiple Grammys for the same release. Gotye took home the Grammy for Best Record; Pop/Duo Group Performance for Somebody That I Used to Know, featuring Kimbra; and the best Alternative Music Album, for Making Mirrors.

I should point out to the House that it was only as recently as 2011 that Gotye received $10,000 through the Australia Council's Live On Stage program to showcase the CMJ Music Marathon, in October of that year. Gotye is an outstanding example of investments made on behalf of this nation in our budding artists, and he has come home in spades. I think, Speaker, that it is important to note that in recent years we have become used to Australia winning world accolades at the Oscars and other movie awards. It is fantastic to see it in the music industry as well. I congratulate Gotye on behalf of the House.

Mr Jenkins interjecting—

The SPEAKER: I thank the member for Scullin for adding to our information on the issue!

BILLS

Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012

Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012

Second Reading

Cognate debate.

Debate resumed on the motion:

That this bill be now read a second time.

Mr BILLSON (Dunkley) (15:17): Thank you, Speaker, and well done on explaining the title of this legislation! It is quite a whopper and I hope those listening will persevere. I rise to speak on the government's Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012 and Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012. It just rolls off the tongue, doesn't it! I am sure we could have come up with a catchy acronym there! The bills before the House seek to reduce the incidence of illegal early withdrawal of superannuation.

Before speaking to the bills, I would like to foreshadow to the House that on behalf of the coalition I will be seeking to move an amendment to this bill, which gives the Australian Taxation Office discretion to allow taxpayers to correct inadvertent errors leading to excess superannuation contributions breaching either concessional or non-concessional superannuation
contribution caps. This amendment would give the ATO the option to remedy excessive and disproportionate tax penalties where it believed honest mistakes had been made. I will move to circulate this amendment during the consideration in detail stage of this bill.

But first, I will speak about the bills as they are. Both schedules 1 and 2 within the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012 originated from recommendations of the Cooper review, which was handed down on the 30 June 2010, over 2½ years ago. Schedule 1 of this bill seeks to introduce civil and criminal penalties for promoters of schemes that result in or encourage illegal early release of superannuation.

Schedule 2 of the bill seeks to make superannuation roll-overs into self-managed superannuation funds subject to the Anti-Money Laundering and Counter-Terrorism Financing Act 2006. I note that this act already applies to APRA regulated superannuation funds, and that this is an extension to the self-managed super fund sector. The coalition views both of these initiatives as sensible policy measures. The early release of superannuation is only allowed under strictly limited circumstances. These circumstances include cases of severe financial hardship, total and permanent disability, temporary incapacity, terminal illness or permanent departure from Australia.

Schedule 3 of this bill seeks to amend the Superannuation Industry (Supervision) Act 1993, by introducing a range of administrative consequences for contraventions relating to self-managed superannuation funds. This has come about because there has been a view that the existing penalty regime available to the Commissioner of Taxation is limited in terms of its application to trustees of self-managed super funds. This schedule seeks to give the Commissioner rectification and education directions. The cost to government of providing these directions that are being made available to the Commissioner of Taxation comes in at $17.1 million over 5 years. This will be recouped by the government through increases it has made to the Self-Managed Superannuation Fund Supervisory Levy announced in MYEFO last year. The coalition has been critical of this increase in the levy, which saw it rise from $191 to $259. It will hit 480,000 self-managed superannuation funds, whilst raising $320 million over the forward estimates. The coalition will not oppose the measures contained within this schedule, but we are critical of the hike in the levy through which the Government has chosen to fund these measures.

The second bill, the Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012, seeks to impose a penalty rate of tax of 45 per cent for money unlawfully released early from a superannuation fund. This measure is also consistent with recommendations of the Cooper review. Rules in relation to the early access of superannuation are deliberately strict in order to prevent people from accessing retirement savings early.

Superannuation has always been a preferentially taxed savings vehicle in order to encourage Australians to invest in their own future retirement. This in turn relieves the pressure on government to provide for those who do not have the financial means to support themselves in retirement. To preserve this savings vehicle for its intended use, it is reasonable that penalties exist in order to prevent misuse, particularly given the concessional tax status of superannuation. The coalition wants to
encourage as many Australians as possible to plan and save for their retirement and to take full advantage of the benefits that the superannuation system offers. This Labor government has not made life easy for many Australians planning their retirement and the spectre of further changes still hangs over their heads. The government's track record on superannuation has been one of taxation and fiddle, causing great uncertainty for those preparing for their retirement or relying heavily on their superannuation system for their income.

Superannuation is becoming increasingly important as part of household wealth. There has now been about $1.5 trillion in superannuation funds under management—that is about the same as Australia's annual gross domestic product. That figure exceeds deposits with financial institutions, which are around $720 billion; it is much larger than direct shareholdings, at around $514 billion; there are also unfunded superannuation entitlements, at $353 billion. So superannuation assets and entitlements totalled $1.8 trillion within total wealth of households and unincorporated enterprises of $7.5 trillion. The superannuation industry, in large part, owes its success to government policy. The industry is boosted by the compulsory nature of superannuation contributions, currently at nine per cent—but legislated to increase to 12 per cent—and by concessional tax treatment afforded to savings in a superannuation fund.

There is only one measure from the MRRT package that a coalition government will keep, despite the enormous shortfall in forecast MRRT revenue, and that is the increase in compulsory superannuation from nine to 12 per cent. It was in this House that I also emphasised that employer funded superannuation contributions are in fact just that—funded by employers—and the government would do well not to overstate and exaggerate the reach of the MRRT measure in relation to the increased contribution rate. The coalition understands the importance of this measure to the Australian workers planning for their retirement and, in light of all the fiddles and changes to the Australian superannuation system over the past few years, we will not add additional confusion to this arising from reversing this particular measure. The coalition government will fund this measure from savings within the budget and not from a tax that hardly raises any revenue.

Superannuation involves a trade-off with the government. Households are induced to lock up their savings until retirement and to forgo consumption today in return for concessional tax treatment. The benefit for the government is the greater financial self-sufficiency of people once they retire and the lower recourse to the government-funded pension system. The legislation before the House is to ensure that this system is upheld by preventing early and unlawful withdrawal of superannuation balances. The coalition supports this legislation before the House and believes that it is in the spirit of the compact between the government and the people. Having said that, I do not want to give the impression that the coalition is supportive of this government's constant fiddling, tinkering and threatening of additional taxation within the superannuation system—particularly of late as the government seems to eye this superannuation nest egg as a way of addressing its enormous budget shortfalls.

Many unexpected changes have been made to Australia's superannuation system by a government driven by the need for revenue to fund wasteful spending. What I find particularly disturbing is that this government seems to have a view that the superannuation industry is a cash cow, ready to be tapped when it sees fit to help fund its
out-of-control budget and unrestrained expenditure. There has been a large reduction in the concessional superannuation caps, from $50,000 and $100,000 down to only $25,000, as well as freezing the relevant indexation on that cap. This is particularly of concern to the small business community and for those who may have a limited working life ahead of them, over which time they need to accumulate a retirement savings nest egg. I am frequently reminded by small business people, still reeling from the Labor government induced 'recession we had to have' in the nineties, that so much of their accumulated wealth—the very nest egg that they sought to rely upon for their retirement—was eroded over that time either by a reduction in the value of their business or by their business being forced to fold. Those people may have a limited window of their working life within which to accumulate a retirement nest egg that they can depend upon for the standard of living they hope to work for—and they feel they have worked for—right throughout their working life. So these reduction caps may, on the surface, seem to have some thought behind them if you look at them through the eyes of regular contributions throughout the adult working life of a superannuation saver, but that is not the journey of many Australian people—and it is particularly not the journey of those courageous men and women of small business, who may take the opportunity from a rare profitable year to provide handsomely for their retirement, in that year where they have that chance, realising that it is but a fraction of the nest egg they will require for a dignified retirement.

There has also been a new supertax imposed on people earning more than $300,000 a year. Again, one needs to look at that over the working life of a person and not at a single snapshot as if that represents their entire working life. The government has only partly addressed the excessive penalties imposed by the ATO when people make inadvertent errors and breach their superannuation contributions cap. I will come back to that issue shortly and speak to some examples that I am very much aware of.

To make matters worse, there are fears that the government will again dip into superannuation in the forthcoming budget to help balance the books. There were rumours circulating widely throughout the media—and, some are suggesting, being planted by representatives of the government—over the past couple of weeks that the government plans to impose tax on the currently tax-free income flows from those aged 60 and above. It was as if they were testing the waters for this further tinkering and tax gouging on superannuation. Articles from the Australian newspaper suggested that these rumours have originated from the minister's own office, despite his repeated denials. After having tested the waters, the government had to rule out this threat given the protest that was building against such moves. Any further fiddling and changes would do nothing to build confidence in the superannuation system. Consumers and the industry need stability in policies and the certainty that the nest egg they are building will be there to fund a comfortable retirement. In recent days, the government has sought to attack the coalition over our intention to rescind another superannuation measure, the low-income superannuation tax offset, funded out of revenue from the MRRT—or should I say the anticipated, but not forthcoming, revenue from the MRRT.

I want to set the record straight on this. The tax offset was announced as part of the government's Minerals Resource Rent Tax package—the MRRT. The coalition has been on the record for a long time with our
commitment to scrap the MRRT because it is a bad tax for Australia. Not only has it created sovereign risk implications in terms of our nation's attractiveness to foreign investors, but it is well short of its forecast. On Friday, we learnt that the government had collected $126 million, against a revenue forecast of $2 billion. The government's low-income superannuation tax offset measure, linked to the mining tax, is unfunded expenditure because of the MRRT's incapacity to bring in the revenue that the Treasurer not only forecast, but banked and spent well in advance of it actually materialising.

The coalition have been entirely transparent and upfront about our position on this tax offset. This stands in stark contrast to Labor, who promised there would be no changes to the superannuation arrangements before the 2007 election, and then reduced the government's superannuation co-contributions for low-income earners from $1,500 under the Howard government to just $500. This move stripped $3.3 billion out of low-income earners, a lot of whom would be working women. That is a salient point for this country's Prime Minister, I would have thought. Let us not forget that it is this Labor government that has hit Australians' savings with more than $8 billion in increased taxes on superannuation over the five years since coming to government. That is correct—$8 billion of increased taxes on superannuation imposed by these Labor governments over the five years since the election of Labor. The coalition will not be copping any lectures from Labor about superannuation.

I also waved around in a contribution last week what seemed to be a visual explanation of what 'not by one jot, not by one tittle' actually means. Those in this House and those listening to this broadcast might remind themselves of that assurance provided by Labor prior to the 2007 election. Kevin Rudd said superannuation would not be changed, 'not by one jot, not by one tiddle'. What we have found is there has been more than 50 substantial policy and legislative changes to superannuation since that assurance. So you can imagine why there is still anxiety in the superannuation sector, including those who are saving within superannuation and those who are dependent on superannuation for their revenue, about this reassurance that the payment out of super funds will not be taxed for people over the age of 60, a proposition that has been floated and then retracted in just the last fortnight.

The coalition will be supporting the measures contained within this bill. The changes are supported by industry and are expected, albeit a little late, following the handing down of the Hooper review over two-and-a-half years ago, but here they are and they will have the coalition's support. But as I stated at the outset, I will be looking to move an amendment. This will give the Australian Taxation Office discretion to allow taxpayers to correct inadvertent errors leading to excessive superannuation contributions breaching either concessional or non-concessional superannuation contribution caps. The reasons for these measures have been brought to my attention quite vividly, and I will outline them generally. The Australian tax office argues that it does not have the discretion to allow taxpayers to correct inadvertent errors that lead to a fine or punishment where there is an inadvertent breach of either the concessional or non-concessional superannuation contribution caps. Breaches of such caps attract extraordinarily large penalties, regardless of the circumstances. It is those circumstances that the coalition wishes to address. Some Australians have been forced to pay an effective tax rate of up to 93 per cent at times because of actions
taken by others, completely out of their own control.

Today, the coalition is looking to address this problem. I will be moving amendments that seek to give the Australian tax commissioner discretion in a range of circumstances where individuals have made clearly inadvertent errors. In the consideration in detail stage, I will outline that our amendments seek to provide for that discretion, in cases where an individual has multiple employers and the cap is breached without any possibility of rectification; when the employer contribution is a few days earlier or later than expected; when unexpected bonus payments or redundancy payments impact on contributions; where salary sacrifice arrangements have not had caps altered or changed in time; where a late voluntary contribution is not processed until the following financial year; or where a taxpayer has received incorrect advice from a recognised tax adviser or other professional advisers. That will be the nature of the amendments I will be moving in my name at the detailed stage. I will explain in more detail, but simply with that overview I have provided, I hope that the House gets a sense that there are a number of quite inadvertent and unintentional circumstances which can give rise to an extraordinarily disproportionate fine or penalty as a result of the rigidity of the current law and the lack of discretion for the Australian tax commissioner to take account of the particular circumstances.

In closing, the coalition supports these two bills, but we will be moving an amendment to provide the discretion that the ATO needs to deal with inadvertent breaches.

**Dr LEIGH** (Fraser) (15:35): In 1991, the then Prime Minister Paul Keating said of the superannuation guarantee:

> It will make Australia a more equal place, a more egalitarian place and hence a more cohesive and happier place.

We do not often talk about happiness and superannuation in the same breath, but I think we should, because a strong superannuation system is a system that ensures dignity in retirement. It ensures that Australian retirees can enjoy that extra grey nomad trip and the comfort of being able to spend time with loved ones without worrying about paying the bills. It ensures that generations that have given much to Australia enjoy the retirement to which they are entitled.

Labor has always had a strong commitment to dignity in retirement. In 2009, we increased the pension—the biggest increase in the pension since its inception. That increase was worth $1,600 a year for singles on the full aged pension. Peter Whiteford from the University of New South Wales estimates that that knocked down the rate of poverty in Australia by about a fifth, from about 14 per cent down to about 11 per cent—one of the biggest decreases in poverty that we have seen. That came as a result of Labor's decision to raise the pension. That is the broad context for superannuation from this side of the house.

Alas, this has not been bipartisan. If we look to the Leader of the Opposition, he said once, 'Compulsory superannuation is one of the biggest con jobs ever foisted by government on the Australian people.' In 1995 he said, 'Compulsory superannuation is possibly the greatest confidence trick of the last decade.' It is in that spirit that we were not surprised when the Leader of the Opposition said on 23 March last year:

> Well, we strongly oppose the superannuation increase. We have always as a coalition been against compulsory superannuation increases… and that he said he would therefore oppose them. You can knock him for being wrong
but not for being inconsistent. At least he was following true at that point to the things he had said about compulsory superannuation. But now it appears that the opposition have backflipped on superannuation. They say they will now be supporting the increase from nine to 12 per cent. They came into this place and voted against it. It is a phased increase until 2019, but those opposite will now apparently support the increase in superannuation—dragged kicking and screaming to the line—and are now unwilling to back down on this reform.

But you know where those opposite stand when they have the chance to speak out on superannuation. On the superannuation guarantee, Wilson Tuckey said that it was 'both stupid and dishonest'. Senator Alston said 'imposing compulsory superannuation on individuals does not increase total savings'—a statement clearly at odds with two recent Reserve Bank discussion papers. Senator Watson from the Liberal Party said 'unemployment is going to rise' from superannuation. Those opposite, in their heart of hearts, would really prefer that there was not a universal superannuation system. Just as they fought Medicare at its creation, so too they fought universal superannuation at its creation. Just as they have fought a series of progressive health measures, so too they have fought the increase in superannuation from nine to 12 per cent.

Today, although they may be saying that they are going to support the increase in universal superannuation, they are also going to raise the tax on the superannuation contributions of 3.6 million low-income Australians. That is about one in three workers, and they are the lowest paid workers in Australia. Nearly a third of workers are going to have their superannuation taxes increased by up to $500 a year under the opposition. Of course this is the same opposition who cried foul when the government imposed an additional 15 per cent tax on the superannuation contributions of those earning $300,000 or more in the last budget. That affected 128,000 people and some of the highest earning Australians. This, a measure which benefits 3.6 million of the lowest paid Australians, is a measure that the opposition will claw back.

The superannuation system on which dignity in retirement is founded is a Labor creation. It was Labor that put superannuation in place and has increased it from 9 to 12 per cent. It is Labor that introduced a low income superannuation contribution effective from 1 July last year. It is Labor has put in place a measure to implement a one-off refund of small excess concessional cap contributions breaches from 1 July 2011. Labor has put in place a higher concessional contributions cap for over-50s with low balances, and we have abolished the 70-year-old age limit on the superannuation guarantee. At the same time we are making the system more efficient and making the process of everyday transactions easier through new data and e-commerce standards, the use of tax file numbers as the primary locator of member accounts and facilitating account consolidation and electronic portability.

The Find My Super campaign that I ran locally with ACT MLA Chris Bourke helped link Canberra workers to their superannuation. We can also do a lot through the Australian Taxation Office to make sure that your lost superannuation account finds you. Labor is working on those reforms. We have announced new rules to make superannuation simpler and more cost-effective through the MySuper reforms, which are grounded in the Cooper review. This recognises that choice architecture needs to operate in an environment where
many people simply take the default fund and the default option within that fund. Defaults need to have high returns for individuals. The MySuper reforms see that put in place. They ensure that the defaults Australians receive are good defaults. I think this was a notion not well understood in the early 1990s. The emphasis then was very much on choice, but I think a lot of the research since then, particularly some of the studies coming out of behavioural economics, have told us that most people are not active managers of their retirement savings. They want rules that ensure good defaults, and that it what the MySuper reforms put in place.

We are making sure that the directors of super funds are appropriately accountable for meeting their duties towards members. All of this is of a piece with ensuring that Australia can be a financial services hub and ensuring that Australia is a place where we encourage good money management in a way where we ensure that financial advisers are not conflicted and that they have good disclosure for their clients.

The consumer credit reforms we have put in place sit alongside the MySuper reforms in making sure that customers get a good deal, making sure we have a system that puts customers first.

To go to the specific provisions of the bill: the bill introduces civil and criminal sanctions for someone who promotes a scheme that has resulted or is likely to result in the illegal early release of superannuation benefits. At the moment, there are not those provisions available for promoters unless they are trustees of a fund. This ensures that those who would seek to benefit from the illegal early release of superannuation benefits can be punished.

The bill amends the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 to require that superannuation benefits that are rolled over into self-managed superannuation funds are captured as a designated service. That ensures that we take into account the risks of money laundering and financing of terrorism that can be associated with asset rollover and that we have the appropriate customer identification and reporting requirements to ensure that superannuation is not used for inappropriate ends.

The bill amends the Superannuation Industry (Supervision) Act 1993 to introduce administrative consequences for contraventions relating to self-managed superannuation funds. That gives the Commissioner of Taxation effective, flexible, proportionate power to address noncompliance with superannuation laws.

These reforms are essential if we are to ensure that the superannuation system remains a strong system which ensures good investment in Australia—we have seen the pool of assets grow to around the size of Australia's GDP. These reforms ensure that Australians have dignity in retirement.

I call on those opposite to change their commitment to scrapping the low-income superannuation contribution. They have argued that they are not going to support any measures that are linked to the mining tax, but we know that is not the case because, as soon as the breath was out of their mouths, they then said: 'Not the increase from nine to 12 per cent.' The increase from nine to 12 per cent is not small bickies. I understand that each percentage point is around $1 billion of forgone tax revenue for the government. So there is $3 billion sitting right there.

My call to those opposite is: if they are going to support a good measure—increasing superannuation contributions from nine to 12 per cent—why not continue and support an equally good measure in bringing down the
tax rate paid by the lowest income Australians on their superannuation contributions? It is a reform that follows the Henry review. The Henry review recommended the tax paid on superannuation contributions should be an individual's marginal tax rate minus 15 per cent. We have not gotten to precisely that, but we have recognised the wisdom of the Henry review's recommendation that superannuation taxation should not be a flat tax, that it should be lower for lower income Australians. So we have brought down the tax rate to zero for 3.6 million Australians.

I call on those opposite to support that measure. It is a good measure. It improves dignity in retirement and it improves dignity for lower income Australians, who are disproportionately female workers. As we know, women earn lower wages in the Australian labour market, for a range of reasons—from industry, to discrimination, to career breaks. Women in the Australian workforce earn less and, as a result, have lower superannuation balances. These 3.6 million Australians, disproportionately women, are benefiting from the low-income superannuation contribution. If the coalition were to come to government and scrap it, they would be raising taxes on a group of low-income earners, disproportionately women.

This is as good a measure, in my view, as the increased superannuation contribution. It is an important equity measure and it is an important measure to ensure that Australians in their retirement have the independence to be able to travel, to spend time with loved ones, to enjoy a good retirement. I hope that sense prevails, that the Liberal Party, which has traditionally been deeply suspicious of universal superannuation—since the very inception of universal superannuation—can now see its way to support recommendations coming out of the Henry review that low-income Australians pay less tax. I commend the bill to the House.

Mr Fletcher (Bradfield) (15:50): I am very pleased to rise to speak on the Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012 and the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012. The purpose of these bills is to increase penalties for those involved in the unlawful early release of superannuation moneys. These bills, in a sense, go to the bargain which exists between the Commonwealth and its citizens in relation to superannuation. The bargain is that the Commonwealth says to citizens, 'We will provide you with tax concessions to assist you to save and build up a balance that will provide for you in retirement,' and, in exchange, your part of the bargain as a citizen is that you will use the money only for the designated purpose of providing for your retirement. Hence, efforts to, for example, release the funds early are breaching that bargain, and that is, it would appear, the rationale for the measures in the bill today.

However, there is one aspect of the bargain which the Commonwealth is not doing a very good job of keeping. Indeed, the Commonwealth has, quite frankly, breached its side of the bargain when it comes to the situation of citizens who, in good faith, make contributions into their superannuation fund and find themselves inadvertently paying extremely high rates of tax—as high as 93 per cent—when they inadvertently breach what are highly technical and complex rules.

The result is that money, which has been paid in by the citizen in reliance on the bargain with the Commonwealth with the intention of saving money to provide for that
citizen's retirement, is in fact seized by the government and put into general tax revenue. Regrettably, and quite extraordinarily, the Rudd-Gillard Labor government has been content to let this situation fester for years while collecting tens of millions of dollars in tax revenue in excess contributions tax each year—much of that revenue collected essentially by tricking citizens. That is why the coalition has moved an amendment to this bill which is designed to fix this problem—which is designed to prevent citizens being tricked into paying punitive rates of taxation on monies which they thought were going to contribute towards their retirement income.

I would like to speak to the amendment and I want to make three points in the brief time available to me this afternoon. Firstly, I want to point out that the current rules are unfair and capricious in the way they operate. Secondly, I want to highlight the fact that the Rudd-Gillard Labor government has allowed this situation to fester for a number of years and has grabbed at revenue which has been received from citizens under a misunderstanding. An inadvertent error by citizens has led to them paying excessive rates of tax. Thirdly, the coalition, in the amendment we are moving to the bill this afternoon, are proposing an effective and workable solution to this problem.

Let me turn, firstly, to the proposition that the current rules are unfair and capricious in the way that they apply to citizens. When you state that a particular payment could attract a rate of tax of up to 93 per cent, most Australians would be very, very surprised. They would be particularly surprised to learn that you can be subject to a tax of up to 93 per cent, not because you have made a deliberate attempt to obtain benefits to which you are not entitled but because, through inadvertent error—and in some cases through factors which are wholly beyond your control, as I will go on to explain—payments have been made, in some cases, just days before 30 June or days after 30 June, with the result that the total amount being paid in a particular financial year exceeds an arbitrary limit and then very, very high rates of tax can apply. Let me explain how this can occur. The starting point is that the limit on concessional contributions into superannuation is $25,000 a year. I note that this contribution limit has dropped very, very sharply in the five-and-a-bit years of the Rudd-Gillard government. For many citizens it was $100,000; it is now $25,000. Of course, that sharp and continuing reduction in contribution limits has been a factor in leading many citizens to be confused and surprised and to find themselves inadvertently in a position where they have breached the contribution limits. The Rudd-Gillard government's poor administration of the contribution limits has been a factor in many citizens finding themselves caught up in this mess.

The second thing that happens is that, if you make contributions which are intended to be in contact concessional contributions but exceed the $25,000 limit, then further contributions are treated as incurring the excess concessional contributions tax of 31.5 per cent. They then fall into your non-concessional contributions limit which is $150,000 in one year or $450,000 over three years. The risk is that, if you are already at your non-concessional contributions limit, then any dollar over the $25,000 which fails to be treated as a concessional contribution picks up additional tax because you have also exceeded the non-concessional limit. I think you will agree it is crystal clear. Even as I explain it, it is very easy to see how Australians can inadvertently find themselves breaching these highly complex and technical rules. This is the situation that
a disturbingly large number of people find themselves facing.

The key point is: you can breach these rules through no fault of your own, because, if a payment that you thought was going to be made by your employer by 30 June of a particular financial year ends up being made on 1 or 2 July, thus falling into the next financial year, you can trip-wire these limits in that next financial year. There is a whole range of circumstances in which, for reasons wholly outside of your control, you can end up as an employee breaching these contribution limits. One situation is where an individual has multiple employers and the cap is breached without any possibility of rectification. Another possibility is where an employer contribution is a few days earlier or later than expected. There can also be the situation of unexpected bonus payments or redundancy payments. So you might have developed a strategy to contribute up to the $25,000 limit and no more, but then, unexpectedly, you are made redundant, a redundancy payment comes in during the financial year and then you are suddenly rocketing through that contribution limit and that money, which ought to be your money, is being seized as a very large percentage in tax. Of course, another possibility is if a late voluntary contribution you intend to have made in this financial year is not processed by the superannuation fund or by your financial institutional until the following financial year. As I have explained, the consequence of any one of these highly technical errors and errors which are made for reasons which, in many cases, are outside of the control of the citizen—outside of the control of the taxpayer—can lead to you being hit with tax of up to 93 per cent. That is, on any view, completely unreasonable and unacceptable.

You would have thought that merely creating, in any government, an urgency to fix it. You would have thought that no government would want to be in the position where it was, in essence, collecting taxes from its citizens by trickery. But, remarkably, the Rudd-Gillard Labor government has made no serious attempt to fix this problem. Let us just look at the scale of this problem. In the 2008-09 financial year, 35,000 Australians breached the contribution rules. By 2010-11 it was 50,954, and by 2011-12 it was 66,435 Australians paying excess contributions tax—in many cases due to inadvertent error. And that dramatic increase from 35,000 to 66,000 in three years is undoubtedly related to the fact that the Rudd-Gillard Labor government has systematically reduced contribution limits, all the while incidentally, telling Australians they were going to be doing the opposite—all the while telling Australians that the reduction to $25,000 was only temporary and that for those above 50 their contribution limits would not be maintained at a low level.

The Labor government, it is true, in 2010 passed some legislation which was designed to give the commissioner a certain degree of discretion to deal with this matter. But the degree of discretion is extremely limited. It is only available in respect of excess contributions of up to $10,000. What the commissioner says is that citizens or taxpayers in that situation may be eligible for a once-only offer to have their contributions withdrawn from their fund, added to their assessable income and taxed at the marginal rate.

Why such a piecemeal solution has been proffered by the present government is difficult to understand unless we recognise the troubling possibility that this government is so desperate for revenue that it is willing to collect tax revenue by trickery. And in 2011-12 the Rudd-Gillard government raised
$174 million in excess contributions tax. It is clear that in significant measure some of this money has effectively been tricked out of ordinary Australians seeking to comply with the fiendishly complex rules governing contributions and contribution limits, and have found themselves—for reasons in many cases beyond their control—paying tax on their contributions, of up to 93 per cent.

Now, the Rudd-Gillard government has been content to let this situation fester. The coalition is putting forward an amendment which is designed to fix this problem; it is designed to end this tawdry behaviour, on the part of the present government, of essentially taxing Australians through trickery.

The proposed provisions in our amendment would add new subsections to the existing section 292-465 of the Income Tax Assessment Act. They would authorise the commissioner to make a determination to reverse contributions where a taxpayer has made an inadvertent error and would allow the commissioner to consider, in determining whether to exercise his discretion, several factors that typically have caused taxpayers to make these kinds of inadvertent errors. For example, having more than one employer is the first factor set out in the proposed subsection 292-465(6A) and then whether contributions were made by the taxpayer's employer at a time that was earlier than the time the taxpayer expected; whether they were made at a time that was later; whether the taxpayer received an unexpected bonus payment that had an impact on the amount of his or her contributions, and a range of other factors, which, experience tells us, have led thousands of Australians to find themselves paying excess tax for reasons which are beyond their control—reasons which they could not take into account. I repeat, in 2011-12, 66,435 taxpayers paid an excess contributions tax. So this is a large and growing problem—a problem that the Rudd-Gillard government has been quite happy to let fester.

Will this measure have a budgetary impact? Potentially it will. I have indicated that the revenue collected in the last full financial year was $174 million. But if the reduction in revenue occurs because Australians are no longer being tricked by their government into paying an excess contributions tax of up to 93 per cent because of their failure to comply with technical and complex rules, and in many cases exacerbated by factors beyond their control such as the timing of payments from their employer—if the reduction in revenue occurs because that kind of trickery is no longer able to be perpetrated by the Commonwealth on its citizens—then that is a reduction in revenue that this parliament ought to welcome.

And it would be a shocking thing indeed if the Rudd-Gillard government were to say to the people of Australia, 'We are quite happy to keep raising revenue, to keep taxing through trickery.' That would be a shocking thing indeed. And unless that is what the Rudd-Gillard government wants to say to the people of Australia, then I cannot see any reason why the government would not support this amendment which the coalition has moved, which is designed to ensure that Australians no longer find themselves in that position, through inadvertently breaching highly technical and complex rules and being taxed at up to 93 per cent on money that they thought they were setting aside to provide for their retirement. I commend this amendment to the House.

Mr STEPHEN JONES (Throsby) (16:05): We are debating a bill to amend our legislation in respect of superannuation. The Labor Party's superannuation policy has an important public policy purpose, and that is
to build a pool of individual and national retirement savings so that individuals can retire with some dignity and some income security, and also to provide some relief for future generations in respect of pension payments and meeting the challenges of an aging demographic.

In respect of this the government provides a tax concession on contributions and earnings for moneys going into the fund and the earnings of the fund. You would have to say that on any fair analysis the policy is working. We have over $1.4 trillion in retirement savings invested superannuation accounts around the country. This is close to the fourth-largest pool of superannuation funding anywhere in the world.

It should be the case that early access to superannuation is only available in extremely limited circumstances. By 'early access' I mean prior to retirement. In the cases of severe hardship or other very limited circumstances the trustees of funds may allow early access to this funds and they do not receive high levels of taxation penalties as a result.

Unfortunately, a number of individuals promote illegal early-release schemes. The superannuation system review recommended that the government take action to reduce the illegal early release of super, and the two bills before the House today are aimed at addressing just that. Schedule 1 of the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012 amends the Superannuation Industry (Supervision) Act to introduce civil and criminal sanctions for a person who promotes a scheme that has resulted, or is likely to result, in the illegal early release of superannuation benefits. The government's super system review found that stronger sanctions must exist to deter the promoters of illegal early-release schemes from undermining the government's retirement policy and, in addition, harming members in the process. The review found evidence of promoters who were pushing these schemes charging very high commissions for convincing sometimes unwitting investors to roll their money over from a compliance scheme into one of these early-release schemes and taking as high as 50 per cent in commission—unconscionable behaviour that should be condemned by all members in this place.

Currently, there are no specific penalties for the promoters of illegal early-release schemes who are not themselves trustees of a regulated superannuation fund. Often the promoter will not be a trustee of a purported superannuation fund used in a scheme but instead recruits other parties for the role. This measure delivers on the government's announcement that it would introduce penalties to deter the promotion of these sorts of schemes. It will allow the commissioner to seek civil and criminal penalties for those who promote the legal early release of super. The Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012, the ITR bill, amends the law to ensure that superannuation benefits pulled out as part of some illegal early release are taxed at 45 per cent.

Schedule 1 to the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012 amends the Superannuation Industry (Supervision) Act to introduce civil and criminal sanctions for a person who promotes a scheme that has resulted, or is likely to result, in the illegal early release of superannuation benefits. The government's super system review found that stronger sanctions must exist to deter the promoters of illegal early-release schemes from undermining the government's retirement policy and, in addition, harming members in the process. The review found evidence of promoters who were pushing these schemes charging very high commissions for convincing sometimes unwitting investors to roll their money over from a compliance scheme into one of these early-release schemes and taking as high as 50 per cent in commission—unconscionable behaviour that should be condemned by all members in this place.
should be subject to the superannuation fund non-complying tax rate of 45 per cent.

The Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012, being considered in cognate with the first bill, imposes the superannuation non-complying fund rate of 45 per cent on those amounts that are released early by illegal means. These measures will ensure strong sanctions are in place to deter the illegal early release of superannuation.

Schedule 2 to the bill amends the Anti-Money Laundering and Counter-Terrorism Financing Act 2006 to require that superannuation benefits that are rolled over into self-managed superannuation funds are captured as a designated service. The super system review noted that, since trustees and members of SMSFs are generally the same, there is greater scope for assets once received in the self-managed superannuation fund to be diverted for an illicit purpose. By capturing rollovers into self-managed superannuation funds as a designated service under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, the transferring superannuation fund will have to comply with a range of obligations, including customer identification requirements and reporting obligations. This measure will ensure that consideration is given to the money-laundering and terrorism-financing risk associated with the rollover of assets to a self-managed superannuation fund.

Schedule 3 to the bill amends the Superannuation Industry (Supervision) Act 1993 to introduce administrative consequences for contraventions relating to self-managed superannuation funds. The super system review found that the Commissioner of Taxation, as regulator of self-managed funds, needs to have effective, flexible and proportionate powers to address noncompliance with the superannuation laws. Currently, the commissioner has a very limited number of tools available to address instances of noncompliance. The review acknowledged the benefits that the current penalty regime provides to deal with and deter noncompliance; however, it highlighted some areas of the current regime which limit the commissioner's ability to achieve optimal regulation.

Applying the current penalties can be costly and time consuming, and the potential consequences can be disproportionately high. The absence of graduated penalties results in a number of self-managed superannuation fund trustees avoiding sanction for contravening conduct by simply rectifying the conduct when it is detected. This may be appropriate in some circumstances, but it is not appropriate if the trustees can continue to contravene the law and therefore their actions simply have no consequences. The review recommended that the commissioner be given additional tools, both educational and punitive, in conjunction with existing powers. These tools will support the ongoing integrity of the superannuation system. This measure delivers another stronger super reform for self-managed superannuation funds.

On this side of the House, we have a strong commitment to Australia's superannuation system. It was, after all, the Australian Labor Party that built the system and added to it. We built it over the vehement opposition of the coalition, who have never been supporters of occupational superannuation. They see it as some form of socialist plot. Every time we have had the opportunity to bring into this place measures which advance the capacity of workers to add to their retirement savings, those measures have been met with vehement
opposition by those on the other side of the House.

But this government is increasing its commitment to workers' superannuation, particularly by increasing the superannuation guarantee. Those from the coalition parties really did deserve an award in hypocrisy when, in previous weeks, they raised questions and tried to speculate about what might be in the forthcoming budget when it came to workers' superannuation when they themselves, only months earlier, had opposed measures to lift the superannuation guarantee from nine per cent to 12 per cent. This measure alone will boost the retirement savings of 8.4 million Australians by about $85 billion over 10 years and add about $500 billion to our pool of retirement savings by 2035. That means around $118,000 to the retirement superannuation balance for an average worker who is 30 years old today.

Labor's super reforms also provide an annual contribution of up to $500 into the superannuation accounts of workers earning less than $37,000. This is a measure that came into effect on 1 July last year. It will enable workers aged between 70 and 74 to receive contributions for the very first time since the introduction of compulsory superannuation. This is a measure that will come into effect from 1 July this year. It also creates a new low-cost superannuation product called MySuper. Again, this is a measure that will come into effect from 1 July 2013.

In stark contrast, the coalition have confirmed that they would re-impose a 15 per cent tax on Australia's lowest paid workers—that is, those earning below $37,000 per annum. This group of people includes 2.1 million working women. The opposition leader announced at the National Press Club recently that, if elected, the coalition would abolish the low-income superannuation contribution. That is, those workers earning over $37,000 a year who are currently having $500 per year diverted into their accounts by the federal Labor government, adding to their retirement income, will have that reversed—stopped, knocked on the head—if the Leader of the Opposition ever becomes Prime Minister of this country.

The coalition policy constitutes a superannuation tax increase of up to $500 on every Australian worker earning below $37,000. If you just think about it for a moment, their policy is to abolish our policy of increasing the tax-free threshold—nearly tripling the tax-free threshold—up to $18½ thousand, so that nobody earning less than $18½ thousand pays income tax. On top of that, they are going to whack these workers' superannuation by another $500 per annum in additional taxation. It is quite clear to see where their priorities lie, and it is reflected in the focus of their contribution on this legislation.

The purpose of the low-income superannuation contribution is to effectively refund the tax that is paid by low-income earners on their concessional superannuation contributions, including the superannuation guarantee of up to $500 per annum. Because of their lower income tax rate, lower income earners otherwise do not get the same concessional benefits as workers on higher incomes do. They do not have access to a whole heap of the benefits that higher income earners may have when it comes to minimising their tax arrangements through superannuation contributions.

Treasury analysis says that there are around about 3.6 million workers earning less than $37,000 per annum—so it is not a small group of people—including, in my own state, around 1.1 million workers who would be affected by this retrograde change.
That is roughly three out of every 10 workers in Australia. So, far from decreasing taxes and increasing retirement savings of Australians, the coalition—led by the member for Warringah—would go into the election opposing the low-income superannuation contribution while also opposing our policy of raising the superannuation guarantee from nine to 12 per cent. It also immediately destroys the coalition’s so-called commitment earlier in the week to make no changes to the superannuation system. The re-imposition of a $1 billion per year tax on 3.6 million workers is an unexpected, unfortunate and dramatic change by any assessment.

If Australians want to ensure that they have decent policy protecting their retirement incomes, they should support members in their electorates who support the sort of legislation such as that before the House today, and the party that brought occupational superannuation to the Australian people. I commend the legislation to the House.

Mr VAN MANEN (Forde) (16:20): It is always wonderful to hear the contribution from the member for Throsby but, as is usual for this government, there was nothing new or constructive to add to the debate.

I rise to speak today on the Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill 2012 and the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012. From my experience in the financial planning and superannuation industry before entering this place, these bills are based on the sound recommendations that have been very rightly made to preserve and enhance the integrity of our superannuation system.

The bills in essence are designed to reduce the incidence of illegal early withdrawals from superannuation and to impose some realistic penalties on those people who seek to illegally withdraw funds early. It is also worthwhile to note that there are some provisions within the legislation for the early release of super, but it is strictly controlled and under limited circumstances, such as severe financial hardship, total and permanent disablement, temporary incapacity, terminal illness or permanent departure from Australia. These rules have been made deliberately strict because there is an agreement inherent in the structure of superannuation that it is there for the long term for people’s retirement, and the consequence is that you get a concessional tax rate for having your money not available until you retire at age 55, 60 or 65.

The Income Tax Rates Amendment (Unlawful Payments from Regulated Superannuation Funds) Bill imposes a penalty tax rate of 45 per cent for money unlawfully released early from a superannuation fund. Forty-five per cent is the current superannuation non-complying tax rate, so it fits in with current regulatory structures. This was recommended by the Cooper review for simplicity and to reflect the top marginal tax rate.

The Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill introduces civil and criminal penalties for promoters of schemes that result in or encourage illegal release of superannuation. It also makes superannuation rollovers into self-managed funds subject to the Anti-Money Laundering and Counter-Terrorism Financing Act.
This range of measures was again recommended in the Cooper review. The anti-money laundering act also applies to APRA-regulated funds and this extends the application to funds being rolled over from an APRA fund to a self-managed super fund. It requires the people involved to be identified to ensure or lower the risk of money laundering and terrorism financing. This ability to use the safe harbour procedures will mean that transferring funds will not have to collect and verify the full range of customer information.

Superannuation is taxed at a preferential rate to encourage people to save for their retirement. This goal is undermined if people illegally access superannuation savings early, and it is also undermined if money released illegally goes in whole or in part as fees to promoters of these illegal schemes, or is channelled into other illegal activities. The measures contained in these bills are broadly supported across the superannuation industry and would not be opposed by the coalition.

There are other issues that also need addressing within the superannuation environment. A large and increasing number of Australians are confronted with excessive and disproportionate tax penalties as a result of genuinely inadvertent errors leading to voluntary superannuation contributions in excess of either their concessional or non-concessional contribution caps. Some Australians have, in effect, been forced to pay an effective tax rate of up to 93 per cent at times, and these actions have been taken completely out of their control by others. This is why we on the coalition side seek to introduce an amendment to give the tax office some discretion to allow those penalties not to be enforced in the event of an inadvertent breach of the regulations. It can be as simple as a contribution being paid at or near the end of June being processed by the superannuation fund early in the new financial year, when it related to that previous financial year. In the following financial year they make their $25,000 contribution, but because the carryover of the previous contribution—or because it was processed in the new financial year—those two amounts are added together and consequently, inadvertently, those people have breached those contributions caps. The coalition proposes to move an amendment to give the ATO discretion to allow taxpayers to correct those inadvertent errors. As the member for Bradfield rightly pointed out, there are some 66,000 Australians who have been caught in that position over the past financial year and they have paid some $174 million in excess super contributions tax, none of which goes to assisting them in accumulating superannuation benefits for their retirement.

The reason for putting this amendment in is that the ATO argues that they do not currently have this discretion, and these inadvertent errors, for example, can occur where an individual has multiple employers and the cap is breached without any possibility of rectification. An employer contribution may be paid a few days earlier or later than expected, and unexpected bonus payments or redundancy payments can also impact on the contributions. Where salary sacrifice arrangements are in place they similarly can have an impact if caps are altered and not changed in time. Before my time in this place I saw that occur firsthand on a number of occasions. We had to quickly review and ensure that clients who were on salary sacrifice arrangements made those adjustments to the salary sacrifice arrangements to avoid getting caught with changes to these contribution limits. The tax penalties involved are clearly excessive, delivering a tax rate of up to 93 per cent.

This measure should have no impact on the budget as the government should not
have been planning its budget revenue estimates based on the assumption that people saving to achieve a self-funded retirement will make inadvertent errors and be taxed at up to 93 per cent on their retirement savings. Taxpayers in this situation who are doing the right thing by saving more voluntarily to achieve a self-funded retirement and take the pressure off the public purse, as a result are currently being unfairly and disproportionately penalised.

In the coalition amendments, guidance is given to the commissioner about the circumstances in which the discretion should be exercised. This is a discretion that should be exercised when the excess contributions are the result of inadvertent errors. Can this government stand up and state in good conscience that their forward estimates are based on the assumption that they will take money from people who have made inadvertent mistakes? Given that the government speakers on these bills have been loudly proclaiming the superannuation framework, the fact that they were responsible for introducing superannuation and the fact that they want people to accumulate funds for retirement—a notion that we on this side absolutely support—it is perfectly reasonable for us to ask the government to give the ATO this discretion.

We know that the government needs all the tax revenue that it can get its hands on. That is not because the people of Australia have done the wrong thing over the past five years; it is because we have a government whose profligate spending has created a situation in which it needs to find money in every single nook, cranny and crevice that it can.

When we take a longer term view and consider that we have an ageing population and an ever-increasing call on government resources in a wide variety of areas, and are faced with a government whose only inclination is to continue to tax the very people with the capacity to provide wholly or at least significantly for themselves, the cruel irony is that the very people we should assist and provide a hand up to lose out. This is because we have a government that creates hurdles and disincentives to saving via super for those who want to plan for a self-sufficient retirement. The government applies ridiculously low concessional limits to superannuation while at the same time increases taxes on those who have already done the right thing by seeking to become self-funded in their retirement.

Self-funded retirement is the ideal outcome for any retirement income strategy. The more people who are either fully or partially self-funded, the more funds that are available to assist those who do not have the capacity to fund their own retirement. That is the risk with the short-term nature of some of the decisions made by this government to prop up its budget revenue because of its profligate spending. It appears that this government simply does not understand this. Over the past five years, some $8 billion has been withdrawn from the superannuation system through higher taxes under this government.

I genuinely hope that we are able to see a superannuation system that maintains its integrity and strength for the long term and that the government is not seeking to profiteer further from future self-funded retirees through the proposals set out in these bills that apply to people who inadvertently exceed their contribution limits and finish up potentially paying up to 93 per cent in taxes.

Mr Griffin (Bruce) (16:33): It is a pleasure to follow on from a speaker such as my friend the member for Forde. We often spend some time together on a Thursday
morning endeavouring to try and get fit, remembering what we were—well, at least what he was—once like many years ago when it came to the question of sport. I am consistent. I am as bad as I was then: still pretty bad.

This legislation makes a series of amendments to our superannuation law. Schedule 1 of the legislation implements the government's reforms relating to penalties for illegal early release schemes as part of the Stronger Super reforms. The bills will introduce civil and criminal penalties for persons who promote schemes for the illegal early release of superannuation benefits.

Schedule 2 of the legislation allows rollovers to self-managed superannuation funds from regulated superannuation funds that are not SMSFs to be captured as a designated service under the Anti-Money Laundering and Counter-Terrorism Financing Act 2006. This amendment will ensure that consideration is given to the money laundering and terrorism financing risks associated with the rollover of assets to an SMSF and that appropriate customer identification and reporting obligations exist when assets exit the prudentially regulated superannuation sector.

Schedule 3 of the legislation provides for administrative consequences for trustees of self-managed superannuation funds by given the Commissioner of Taxation the power to issue education and rectification directions and impose administrative penalties for contraventions of the Superannuation Industry Supervision Act 1993 and the superannuation industry supervision regulations. These amendments will provide the Commissioner of Taxation with effective, flexible and cost-effective mechanisms to deal with non-compliance with the law.

The ITR bill introduces the superannuation fund non-complying rate of 45 per cent to amounts released by illegal means. The Commissioner of Taxation retains the discretion to determine that it is unreasonable to subject amounts released by illegal means to the 45 per cent rate, having regard to the nature of the fund and the circumstances of release.

Superannuation is an incredibly important part of the financial system for the future of generations of Australians, now and in the future. It is a system that the Labor government has been proud to support over the last 20-plus years and is proud to support at this time. It is an important part of the future security of generations as they get older. I commend the bills to the House.

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (16:36): Firstly, I would like to thank those members who have contributed to this debate, including the eloquent words of the member for Bruce. Schedule 1 to the Superannuation Legislation Amendment (Reducing Illegal Early Release and Other Measures) Bill 2012 introduces civil and criminal sanctions for a person who promotes a scheme that has resulted, or is likely to result, in the illegal early release of superannuation benefits. The Income Tax Rates Amendments (Unlawful Payments from Regulated Superannuation Funds) Bill 2012 imposes the superannuation non-complying fund rate of 45 per cent on those amounts that are released early by illegal means. These measures will further deter promoters of illegal early release scheme from undermining the government's retirement policy and harming members in the process.

Schedule 2 to the Superannuation Legislation Amendment (Reducing Illegal
Early Release and Other Measures) Bill 2012 amends the Anti-Money Laundering and Counter-Terrorism Financing Act to require that superannuation benefits that are rolled over into self-managed superannuation funds are captured as a designated service. This requirement will assist in reducing the risk that superannuation benefits that are rolled over for self-managed superannuation funds are used for illicit purposes.

Schedule 3 amends the Superannuation Industry (Supervision) Act 1993 to introduce administrative consequences for contraventions relating to self-managed superannuation funds. This measure will give the Commissioner of Taxation, as regulator of self-managed superannuation funds, effective flexible and proportionate powers to address non-compliance with the superannuation laws. These tools will support the ongoing integrity of the superannuation system, and I commend these bills to the House.

Question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr BILLSON (Dunkley) (16:38): by leave—I move amendments (1) and (2) circulated in the member for North Sydney’s name:

(1) Clause 2, page 2 (before line 1), at the end of the table, add:

4. Schedule 4 The day this Act receives the Royal Assent.

(2) Schedule 1, page 16 (after line 15), at the end of the Bill, add:

Schedule 4—Excess contributions tax

Income Tax Assessment Act 1997

1 Subsection 292-465(3)

Repeal the subsection, substitute:

(3) The Commissioner may make the determination only if he or she considers that:

(a) both of the following apply:

(i) there are special circumstances;

(ii) making the determination is consistent with the object of this Division; or

(b) the taxpayer has made an inadvertent error that caused them to have *excess concessional contributions or *excess non-concessional contributions for the relevant *financial year.

2 Subsection 292-465(4)

Omit "In making the determination", substitute "In making a determination for the purpose of paragraph 292-465(3)(a)".

3 After subsection 292-465(6)

Insert:

(6A) In making a determination for the purpose of paragraph 292-465(3)(b), the Commissioner may consider the following circumstances when considering whether the taxpayer made an inadvertent error:

(a) whether the taxpayer has more than one employer;

(b) whether contributions were made by the taxpayer's employer, at a time that was earlier than the time that the taxpayer expected;

(c) whether contributions were made by the taxpayer's employer, at a time that was later than the time that the taxpayer expected;

(d) whether the taxpayer received an unexpected bonus payment that had an impact upon the amount of his or her contributions;

(e) whether the taxpayer received a redundancy payment that had an impact upon the amount of his or her contributions;

(f) whether the amount of the *concessional contributions caps changed at a time after the taxpayer had entered into a salary sacrifice arrangement;

(g) whether the taxpayer's contributions for a *financial year were processed by the *complying superannuation plan at a time after the end of the financial year;

(h) whether the taxpayer received incorrect advice from a *recognised tax adviser or other professional adviser on whose advice it was reasonable for the taxpayer to rely;
(i) any other circumstance that the Commissioner considers appropriate.

As I outlined in my second reading speech contribution, whilst the coalition is supportive of the measures contained within this bill, we have sought to highlight a particular area of concern that relates to excessive penalties that may arise from inadvertent breaches of some of the rules we have debated in these bills. The Australian Tax Office argues that it does not have the discretion to allow taxpayers to correct inadvertent errors which lead to the breaching of either concessional or non-concessional superannuation contribution caps. Breaches of such caps attract large penalties, and we outlined the significant effective rate of penalty in my second reading speech which highlighted the potentially disproportionate nature of these penalties. Some Australians are being forced to pay an effective tax rate of up to 93 per cent at times, because of actions taken by others completely out of their control. Today the coalition is looking to address this problem and I urge all members in the House, particularly the crossbench members of the House, to embrace this very constructive and positive initiative.

I am moving these amendments as they seek to give the Commissioner of Taxation discretion in a range of circumstances where individuals have clearly made inadvertent errors. I am hopeful my colleague, the member from Tasmania, is listening intently to this very persuasive contribution about why he should support the government's amendments. The member for Denison would be very interested to know that these inadvertent errors include where an individual has multiple employers and the cap is breached without any possibility of rectification; where an employer contribution is a few days earlier or later than expected; where unexpected bonus payments or redundancy payments impact on their contributions; or where salary sacrifice arrangements have not had caps altered or changed in time. Also, examples include where a late voluntary contribution is not processed until the following financial year, or where a taxpayer has received incorrect advice from recognised tax advisers or other professional advisers where it was reasonable for the taxpayer to rely on such advice.

I have spoken in this House previously about the unusual nature where the contribution caps operate for a financial year. Yet, in the case of a small business or an employee wishing to make voluntary contributions, they might need to wait to see what their end-of-year financial position is and therefore their capability to contribute for the financial year in question, only to find that the actual payment happens in the subsequent financial years. Therefore, accrual accounting applies to the calculation of their ability to contribute, but cash accounting applies to the date on which that payment is made. I have had examples of this very case in my electorate where—much to the chagrin of the tax commissioner and the government minister responsible for this area—there has been some hand wringing about an inability to vary the penalties that were applied where an individual, through no mischief or intent to do the wrong thing, simply got caught up in this difference between accrual and cash accounting and has been hit with substantial penalties and a real disincentive for them to do the very thing we are trying to encourage, which is to make provision for their own retirement.

The government should not be profiting from Australians who have made inadvertent errors. It serves no good purpose and has no policy justification in terms of enforcement or in term of some kind of punishment that would cause people to behave differently.
when the behaviour was quite inadvertent in its own right. I am sure the member for Denison has found these arguments absolutely compelling and I urge him on behalf of his voters to join with the coalition on these measures. Taxpayers in this situation who are doing the right thing by saving more to achieve a self-funded retirement and take the pressure of the public purse are currently being unfairly and disproportionately penalised. All we are asking is that the tax commissioner have the discretion to take into account the various factors outlined in the amendment.

I wonder whether the minister in all good conscience could stand up and say it is appropriate to take money from people that have made an inadvertent mistake in seeking to do what we encourage them to do, and that is to provide for their own retirement. I move the amendments circulated in Mr Hockey's name and urge the House to embrace these very constructive and positive amendments to these bills before the House.

Mr OAKESHOTT (Lyne) (16:44): Having only just become aware that amendments are being put before the House, it is difficult, when there has not been any process of discussion beforehand, to make pretty quick judgements. I would ask for some consideration of the House—either across the table or through any other ways—to allow some time for discussion about these amendments. If not, it will be pretty difficult to support amendments on spec. I leave that up to those at the table to make some decisions.

Likewise, I would also welcome any advice from the Chair in regard to whether there are any problem whatsoever in regard to the status of the amendments being put before the House on questions of money bills and their being introduced from non-government MPs. I do not think there are any problems, but because this has only just come before me as part of the consideration, that advice would be worthy.

So, if agreement can be reached and a little bit of time can be bought that would be appreciated. If not, it is pretty difficult to support something that has only just landed on the table before me, which would be disappointing if this does have some good content in it.

The DEPUTY SPEAKER (Mr S Georganas): In answer to the member for Lyne's question, as far as I am aware they are in order.

Mr BILLSON (Dunkley) (16:45): If it assists the processes of the House I am happy to move that the debate be adjourned to a later point in the day. I do so hoping that the minister recognises that we are doing this to facilitate your thoughtful and informed consideration of these amendments. We think the case is compelling, and if it takes a little while for that to be a shared view across the chamber I am happy for the debate to be adjourned to a later time.

The DEPUTY SPEAKER: I remind the member for Dunkley that because the member has already spoken on this debate he cannot move the adjournment motion. I need someone else to move it.

Debate adjourned.

Courts and Tribunals Legislation Amendment (Administration) Bill 2012

Reference to Federation Chamber

Mr MARLES (Corio—Parliamentary Secretary for Pacific Island Affairs and Parliamentary Secretary for Foreign Affairs) (16:46): by leave—I move:

That the Courts and Tribunals Legislation Amendment (Administration) Bill 2012 be referred to the Federation Chamber for further consideration.
Question agreed to.

National Disability Insurance Scheme
Bill 2012
Second Reading
Debate resumed on the motion:
That this bill be now read a second time.

Ms BRODTMANN (Canberra) (16:47): I would like to quickly acknowledge the incredible work of ministers Bill Shorten and Jenny Macklin, and Senator McLucas, in getting us to this stage. Minister Shorten originally floated this idea when he was parliamentary secretary. At the time I applauded him and his team for that move, because I saw it as an extension of the work and the advocacy and the passion he had brought to the industrial relations space. I knew that as a result of that passion and that strong sense of advocacy and commitment to the welfare of all Australians that he would do a good job in terms of introducing or bringing about a scheme along these lines.

I had the opportunity to work with the minister during the campaign and saw the wonderful work he did in improving building codes to provide greater access for people with disabilities to basic things like showers. There was a building code, apparently, stating that there had to be a lip on a shower. No-one knows why that building code still existed. He managed to get rid of the code to ensure that people would roll into a shower in their wheelchair, without this nonsense of having a lip around shower recesses. Those are the sorts of small things that are significant for those suffering a disability. I commend the minister, who was then a parliamentary secretary, for the work he did in this area. What appeared to be small initiatives in terms of these building codes have had a major impact on the lives of those with a disability.

The success of this scheme would not have come about without the ministers I have referred to, but also without having the states and territories on board with the NDIS, especially the ACT, which led the charge to sign up. The ACT will be one of the launch sites, and I know how important this is to people in my electorate. The ACT Chief Minister has been at the forefront of pursuing a launch site in Canberra and I know from meeting with local disability groups and carers that they particularly welcome this move.

Now, the minister and other members have discussed the details of this legislation, but basically this a scheme that lays the foundations for a substantial and important reform that fundamentally revolutionises the way we will provide disability care and support in Australia.

The scheme as laid out before us takes on board the principles agreed to by the Prime Minister and other COAG first ministers. It is important to have these principles on the public record. They include: giving people with disability individual care and support based on their needs; giving people real choice and control over these supports, meaning more control over their lives; ending a situation where people are not told what support is available, or how to access that support; and fostering innovative services that are delivered and coordinated locally. This means that we are on the pathway to providing long-term certainty to the resourcing of disability care and support so that people with disability can feel secure that they will get what they need over the course of their lifetime. That is a particularly important message to send: it will meet their varying needs over the course of their lifetime.

The other main element of this scheme is that it considers the holistic and whole-of-
life environment of people with a disability. It factors in when they need high and low levels of care throughout the course of their lives. It is designed to be receptive to each person's goals and aspirations for their life. It is about individual care. It also includes looking at how to support carers to sustain their caring role and take account of their needs, their goals and their aspirations, which are quite often overlooked or just not factored in because people are just so swamped when caring for the needs of someone with a disability. In disability and mental health the carer is often overlooked or not considered in the care program or in the provision of services. Carers are often left to pick up the pieces and battle to navigate between disparate services. I found that with that young mother that I met in my electorate office last year, and I have conversations along these lines with so manyCanberrans.

We can never do enough for carers. The life of a carer is incredibly difficult, and their physical and mental health often suffers. This is why carers welcome the NDIS. We all recognise that the situation for people with a disability and their carers has been unacceptable. When the Prime Minister released the Productivity Commission inquiry report Disability care and support, there was an acknowledgment that disability care and support in Australia was underfunded, unfair, fragmented and inefficient and that major reform was needed. We took the Productivity Commission report seriously. The Commonwealth and all state and territory governments work towards an agreement on the need for major reform in the form of an NDIS, which would take an insurance approach that shares the costs of disability services and support across the community. I am very pleased to see the outcome of this approach before the parliament today.

Just before I close, I just want to recount two experiences that I have had in the disability sector—just in the last few months—that again underscore the need for this NDIS and the need for lifetime care and for a person's different needs throughout their life to be factored into the support. Last Friday I had the great fortune of launching a program called Six Seeds. Six Seeds is a program that is supported by six community groups and private sector groups across Canberra, and it is essentially a social enterprise. It has a chair, who I call a CEO, and it works with young adults with a moderate to severe disability and gets them involved in small businesses. What I launched on Friday was a program where we actually incorporated two of my great passions—one of them being small business, the other being rocky road. This small enterprise was set up by this group who were making rocky road for Valentine's day, and so we launched this project where they sold the rocky road and we were encouraged to sell it on to our friends and family and others in the community—and it looks as if it is going to be a very good business proposition. From that will grow other business ideas: in the confectionary area, I understand, they are thinking about doing some Easter eggs for Easter, and possibly bilbies, and then venturing out to chocolates and other confection for Mother's Day and possibly Father's Day. Again, this idea was just a small kernel of an idea from someone in that private sector—and also the community sectors here in Canberra—and it has grown into this social enterprise that promises to be incredibly successful. The young adults that I met last Friday were incredibly excited about it. Some of them were still just finishing off their high school and others were working part time at a range of mail rooms around town, but they were all really excited about this venture because it not only brought
together a whole team of people that they could work with but also was a creative type of initiative that they could engage in. That is just one area where, if you start thinking laterally and you start factoring in the needs of particular people at a particular stage in their life, you can really get a great deal of innovation and enterprise coming from all sorts of areas. I commend the Six Seeds program and all of those involved in it—particularly the private sector, who were supporting it, and particularly that wonderful CEO.

I contrast that with a conversation that I had at a Christmas party late last year. I had met this family at a number of functions at Koomarri, which is an organisation here in Canberra that looks after intellectually and physically disabled children and young adults, and they have a range of schemes where they get people working in the community. What was tragic about this circumstance—and it really underscored the need for carers to be supported—was the fact that they were a non-English-speaking background family with a child who was relatively severely intellectually disabled and they were finding it very hard to cope. The mother was really quite wrung out and in tears for most of the many conversations I have had with her, and what really affected me when I saw them at Christmas was the fact that they not only had lived through this difficult time with this daughter—grappling with Australia and a new language—but also had just found out that the father had a brain tumour. You just think, when your luck is down, it is really down. So, for them, I support this and I encourage everyone in the House to support them. (Time expired)

Mr HARTSUYKER (Cowper) (16:57): I am pleased to be able to offer my support for the National Disability Insurance Scheme Bill 2012. Many of my constituents have expressed their enthusiasm for the scheme and the new approach that aims to bring support to those with a disability. I know that many more will benefit from the scheme, including those caring for someone with a disability. I am pleased that the coalition not only has supported the recommendations of the Productivity Commission that gave rise to this scheme but also has already adopted a bipartisan approach to this legislation. It is clearly disappointing that the government has rejected the suggestion of a joint parliamentary committee to ensure that the scheme is implemented as quickly and as smoothly as possible, given that the process will stretch over several parliaments. The government has yet to commit to the Productivity Commission’s target date of 2018-19 for full implementation and seems intent on playing politics with the issue rather than genuinely delivering a better deal for those with a disability.

To turn briefly to the background of the NDIS, we need to move to a system that provides consistency of care and support across the nation. Currently, the care and support received by a person with a disability will depend on where they live and how they acquired their disability. It should make no difference how the disability was acquired, whether it be congenital or caused by an accident. It should make no difference whether the disability was caused by a workplace accident or a motor vehicle accident. It should make no difference which state or territory you live in, but currently it does, and this cannot be right. As the Productivity Commission concluded, we need a system that will put people rather than circumstance first: a system that looks at the problems individuals are facing and the support they need, makes an accurate assessment of the level of support required and then leaves the final decision on a mix of services to the individual to determine. The NDIS would put the individual front and
centre of the system of support, and the individual would be able to select the service provider of their choice. This would be both empowering and effective, not just for the person receiving the support but also for their families and carers. We will have a system of choice, rather than a prescriptive system of entitlement. This should result in more efficient and effective allocation of resources. As the Leader of the Opposition put it:

There are millions of Australians who are involved with this, not because they necessarily have a disability themselves, but because their loved ones do and they are rightly, rightly very interested in the outcome of this Productivity Commission inquiry and we won’t let them down.

Carers for people with a disability climb mountains every day. They selflessly go without to deliver that care. In many cases they give up careers, a social life or many of the things that we take for granted so they can deliver that care. We as a community and as a parliament have an obligation to those carers and to people with a disability. Clearly, if we fail to get this right, it will be at our peril. Members will be aware that, regrettably, the reputation of this House is at a low ebb. Failure to properly implement this scheme will mean that we are even lower in the public's esteem.

Before I turn to the bill, I would like to commend the work of a volunteer organisation which operates in many coastal locations, and that is the Disabled Surfers Association—the DSA. The DSA is particularly active on the north coast of NSW. It provides the opportunity for people with a disability to enjoy the thrill of surfing. The unpredictable nature of the surf is a barrier to those with a disability participating in that sport, a pastime that so many of us take for granted. The DSA breaks down those barriers, providing an opportunity for people with a disability to enjoy surfing in a safe environment—safe because of the efforts of a legion of volunteers who make it possible. It is quite moving to watch a blind girl stand on a surfboard for the first time or to see a severely disabled person run down the face of a wave in safety. But it is more than just the participation in surfing itself, it sends a strong message to people with a disability and their carers that our community cares. I would like to commend the great work of all DSA volunteers; in particular, I commend Cliff and Lee-Ann Lloyd, Sue Kliedon, Liz Scholton and Wendy Sawley. They do a great job in providing a great outlet for people with a disability, and a great day at the beach for their carers as well.

Returning to the bill: as well as establishing the framework for the NDIS, this bill enables the NDIS Launch Transition Agency to set up five trial sites across Australia from July this year. More than 20,000 people will benefit in South Australia, Tasmania, the ACT, the Hunter Valley in NSW, and the Barwon area of Victoria. Members will note that Queensland and Western Australia are missing from that list. The reason for this is that although the state premiers all support NDIS, they had serious concerns about the limited details they were being given in return for their support as current providers of disability services. There was also concern that the government had only allocated $1 billion of the $3.9 billion the Productivity Commission said was necessary over the forward estimates.

To this day, the Prime Minister has refused to confirm how the NDIS will be funded beyond the trial period. It is quite clear that the NDIS runs the risk of joining the long list of broken promises and bungled policies now trailing behind the Prime Minister and her government. The hopes of people with a disability and their carers run
the risk of being dashed on the rocks of the Prime Minister’s cold and cynical expediency. The Prime Minister is working to a political timetable that takes no account of the best interests of the people this policy is supposed to serve. The only interest that she has is her electoral timetable and hanging on to power grimly until 14 September.

The Productivity Commission came up with a scheme that was praised as making a major contribution to improving the lives of those with a disability and their carers, but the Prime Minister is ready to sacrifice that on the altar of short-term political gain. The Productivity Commission came up with a timetable for implementation, but the Prime Minister has ignored that in favour of her own election timetable. The Productivity Commission came up with detailed funding recommendations, but the Prime Minister ignored these because her government has lost control of the public finances. The Productivity Commission set a target date for full implementation by 2018-19, but the Prime Minister has failed to commit to that date because she has only one date in mind, and that is 14 September 2013.

No wonder the Prime Minister would not agree to the coalition’s proposal for a joint parliamentary committee to oversee the implementation of the NDIS. If she had, she would have lost control of the process and would not have been able to wriggle out of her commitments to the disability community. Yet I have no doubt that in the coming months we will hear the Prime Minister describing her government as champions for introducing the NDIS. What a hollow claim that would be as, once again, this Labor government ignores the best advice and fails to work on the detail of the policy in its desperate rush for positive headlines as it tries to swim against the tide of sleaze and incompetence that threatens to sweep it out of power. Members will remember the bank deposit guarantee scheme. It was introduced without a cap despite the best advice, with the result that many self-funded retirees and others found their investments frozen. Remember the pink batts scheme. That resulted in deaths, fires, and the disruption of what would have been a stable insulation sector; it ended up with a bill costing the government billions—a problem of its own making. Then there was Building the Education Revolution, something that was supposed to deliver much needed infrastructure for schools. The schools found out they could not get the classrooms they wanted and the classrooms they did get were vastly overpriced. In these policies she ignored advice in a rush to achieve a political outcome. It is important that this does not occur in relation to the NDIS.

This is a very important issue. It is vital that the House succeed in implementing a system that is going to meet the needs of people with a disability and their carers. It is vitally important that we in this parliament move in a bipartisan manner to ensure that the current system is enhanced and improved so that people with a disability can enjoy the services they need and rightly deserve and that we can achieve that with least cost to taxpayers.

Mr STEPHEN JONES (Throsby) (17:06): It is with great pleasure that I rise to speak on this historic piece of legislation. Indeed, today is a bad day for people who hate good news, as the member for Cowper just displayed in his contribution. Never has anyone found so much to oppose on their path to offering support. In my first speech to this parliament, I reflected upon the fact that before working here I spent many years working in the community sector. I spent many years working as a careworker for children with developmental disabilities. In that time I learnt firsthand at very close
range the struggle that families engage in on a daily basis to provide some semblance of normality to their child with a disability, and their other children, when so much tugs in the other direction. I learnt so much from the young children themselves—perhaps more than I was ever able to teach them.

A little later in life I had the great pleasure of working as an advocate for what was then known as the Australian Quadriplegic Association—an organisation established to assist people who had, through one means or another, found themselves bound to a wheelchair because of a spinal cord injury. When I worked for the AQA I was always struck by the stark differences in circumstances that were enjoyed by those persons who acquired their disability through an accident that was perhaps their own fault or were perhaps born with a degenerative disease which over time confined them to a wheelchair and those who, with equal tragedy, had their disability because of the result of somebody else's negligence—a car accident, being struck by somebody else in a motor vehicle or some other form of negligence which tragically led them to be confined to a wheelchair. What I was able to see in advocating for both of these groups of people was that they were in completely different circumstances. One was completely reliant upon the wealth and support of their family, their community and charitable organisations while the other, equally finding difficulty in their day-to-day living, had some support through the money provided to them through a victims compensation scheme. From the perspective of the individual, however they acquired that disability, it must have seemed entirely unfair that one had the resources and support and the other quite simply did not.

When I was visited by the activists from the Every Australian Counts campaign, I was very keen to sign-up as an early supporter of this great idea: the establishment of a national no-fault insurance scheme for people with a severe disability. The philosophy which underpins the scheme and the legislation which is before the house today is that we should not discriminate. We should not discriminate between people who have acquired their disability through an accident of birth or through an accident that was nobody's fault and that other group of people who acquired their disability because of an accident that was somebody else's fault and they were in the position to sue that person and acquire some compensation. Quite simply, the scheme should not discriminate. The second principle is that there should be dignity for all. We should focus on a person's ability, not their disability. As a wealthy country with a first-rate health system and a first-rate community sector we should be able to have the capacity to provide dignity in live for all. Thirdly, in providing services, we should empower the individual so that they have the capacity to adapt their care packages and their arrangements to meet their life objectives in the same way that you or I arrange our lives so that we can further our goals and ambitions in ways that best suit us. Empowering the individual is an important principle at the heart of the NDIS.

We would not have reached this point and we would not be able to be standing here today welcoming the introduction of this bill had it not been for the work of committed individuals and powerful organisations such as the Every Australian Counts campaign. Before talking through some of the details of the bill, I do want to pay tribute to the individuals and organisations who participated in the Every Australian Counts campaign—the NDIS campaign. I was very pleased to be involved with the activist group in my own area in my electorate of Throsby even prior to becoming a member of this
place. Fantastic organisations like Greenacres, Flagstaff, the Disability Trust, Interchange and Cram and motivated individuals—Neil Preston is one who comes to mind—deserve recognition. If I did not get a phone call or an email from Neil Preston about this every week then I knew he was probably out of the country on some urgent business or laid up ill somewhere. He is still incredibly motivated long after his retirement from Greenacres. He gives of his time to that and many other important causes around the region. They deserve some tribute and they deserve some credit for the fact that parliamentarians on all sides of the house are standing here today, some with less enthusiasm than others, welcoming the introduction of this bill, because it does create a national disability insurance scheme. It is a substantial and important reform that will fundamentally change the nature of how a person lives with a disability and how their care and support is provided for in Australia. Without any hyperbole, it is an historic reform for all Australians.

I speak in support of the bill on behalf of the disabled children and adults in my electorate of Throsby because they have been keen supporters of this and very active in the campaign. The bill will implement the NDIS and establish a national agency to administer the scheme. The Commonwealth is currently working with the states and territories on this reform because they are currently key in the providing and facilitation of service provision to the sector. The Commonwealth has already begun working closely with state and territory governments in the design, governance and funding of the NDIS. The bill's development has also been informed by people with a disability, their family, carers and other stakeholders who have been involved in an extensive consultation exercise. I know this first hand because I held three consultation sessions in my own electorate over the last 18 months, including one which was attended—it was a packed room—by the minister herself. We had an intense discussion with many important issues raised. I cannot help but think that some of the issues raised by those constituents in my electorate found their way into the thinking behind this legislation.

I also welcome the fact that the NDIS Advisory Group and NDIS expert groups have provided technical advice on the design of key elements of the scheme, including eligibility and assessment, quality safeguards and standards, a national approach to choice and control for people with disability, and workforce and sector capacity.

The government has also funded the National Disability and Carer Alliance to provide ongoing advocacy and to talk to people with a disability, their families and carers, and service providers about what they believe is important in the design and implementation of the NDIS. This consultation and the input of users of disability services are critical to the success of the scheme.

If there is one tinge of disappointment from organisations and individuals in my electorate of Throsby, it is that it was not one of the five sites chosen as a pilot site, a launch site, for the NDIS. But they understand that having a pilot is important in a historic reform such as this. The people of the Hunter in New South Wales, which is one of the trial regions, will be able to have the benefits of the scheme early. We know that having a pilot is important, because, even if we tried to implement the scheme today, we probably could not do it, because we simply do not have the available workforce, which is such an important part of the rollout of a scheme such as this, which has at its heart caring for people.
The framework set out in the legislation includes the approach the scheme will take to eligibility, reasonable and necessary supports, and goal based plans for participants. The framework will reflect the principles agreed to by the Prime Minister and other COAG first ministers, including giving people with a disability individual care and support based on their needs; giving people real choice and control over these supports, meaning more control over their lives; ending a situation where people are not told what support is available or how to access that support; and fostering innovative services that are delivered and coordinated locally. The framework will include the principle of bringing long-term certainty to the resourcing of disability care and support so that people with disability can feel secure that they will get what they need over their lifetime.

The scheme will consider the whole-of-life context of people with disability. It will respond to each individual’s goals and aspirations for their life, and a plan with each person will take account of their individual circumstances. This will include looking at how to support carers to sustain their caring role and take account of their needs, goals and aspirations and how to strengthen the other informal and community supports that are important for the person with a disability.

The bill before the House today establishes the National Disability Insurance Scheme Launch Transition Agency as a body independent from government. In addition to delivering the scheme, the agency will perform a range of functions, including managing the financial sustainability of the scheme, building community awareness about disability, and undertaking research about disability and the social contributors to disability.

In accordance with the Productivity Commission’s recommendations, the agency will be established as a body under the Commonwealth Authorities and Companies Act 1997. It is important, for an insurance approach, to take care and support out of the cycle of budgets and elections, so this independence is important. The agency will be overseen by a board made up of people with extensive experience in the provision or use of disability services, and in financial management, governance and the operation of insurance schemes, as well as an advisory council made up of people with lived experience of disability and caring. To ensure the agency is accountable to government, a ministerial council will be established through COAG. All governments—state, territory and Commonwealth—will be represented on the ministerial council.

Finally, there is specific provision for an independent review of the new act. The purpose of this review will be to consider how the act has operated during the first two years of its operation. So, as the scheme rolls out nationally, you will have the benefit of the learnings of the two-year pilot of the operation of the scheme.

In conclusion, I would like to once again thank all of those in my electorate of Throsby, in the Illawarra and Southern Highlands, and right across the country who have advocated and campaigned tirelessly for this important reform, this great reform, this historic reform. The NDIS will end the personal lottery of compensation which until now has meant that some with disabilities had the resources to get the care and support they needed, while others did not. It will end the national lottery that meant that you could get all the support and care that you might need in one part of the country but be left without any care and support or medical attention in another part of the country.
As I have said before, I started my working life in the disability sector, and I have experienced firsthand the frustration and limitations of the existing system of support. I know that the resources that should be there, quite simply are not there right now. There is no shortage of demand. What we need to do as a government is to ensure that we provide the resources and the scheme to ensure that those supports are provided. This bill is about doing that. I commend the legislation to the House.

Mr COULTON (Parkes—The Nationals Chief Whip) (17:21): I rise this evening to speak on the establishment of the National Disability Insurance Scheme. It is a significant and necessary reform. This bill, the National Disability Insurance Scheme Bill 2012, has bipartisan support. I have been listening to the contributions of my colleagues on both sides of the House, and much has already been said. What I would like to concentrate on in my contribution is the difficulties of people dealing with a disability, or a family member with a disability, in remote and regional areas.

My concern, without wanting to be negative, is that we need to be very careful that we do not look at this scheme and measure its success, or indeed the commitment of everyone in this parliament to this, just in the amount of dollars that is going to it, because quite often it is not just the dollars that determine the success of the scheme. When you are in a smaller and remote community it is no good having access to a voucher or to money to put into a suitable program to help you if that program is not there. As anyone in this place would know, as a member of federal parliament, you get to know a lot of people that suffer from a disability. Quite often all the help that they are looking for is a little bit of respite so that the carer can have some time away or conduct some other sort of business.

Up until now, the way that disability funding has come out has been a lottery if you were injured, as was one of my constituents in my electorate. I am sure he will not mind me mentioning his name—Denzel Peters. Denzel was visiting family in South Africa, had an accident in a swimming pool and became a quadriplegic. It has been an enormous strain, both financially and emotionally, for Denzel and Karen, his wife. The Dubbo community has supported them quite well, but they have still suffered personal financial hardship. If he had suffered the same injury in a car accident, more than likely he would have got a much better level of care. So we do need to bring everybody onto the same page.

One of the issues I would like to speak about particularly concerns people with an intellectual disability. In a small community it is very difficult to find carers that can come in and help with respite. Or, if people are independent enough that they could live on their own, maybe in a group home situation, one of the problems in a small community is finding enough people with a similar level of disability—and a similar level of independence is probably more to the point—that can actually go together and live in a group home. Generally, the people in the community that do suffer from that disability are at different ends of the spectrum and so require individual care. In Dubbo, for instance, we have got quite a few people with the Westhaven organisation—they have been going for many, many years—in supported accommodation and supported employment. Many of the clients at Westhaven live in group homes quite independently and it is a wonderful thing to see how they operate in the city of Dubbo. But in a smaller community is much more difficult. I know the community of Narrabri is in the process of constructing a group home, and it has required a lot of work by
the committee that are keen to have this happen. It has taken years and years, but finally their dream will come off, but it has been a long, long battle.

I have also spoken to people in remote areas and small villages who have a disabled child. When the child reaches an age where they need to go to school or some other thing outside the home, the whole family has to relocate because there are no services in that immediate area. That quite often means taking a change of career for the parents and it becomes quite a problem. The other issue that I deal with a lot, is older parents who are caring for their disabled children who are in now in their 30s, 40s and 50s. They are terribly concerned that if they cannot continue to care for them—if it becomes too troublesome as they get older—that they will not be able to access the required care for their adult children. This is quite a problem for several people that I know in my electorate.

So while I am very enthusiastic about this bill, and having spoken to people from the peak body for disability services, I understand the complexity of it. I think that the Australian people should know that this is not something that can be implemented overnight. Because of the complex nature, it is very important that this is done correctly. I know from my contacts that there is an expectation that it will take some years before the National Disability Insurance Scheme gets into full implementation.

Right across my patch people are experiencing similar problems. I was speaking to a constituent in Condobolin only a month or two back. They are raising their adult daughter who has a disorder that means she requires constant care. She is quite mobile and the family is having trouble accessing respite when they need it. Indeed, carers are driving a couple of hundred kilometres out from Dubbo to provide the care that this family needs on a respite basis. But unfortunately, due to the distances involved, much of the budget is taken up with travel time.

I think there is an opportunity, through this National Disability Insurance Scheme, to help boost the workforce in the disability sector on a local basis. And I think that there is a great opportunity to train carers in local communities that can take up the slack where the community is a long way removed from the more mainstream disability service organisation.

I support this scheme. I realise that it is going to take a long time to implement. I realise it is going to be a big call on the budget and I realise that it is going to be very difficult, considering the state of the finances of this country at the present time thanks to the management of this country over the last five years. But I am supporting it. I just have a word of warning: please, as we progress this National Disability Insurance Scheme we should take into account the needs of those that are disabled in the smaller and remote communities.

Mr WILKIE (Denison) (17:31): That we must do more—much more—to assist people living with a disability is self-evident. The lack of support available to a great many disabled Australians, in particular the lack of certainty and equity available to them is obviously a regrettable and avoidable situation in a country as rich, clever and fortunate as ours.

The list of problems with the current approach to supporting people in Australia with a disability is simply too long to explore properly here. For a start, many people with a disability have no control over their care plan, and are forced to fit into one or more broad categories as defined by the bureaucrats. Moreover, services are patently
underfunded and provide much less support than what is clearly needed. In Queensland, for example, a person who has daily incontinence issues might only be entitled to three assisted showers per week, leaving these unfortunate people to make do the best they can for the rest of the week.

Disability services and agencies vary greatly from state to state, and the confusing maze of federal, state and local services mean that many people simply fall through the cracks and are unable to access even the most basic care. Often people must queue for years and in some cases even compete against each other to access basic support. No wonder this cruel system has been dubbed the ‘misery Olympics’.

And it is no small problem. Some 4.5 million Australians have a disability of some kind: 760,000 Australians under the age of 65 have a severe or profound disability and always or sometimes need help with their day-to-day lives. Half a million Australians are primary carers of a person with a disability while another 2.4 million are non-primary carers. Significantly, the rate of depression amongst carers is estimated to be 50 per cent.

These are the sorts of reasons I have been, for a long time, one of the many Australians pressing for a National Disability Insurance Scheme, and I am proud supporter of the Every Australian Counts campaign. It is also why the establishment of an NDIS formed one of the 20 negotiating points I took to both Julia Gillard and Tony Abbott after the 2010 federal election.

The hardship resulting from Australia’s lack of services in disability care must end. An NDIS would provide us with a unique opportunity to untangle the confusing mess of existing disability services and develop a new system which places the interests of people with a disability or disabilities at its centre and includes them in creating a flexible care plan suited to their individual needs.

No wonder, then, that I was absolutely thrilled to hear that the government had accepted the Productivity Commission’s recommendation to implement and fund such a nation-changing reform, and just as thrilled to be here today talking about the bill that promises to start the process of establishing such a scheme. This bill is the vital first step towards that momentous goal because I think it genuinely does provide a framework for such a scheme to be implemented and outlines the next steps needed for progress to continue. For that reason I will support the bill and trust that it makes a successful and speedy passage through the parliament.

But I emphasise that this bill is indeed only the first step, and one that will amount to nothing, unless and until the broad framework of the scheme is quickly and competently fleshed out—and, I would add, unless and until the reform is fully funded, and shown to be so funded, starting with the federal budget to be brought down in three months’ time.

I also want to see the many outstanding questions hanging over the NDIS answered, and the increasing number of emerging problems fully addressed. For instance, will the NDIS have the flexibility to deliver services for people in unusual or unique circumstances? What about little Lachlan from my electorate, who I have spoken about in this place before? He has severe global development disorders, but his condition is so unusual that no diagnosis is able to be made, and that means he is currently unable to access existing support services. And what about the young boy from my electorate with NKH?

In both cases Minister Macklin has assured me the NDIS will specifically cater
to an individual's incapacity as opposed to his or her diagnosis, and that seems to be the case in the trial sites. But at this early stage the bill lacks the detail necessary to enshrine this approach and the boys' families would understandably be anxious about future access to care for their sons.

There has also been the concern that the NDIS would cater only to people younger than 65, meaning those with a disability turning 65 would have had to move across to the aged-care system where, despite plans for reform, money is also in short supply and the capacity of aged care providers to continue to care for people at the same level as the NDIS is very limited. But I note the talk in recent days that people already covered by the NDIS will now have the option of staying with the scheme when they turn 65. This would be good, although there remains the significant problem of the aged-care sector needing to serve at least some ex-NDIS beneficiaries, as well as all those developing a disability after they turn 65.

The Australian Blindness Forum and its member bodies in my electorate are particularly concerned about this dimension of the NDIS conversation, because blindness is not only a major disability facing a lot of Australians—something like 75 per cent of all blind or vision impaired people are 65 years of age or older.

More broadly, Headway Tasmania and the Brain Injury Association of Tasmania have also raised with me a number of other concerns they want the government to address as they move into the implementation phase of the NDIS. In particular, they have referred me to the four-month national consultation conducted by Brain Injury Australia, which involved 20 consultation sessions in urban and rural locations around the country. During this process, the organisation identified serious shortcomings in the current methods used to determine the eligibility and support requirements of people with acquired brain injuries and found that the NDIS needs to remove or reform a wide range of planned or existing practices so as to ensure that a person with acquired brain injury has their needs assessed under the NDIS in a multidisciplinary consultation with all the people involved in their lives.

It found a range of things and I will quickly list them because it is relevant to the point I want to make afterwards. They found: that the NDIS assessment processes must consist of multiple tools that can be flexibly applied where needed; that the NDIS assessment for a person with acquired brain injury should take place over time—periodically, and in a range of different contexts and circumstances—to ensure that a holistic and accurate reflection of their needs can be developed; that the assessment process must be able to distinguish between acquired brain injury and mental health issues, which may or may not be related; that, crucially, NDIS assistance must be available within the criminal justice system; that the NDIS should consider the needs of carers of people with acquired brain injuries; that the NDIS assessment and support should adequately cater for the enhanced needs of Australians living rurally and remotely; that the NDIS assessment and support systems must be culturally appropriate for Indigenous Australians; and that every step of the NDIS should include a fair and transparent appeals process.

That is a lot to do just with the issue of brain injury and the NDIS, but I have quite deliberately dwelled on that issue in particular because I think it is a very good example of just how complex the needs are for just one of the many groups that will be affected by the NDIS. Unless all of these complex needs are in fact addressed, for all of the groups affected, the NDIS will
ultimately be a missed opportunity—and that
must not be allowed to happen. My thanks to
Darren Osborn at Headway Tasmania and
also to the Brain Injury Association of
Tasmania for their ongoing advocacy and
support of Tasmanians with acquired brain
injury.

Another aspect of the NDIS to which I
will be paying particular attention is how it
helps people with autism. I will be doing so
because I have met so many people living
with the very significant challenges of
autism spectrum disorder and am mindful
that their needs are not nearly as obvious as
those of people with physical disabilities.
That ASD must be covered by the NDIS is
beyond question, but just as important is that
the assessment tools relevant to the NDIS be
so designed that people with ASD can have
confidence that the assessment instruments
appropriately measure their impairments and
in doing so release the support so necessary
for many people with ASD to live as full
lives as humanly possible.

That support, like the support provided to
hundreds of thousands of Australians with
other disabilities, depends—and with the
NDIS will increasingly depend—on access
to competent disability workers. But that is
already problematic because of the low pay
and high staff turnover in the disability
sector. The problem is set to get a whole lot
worse unless the NDIS is accompanied by
effective workforce reform. Frankly, the
government needs to pay careful attention to
United Voice and its call for
significant
workforce reform for the disability sector,
including wages that much better reflect the
qualifications and dedication of people
involved in what is often very difficult work.
If we do not look after the workers then the
best legislative reforms in the world will
come to nothing because there simply will
not be the right workforce to effectively
deliver them.

In closing, I wish to show my sincere
respect and admiration for the thousands of
Australians who have campaigned tirelessly
for an NDIS over many years, including
people with a disability or disabilities, their
families and carers, disability workers, and
the countless other people not directly
affected but just wanting to make this
country a better place. Thank you. This is
your bill as much as it is the government's
bill. In particular, I say thank you to those
with a disability or disabilities who fronted
the Productivity Commission. The stories
you told shamed a succession of
governments and energised this parliament
into action. Your evidence outlined the case
for bold and meaningful reform and showed
beyond doubt that the current system must be
demolished and rebuilt urgently, whatever
the cost.

The NDIS is massive in scope and will not
be easy to implement, but we genuinely are
one of the richest and smartest countries in
the world, with the resources to do this and
do it well. This is nation-changing reform
and I am very proud to finally be able to
support it in this place.

Mr CHESTER (Gippsland) (17:43): I
also welcome the opportunity to speak on the
National Disability Insurance Scheme. I
concur with the member for Denison and his
fine words. This is nation-building work that
we are doing in this place. It is quite an
historic occasion. It is particularly pleasing
to see members on both sides of the House in
furious agreement as they contribute to the
debate. It has been a culmination of many
years of campaigning by people with
disabilities, their carers, family and friends,
activists within the community, and
members of parliament both in this place and
in other jurisdictions throughout Australia on
both sides of the political divide.
I recognise, as I have in the past, the member for Maribyrnong and former minister, Bill Shorten, who I believe helped give the issue the greater public recognition it needed to put this policy initiative on the government's agenda, and I give him credit for that. In doing so, I also thank members on both sides of the House who have been supportive, particularly the shadow minister, Mitch Fifield, who I think has also pursued this matter in a very responsible and bipartisan manner. And I include the Leader of the Opposition, who has made the issue of disability and support for carers a subject to which he has contributed enormously through his fundraising ride, the Pollie Pedal, which he has done for many years, and certainly over the next three years he will be raising money for Carers Australia. I think that by doing so he has helped raise the issue to greater prominence, both in the local media through the route the Pollie Pedal takes and in the national media.

I would also like to recognise the carers of people with disabilities who may be following this debate this afternoon—mainly family members, who have perhaps the greatest fear of all: that the person they care for, normally their own child, will not have good care once they are gone. That comes across time and time again when you talk to people in the community who are responsible for caring for people with disabilities. Their greatest fear is: who is going to look after my child when I am gone? So, I do recognise the enormous amount of unpaid work they do on behalf of our community to support people with disabilities.

I would like to take the opportunity tonight to congratulate a lady in my own electorate by the name of Jean Tops from the Gippsland Carers Association. Jean has been a formidable lobbyist and advocate on behalf of people with disabilities in the Gippsland region. The Gippsland Carers Association has been in existence for around 15 years, providing a voluntary support service to the families of carers throughout Gippsland. They have recognised a need in the community to support the carers, and they have worked diligently to provide information, education, support and the advocacy work I mentioned before to assist people with disabilities in the community.

Jean has been, as I said, a formidable advocate and lobbyist on behalf of carers and continues to do so, and I can assure you that her submission to the Senate Community Affairs Legislation Committee on the National Disability Insurance Scheme Bill is well worth reading. She makes several points about the current major stumbling blocks in relation to support for people with disabilities—including that perennial argument of the states, territories and the Commonwealth over who will be responsible for what part of the funding. She makes it very clear what she thinks about making sure there is not continued duplication and waste of effort and ensuring that the Commonwealth steps up to the mark with the NDIS. She does make one point that I think is worth further consideration by the government in relation to the need for a regional carer network. It is something that Jean has advocated very strongly for in the past to ensure that regional carers have a support network in place, particularly in the more remote parts of our community, where services are often hard to access and it is difficult for people to get up-to-date and accurate information. So, I recommend the submission Jean has made to the Senate legislation committee.

I also want to take the opportunity tonight to thank and congratulate the professional staff who work in our community on a daily basis, in the schools and other facilities, involved in caring for people with disabilities who may be following this debate this afternoon.
disabilities. Certainly in my electorate of Gippsland we are blessed to have some outstanding staff. Their professionalism and their commitment is extraordinary. I know it is a task that I myself would find very difficult to fulfil. You often visit the special schools or meet up with the students on excursions. I am not sure that I would have the patience that the staff have, or their determination and resilience. The healthy dose of love and compassion that they have for the people in their care is something that is quite remarkable and does them great credit. Without them in our community we would struggle to support people with disabilities in the Gippsland region.

It is pleasing that the parliament is united in its voice of support for the National Disability Insurance Scheme. I believe disability services, above all other issues, is one that surely should not be a political issue. It does dishearten me whenever I hear any member try to make any political mileage out of this debate, because it should be an issue that we can find a way to work through in a bipartisan manner. It will take several parliaments to fulfil the implementation of the NDIS. The first steps may be taken today by a Labor government, and I give all due credit to the Prime Minister and her cabinet for making those first steps. But it may well be that future steps are made by Liberals or Nationals in a coalition or by some other form of minority government, if we find ourselves in that position again. In any case, it is going to require a major funding commitment from not only this government but also successive governments. There is a concern that in our discussion here today we do not really know how we are going to fully pay for the future stage of the implementation. I do not make that comment to score any political point whatsoever; it is just a statement of fact: we really have not figured out yet in this place, through the budgetary process—as far as I am aware—how we are going to pay for the full implementation of the NDIS. That challenge will need to be overcome by members on both sides of the House, and I encourage all members to continue to work in the most bipartisan way we can as we try to address that issue.

The NDIS should not be seen as a holy grail. It is not going to solve all the problems of people with disabilities or their carers. It is not offering any cure for the ailments they may suffer. But it is going to make their lives just a bit easier, and I think that is an admirable ambition for this chamber to have. By putting this framework in place I am very confident that once we work through some very difficult issues—and it is going to be difficult and complex to introduce—we are going to be able to make a direct and practical improvement in the lives of people with disabilities and their carers in Australia.

I have had the opportunity, as I am sure many members have, to speak to people in the electorate about issues facing people with disabilities and their carers. It is one of the most frustrating things to try to deal with—to work your way through a system that is crisis driven and largely unresponsive to your needs. I draw your attention to the example of one lady in my electorate, by the name of Anita Bennell. She has twin daughters, both in their early 30s, who are profoundly disabled. They require full-time care, and there is no cure or any likelihood of improvement as they grow older. It has been very frustrating for Anita and her husband, Ken, to try to work their way through the system and provide the care the girls need. I draw your attention to the example of one lady in my electorate, by the name of Anita Bennell. She has twin daughters, both in their early 30s, who are profoundly disabled. They require full-time care, and there is no cure or any likelihood of improvement as they grow older. It has been very frustrating for Anita and her husband, Ken, to try to work their way through the system and provide the care the girls need. It seems like there is an obstacle almost every step of the way as they try to navigate their way through the system.

A classic example: the couple bought a property and renovated it to try to suit the
girls' living requirements and facilities for carers, planning for the future, for when they are not able to care for their daughters anymore. This was all done at their own cost. Their aim was to try to transition the girls into this accommodation while they were still able to do their share of the caring, if you like. But there is no funding at all to assist them in terms of trying to make a permanent move. And there were actually some tax implications for them that were quite unfortunate as well, which were extraordinarily frustrating. They were exposed to a tax liability when they were trying to do the right thing by providing for the care of their own children.

Their other great issue is the minimal amount of funding that is available through the state government at the moment for respite care. When we are talking about two 30-year-old girls with profound disabilities it does start to wear the parents out and they need some respite on an occasional basis. It has been a frustrating time for Anita and her husband, Ken, and I congratulate them for their extraordinary resilience not only as they continue to work in support of their own children but also as they advocate on behalf of other people who have loved ones with disabilities. Her tireless efforts are something that she should be congratulated for.

Because the opportunity presents itself this evening, I would like also to read from a letter from another lady in my electorate, Pam George from Bairnsdale. It is easy sometimes in this place to talk in the abstract, and we talk about schemes and projects and forums and terms like that, but sometimes it is important to get right back to the people we are talking about. This is a letter from Pam who describes a typical day. She did not write this to me seeking sympathy, she just wanted to help us understand exactly what a day looks like for her, so I will take this opportunity to quote from this letter that she wrote to me: 'I am writing you this letter just to inform you in more detail my reasons for requesting exceptional circumstances, basically about my day with Nathan,' her son. 'I could be up at night anything from two to a dozen times. If Nathan sets his mind to not sleeping, he will just climb out of bed constantly. Also, the seizures he is now having occur when he is sleeping. From the minute he is up for the day he is noisy and wanting to bang his back on anything and everything: doors, windows, furniture et cetera. When I am trying to do anything I am constantly having to attend to Nathan because of this. I have to do everything for Nathan, finely cut up his food, as he won't chew, and feed him. He will not hold a lidded cup with a straw to drink from. Wash him, shower him, shave him, dress him, change nappies—he is fully incontinent—clean his teeth and give him his medication. Everything that you would do for yourself has to be done for Nathan. As I write this, he has just sneezed and cannot wipe or blow his nose, so that is another thing that needs to be done. Nathan can crawl, which is good for him. But over the length of time taken to shower, dress, shave et cetera, he is constantly moving and wants to crawl away. He doesn't understand when asked to keep still until I'm finished. If he wants to go, that's it, he's off.'

And it goes on in terms of the lack of support for people like Pam under the current system: 'There are lots of appointments, meetings and organising for the last 12 months searching for a suitable wheelchair. His current one is falling to pieces as he rocks, bangs back and forth in it extremely hard, so he requires something very strong but not heavy to push. I have to make sure we get the right one for him and the cost is between $7,000 and $17,000. This is a snapshot of life with Nathan. I am not complaining about it, just stating facts. I
want him to stay at home as long as possible. Sometimes things just get on top of me and don't get done or done on time in this case. Time goes by too quickly. This situation is causing some stress as well which doesn't help my health issues. I'm not asking for anything more than I'm entitled to, just a bit of compassion to achieve a positive outcome to the situation.'

The situation that Pam was referring to was the fact that she was 12 days late in applying for her Renewable Energy Certificate Registry. Unfortunately, we could not accommodate her. Pam is doing all of this, saving our government a fortune in terms of the care she provides for her young son Nathan, but because she was 12 days late in making a submission for her Small-scale Technology Certificates under the photovoltaic system that she installed, we have not been able to help her out. She was not expecting any charity, she was just making the point that sometimes things get just a little bit away from her. If we can find ways not just in this piece of legislation, but also in other things we do in this place to accommodate people like Pam and her family I think we will be doing a very good thing for our community.

It is with some sense of relief that I read the Productivity Commission's final report into disability care and support, which agreed with people like Anita and Pam that the current system of disability care and the support that it offers are unsustainable; they are underfunded and they are unfair and do not deliver appropriate levels of care and support to Australians with a disability. If one thing has been made very clear over the past five years in discussions in this place, it is that the current system of disability support services is broken and that a wealthy nation like Australia can certainly do better; we can give this issue a higher priority in future budgetary rounds.

In my first speech in this place, nearly five years ago, I spoke about the need for increased funding, particularly in regional areas, for support services for children with a disability and their carers, and I have worked in the most bipartisan way that I can to support efforts from both sides of the chamber for this better system which we are debating here this evening.

The difficulty for people working in the current system right now is that they feel that every aspect of the current system for them is a struggle. It is confusing, there is duplication across different jurisdictions, there are no consistent rules across state borders and we cannot even agree on what a disability is across different state borders. We do not have a consistent definition for people who move from state to state. They often feel alone, they feel like they are outcasts in our community and they often feel that they are the problem that is just too hard for anyone to deal with. I congratulate the government for the steps it is taking here this evening.

The letter I quoted from previously makes it clear that even what we consider to be pretty simple tasks can be extraordinarily time consuming and labour intensive, and the best laid plans can certainly run off track for people caring for a person with a disability.

With that in mind I support the bill that is before the House this evening and I urge the government to continue to work in the most bipartisan way it can and to keep the politics out of this debate. I am disappointed that we have not gone down the path of supporting the motion that was put forward by the member for Dawson earlier last year to establish a joint parliamentary committee, to be chaired by both sides of politics, to oversee the establishment and implementation of the NDIS. I think that is a mistake and we can probably do better than
that in the future. It will take men and women of good faith on both sides of parliament to deliver this reform and to commit to the funding that is so desperately required. I support this bill and I urge the Prime Minister to perhaps reconsider her position regarding the joint parliamentary committee, because if we provide a non-partisan environment for the full development of the NDIS people with disabilities and their carers throughout Australia will be thankful for it.

Ms GRIERSON (Newcastle) (17:59): I rise to speak in support of the National Disability Insurance Scheme Bill 2012. The bill represents a historic reform in the great Labor traditions of equity, fairness and social justice—traditions and a reform that I am particularly proud to be part of. I say that because, in coming to this place, I left a job as a school principal at a school with many special-needs students. You work hard as a principal, an education leader, with young people with very complex needs. You see the difficulties and you do everything that you can to assist them in that role. But now, nearly 12 years later, to be able to improve as someone in this place the lot of all people with complex and special disability needs is a very heartening experience.

As the Prime Minister has said, the National Disability Insurance Scheme is the greatest social reform since Medicare. She has said—and I agree—that it will stand 'alongside the minimum wage, the age pension and universal superannuation as one of the great Labor pillars of social justice and opportunity for all Australians'. A previous Labor PM, Gough Whitlam, endeavoured to introduce a national scheme similar to this one 40 years ago. Finally, in this parliament we are getting the job done. Former Prime Minister Rudd started the Productivity Commission inquiry into this scheme. I guess this is a real Labor legacy. Each person has contributed.

The NDIS will transform the lives of those living with a disability, their families and their carers. It will assist people regardless of how they acquired their disability, whether they were born with that disability or whether they acquired it through tragedy, illness or misadventure. Today, more than 400,000 people around Australia are living with a significant disability. These people do not all necessarily have the quality of life that able bodied people take for granted. They may face poverty, mental health issues, social isolation, stress, limited opportunities, discrimination in employment, all because they currently do not have what is necessary to enable them to lead a life equal to someone in the rest of society—a life that would be reasonable for any individual.

Under the NDIS, their needs will be met on a case by case basis and their care tailored to individual and specific needs. I guess that that is something that all here champion. Once you have been here for any length of time, you realise that flexibility might be the curse of bureaucracies but it is certainly what ordinary everyday citizens in this country want. They want some sort of recognition that diversity and individual circumstances are real. The scheme gives people with a disability choice of and control over the care and support that they receive. If a person has a permanent disability that impairs their functions, they will likely be supported through the scheme through either an individual plan or a range of supports, such as education support or a community group that provides the support that they need. Needs change and we need to be able to respond to those changing needs and circumstances.
This bill establishes both the framework of the NDIS and the National Disability Insurance Scheme Launch Transition Agency, which will operate the five national launch sites, which are in South Australia, Tasmania, the ACT, the Barwon area of Victoria and the Hunter region in New South Wales, centred on my electorate of Newcastle.

I want to divert from my speech for a moment. I noticed a media release that came out today saying that people are running a scam to do with the NDIS, asking people for fees to be paid so that they can participate in the NDIS. It is just horrific to think that anyone would exploit what is a wonderful opportunity for people with disabilities and try to take advantage of people with disabilities. We urge anyone who is approached about agency fees and the NDIS to please at least contact their federal member of parliament so that we can do everything that we can to stop that happening.

The bill gives effect to obligations under the Convention on the Rights of Persons with Disabilities and provides for a review of the operation of the act after a two-year period. It outlines how to participate in the scheme and the ways in which to develop personal goal based plans with the agency in order to receive tailored support. According to the World Health Organisation, 70 million people worldwide require a wheelchair yet just 15 per cent of them have access to one. The UN Convention on the Rights of Persons with Disabilities affirms that people with disabilities must enjoy all human rights and fundamental freedoms. Unfortunately, in a very wealthy and privileged country like Australia many disabled Australians have been left behind. At more than double the OECD average, a startling 45 per cent of Australians with disabilities live in or near poverty.

Australia is also ranked just 21st out of 29 OECD nations on employment participation by people with disabilities. A broad economic contribution can be made by people with disabilities if we employ them. It is quite a great economic loss to our communities and to our nation. The 2011 report from Deloitte Access Economics into the economic benefits of increasing employment for people with disabilities commissioned by the Australian Network on Disability suggests that 'closing the gap between labour market participation rates and unemployed rates for people with and without disabilities by one-third would result in a cumulative $43 billion increase in Australia's GDP over the next decade in real dollar terms'. Sadly, today only half of working age Australians with disabilities are employed in the workforce compared to 80 per cent of those without disabilities.

The federal government has released its National Disability Strategy 2010-2020, which sets out a 10-year policy framework designed to improve the lives of those with a disability and their community. This was developed in partnership with COAG and it is pleasing that, with respect to the NDIS, a number states, including New South Wales, have come to the table in good faith. I have heard other members say how important it is to have a non-partisan approach. This is something that they whole nation can take great pride in. I love those policies and pieces of legislation that are big enough for everyone to take some pride in, and this is one of those.

The strategy identified the need to remove barriers faced by disabled Australians that prevent them from gaining employment. Extensive community consultation found that misunderstanding and naivety about and negativity towards people with disabilities exist within the community. Such attitudes have presented employment participation
barriers for too long. These barriers have included concern about risks in employing people with disabilities, associated employer costs with hiring and retaining a person with a disability and the lack of information and support networks designed to assist employers. This misinformation is in many respects a prejudice towards those with a disability, one that we hope will be alleviated and relegated to the past with the beginning of the NDIS. Already a major central hub for disability services and facilities, the Hunter region is one of five NDIS launch sites around the nation. The secretary of Disability Network Hunter, Karen Stace, has stated that the Hunter region has a greater proportion of people requiring care than anywhere else in the state. That has been the case for some time. As a major regional capital, we attract many people who come and live in our city to access disability services.

The Hunter NDIS site is the largest of all the launch sites and will assist 10,000 local people with disability—this is actually half of all people around the nation who will participate—their families and carers. Of the $1 billion funding allocated by the federal Labor government, $300 million of additional funds is being directed towards the Hunter NDIS launch site. The Commonwealth has agreed to cover 51.4 per cent of the costs associated with the NDIS in New South Wales. It is pleasing that through the Council of Australian Governments the New South Wales government has come to the table with funding, and that the entire state of New South Wales will be covered by 2018-19—ultimately benefiting around 140,000 people with disabilities in New South Wales. I congratulate that state government, as it was the right thing for the New South Wales government to do. It took some time as New South Wales had to agree with the government on certain things, but thank goodness it came to this agreement.

This rollout will take time, but it must be a gradual transition to ensure the least amount of disruption and that it is in line with the Productivity Commission’s recommendations.

It was a pleasure to host the Minister for Disability Reform, Jenny Macklin, in Newcastle in January, visiting service providers and local people with a disability at ConnectAbility, a service provider in Newcastle. ConnectAbility is a not-for-profit service supporting those with high to very high support needs. I thank the organisation’s general manager, Karen Stace, the chair, the board members, all the family members who were there on the day and the participants themselves for warmly inviting us into that organisation. I congratulate Karen Stace and her team on the fabulous work that ConnectAbility is doing. There the minister and I heard firsthand the challenges and aspirations of those with a disability, their families and carers and what they would like to see out of the NDIS.

A recurring theme was that the current system does not treat people on a case-by-case basis, and in many cases people fall through the cracks. One local woman we met, who does not have an intellectual disability but is confined to a wheelchair and has high complex needs, told us of her difficult experience in gaining care and support because she does not tick the boxes and does not fit some sort of model. She is reliant on the care of her family, like her sister who has young children. These are very difficult situations and people want some independence and they want their needs to be catered for in a way that does not put people like this very intelligent woman in a care place or a respite place with people that she cannot even relate to. It was very good to hear firsthand from her. It is always the parents and carers who feel totally overwhelmed, and our hearts go out to them.
because their lives are often changed at such short notice on a whim. We really understand that we have to make this model work, so that everyone can sustain the good relationships and good support partnerships that develop in families and with friends around care situations.

At the Newcastle National Disability Insurance Scheme Forum with Parliamentary Secretary for Disabilities and Carers, Jan McLucas, last year, we certainly heard the same sorts of stories from our community. We had great interest and lots of questions from service providers who are very keen to be able to make this transition well. I thank Senator McLucas for listening to the concerns and aspirations of our community.

At this forum, we heard the stories and the experiences of local disability advocates such as Melanie Schlager and Linda Hughes and her son Jacob who participate in Mind the Gap, a local advocacy and support network who, as the name suggests, seeks to bridge the gap that currently exists for people with disabilities. I must say that each one of us owes a huge debt to the advocacy groups and the work they have done. I must say that each one of us owes a huge debt to the advocacy groups and the work they have done. It may stem from a personal experience and personal need, but they have been the real champions for people with disabilities for so long. Theirs and many other personal stories have directly informed those building the NDIS, and I certainly do thank them.

Already in Newcastle this great social reform is underway. The Launch Transition Agency are on the ground—they do not have a home base yet, so if you are looking for them, it is not possible to find them in an absolute site yet—and they are recruiting right now. They will employ approximately 65 people overseeing the launch in the Hunter region. The agency will ensure that those with a disability, their families and carers are working with people who know and understand the local community services and support networks. The transition agency's regional offices will include qualified planners who will work with people to develop the individual support statement. It will include local area coordinators who will assist those with disability to participate in their community, financial managers, technical staff and administrators. Major changes will occur in the way we work with people with disabilities and it is important that we get this reform right—step by step, so that we are able to build a sustainable system. In addition to establishing the NDIS, the Launch Transition Agency will ensure the scheme is financially sustainable and play a vital role within the community, building awareness and conducting research surrounding disabilities.

Four-time Paralympian and world champion Kurt Fearnley OAM said in his inspirational 2013 Australia Day address that:

Growing up with a disability does not bring with it a sense of shame or self-doubt. It's only when we learn to interpret the faces of the people around us, or when our environment offers no chance of interacting to an acceptable level, that we realise this.

That is a rather sad observation, but a very true one. We hope the NDIS will bring equity to lives otherwise overlooked. As the Prime Minister has stated, rather than patching up the existing system, our government is building an entirely new system with the current funding model replaced by an insurance approach based on the need of actual and future costs. Local organisations have already received substantial funding to assist with the preparation of the NDIS. Life Without Barriers received $26,000 just recently and $160,000 has been allocated to Hunter TAFE's Disability Employment Broker
I know that people are preparing for the NDIS with great enthusiasm. I congratulate the Prime Minister and Minister Macklin, particularly, and thank them for their work. (Time expired)

Mr TUDGE (Aston) (18:14): If we were designing governments from a blank sheet of paper today and determining what should be our priorities to fund from the taxes collected from Australians, I think support for people with disabilities would be among the highest. Supporting people who, through no fault of their own, are born with or acquire profound disabilities must surely be one of the central reasons for having a government. It must surely be a mark of a modern and compassionate society to be able to support such people. We do not collect taxes to put pink batts in people's roofs or to initiative gimmicks such as Fuelwatch or Grocery Watch. Rather, we collect taxes to do the things that cannot be done by individuals or by civil society, such as public infrastructure, defence and environmental protection. I believe that support for those with disabilities, particularly profound disabilities, falls into the category where frequently their needs cannot easily be met by family or by civil society.

This is a fundamental reason why I so strongly support the concept of a national disability insurance scheme, and it is one of the reasons why Tony Abbott says so strongly that the NDIS is an idea whose time has come. The concept at least is to provide adequate support for people with disabilities, regardless of how or when they acquired the disability. This will be the breakthrough of the scheme if it is properly funded and executed.

In the time I have available today I would like to cover three points: firstly, the state of disability support presently, and how an NDIS could overcome some of its problems; secondly, what this particular bill in front of us proposes and the challenges that will confront us, particularly financial ones; and, thirdly, I would like to touch on a quibble I have with the government regarding their insisting on sometimes politicising the matter, despite everyone's desire to put this issue beyond partisanship.

Let me start with the first item: the present state of disability support. I think everybody in this chamber knows that the system of support for Australians with disabilities is broken. The level of support a person with a disability receives can depend on numerous factors, such as what state they live in and whether the disability is congenital or was acquired, and, if acquired, whether it was in the workplace, in a motor vehicle accident or in some other context. Workers compensation and motor vehicle accident insurance provide coverage in some states, but not all. But if you were born with a disability or acquired a disability later in life it can be a completely different story. What that often means is incredibly long waiting lists and queues to try to get some of the services you need. The result is that many people with a disability are left without the assistance they need.

Many people from my electorate have come to see me about the proposal for a national disability insurance scheme to discuss how it potentially would impact on them and their family. One such person was Adam Holleran, a 17-year-old man who came with his 22-year-old sister, Gemma Holleran, to speak to me about the disability insurance scheme. Adam is a person with quite profound intellectual disabilities but is still physically quite capable. He enjoys doing things such as horse riding and recreational activities such as swimming and things like that. But, because of the lack of support the family get presently, they have great difficulty in being able to provide
Adam with any of those recreational facilities to provide the social inclusion they are seeking. They have been placed on a waiting list for an individual support package. It could take them up to two years to get some additional assistance. Gemma Holleran said:

We need help now, not in two years, when the stress and strain has skyrocketed. Much more needs to be done so that families get what they need and when they need it, and not after they reach the breaking point.

I think the key point she raises there is that it is not just the key support for the individual with the disability but, importantly, it is the support for the families, as well, who are often desperately trying to do their absolute best to care for their loved one. I am often told by older parents: ‘I am not going to be around forever, and my son or daughter I am caring for will probably outlive us. Who is going to look out for our child after that?’ It is a very important question for them and one that they are greatly concerned about.

We need a new system of support that is based on need rather than rationing, with the entitlement for support going to the individual. The individual needs to be at the centre and in charge, able to pick the supports, aids, equipment and service providers of their choice. This is the vision of the Productivity Commission’s landmark report into long-term care and support for people with disability, and this is the vision of the National Disability Insurance Scheme. It is a vision that the coalition strongly supports.

The bill in front of us does not itself deliver the vision of a national disability insurance scheme as outlined in the Productivity Commission report. I think it is important to state this clearly, because I sometimes fear that expectations are being set by the government that cannot be met in the near future. I think that is not a desirable thing to do. We need to be very clear about what we are doing, what we can achieve and the pace at which we can achieve it.

The bill establishes the framework for the NDIS and for the NDIS Launch Transition Agency. This will enable the scheme to be properly launched and the agency to operate the launch in five trial sites across Australia, from July 2013. The first stage of the scheme hopefully will benefit 20,000 people with a disability, and their families and carers, living in South Australia, the ACT, Tasmania, the Hunter in NSW and in the Barwon area, near Geelong, in Victoria. The trials will provide funding to individuals or organisations to help people with disability participate more fully in economic or social life through provision of an entitlement, enabling things such as aids, equipment, supported accommodation or personal attendant care. An initial $1 billion has been set aside for these trials.

While there is very strong support across the chamber for the desirability and concept of the NDIS, the complexities of the scheme arise in the detail. For example, the core mechanics of the scheme will be outlined in what are called the NDIS Rules, and these rules will specify and establish things such as the eligibility and assessment criteria. The NDIS Rules consultation paper was released late on Friday, 1 February, this year and feedback closes on 1 March. I am concerned that this is a remarkably short time period to discuss what is a critical feature of the entire NDIS—that is, the eligibility and assessment criteria for who will be able to access the scheme. The bill itself is very broad, defining eligibility as someone with a permanent impairment which results in substantially reduced functional capacity. How this is specifically defined will determine whether people can access the scheme, and the rules consultation paper asks questions but does not at this stage make any suggestions.
The second challenge lies in marrying the existing state schemes with the new federal schemes. Most disability support, as you would be aware, currently operates through state schemes, and so it is critically important to have state governments working cooperatively with the federal government as the details are worked out—and that just adds an additional complexity when you, in essence, have nine governments having to work collectively and cooperatively together to get this national scheme in place.

The third complexity is the cost. The government has allocated $1 billion over the forward estimates for these initial trials, but the Productivity Commission says that $3.9 billion is required initially. So there is a shortfall financially, and we are assuming that, following the passage of this bill, the government will at least appropriate the additional funds in the upcoming May budget. The full implementation of the scheme, though, is likely to cost closer to about $10 billion per annum and, given the state of the budget presently—in large deficit and with a huge debt to pay off—funding this becomes so much more difficult. But we need to do it. The fourth challenge is implementation, and we need to ensure that we have a rigorous implementation process so that mistakes are not made along the way.

In the last few minutes, let me touch on the third area that I wanted to speak on—and that was some quibbles which I have with the government in terms of how it has approached the debate in relation to the NDIS. I understand that the government is proud to initiate the Productivity Commission report and to put this bill forward—and I commend Minister Shorten for the work that he has done to get to this stage. But I think it is a disservice to the disabilities community, and reflects poorly on the government, when it seeks to politicise the scheme. Quite often we hear Labor members, including the Prime Minister and the minister, say that this is 'all about Labor values'. Well, with due respect, this is all about human values and I do not think that anybody in this chamber can claim jurisdiction over compassion and care for those who are less fortunate than us. This scheme will probably take three to four terms to fully implement, and so we have a strong interest in ensuring that there is great bipartisan support—not only at the federal level, but also at the state and territory levels. To that end, the coalition has suggested that, in order to maintain that spirit of bipartisanship and get the cooperation of both the opposition and the government at the same time and into the future—regardless of who is in government and who is in opposition—we should establish an NDIS implementation committee, chaired by one person from the Labor Party and one person from the coalition. In that way, both sides will always be engaged in the process over what will probably be a decade-long implementation process. I must say, I am disappointed that the government has sought to not take up what I thought was a very constructive offer and an offer which would see us through the terms of parliament in front of us, when there may well be a different government in power.

Can I finally just congratulate a few people for getting to the position we are now with this scheme: firstly, all of those people who suffer from a disability, or who have a loved one who suffers from a disability, who have been such strong advocates over the last two years in pushing for this and getting it onto the agenda. Certainly the Every Australian Counts campaign, I think, has been very effective. There have been many individuals in this parliament who have been ardent supporters of it. I mentioned Bill Shorten. I should also mention the shadow minister, Mitch Fifield, who I think has also,
like Bill, done very good work in this area in working with the disabilities community to ensure that we take their concerns on board.

The NDIS is an idea whose time has come. This is the first stage with this bill and there is still a lot of work in front of us. We still have to find considerable funds to make it happen, but this bill represents a very good first step.

Mr LAURIE FERGUSON (Werriwa) (18:29): It is interesting to sometimes take a step back and actually watch some of these debates and see the contributions by individuals who have a particular activity or life experience that relates to legislation. It was interesting to hear the member for Throsby, who actually worked in the sector and thereby became connected with some of the NGOs that assist people.

Equally, the member for Hughes, on the opposite side of parliament, talked about his own family life situation. I do not think he mentioned this today, but I will mention it: he plays a role in a particular organisation that straddles my own electorate, Fowler, and his electorate. In his own time, he serves on the committee there and he obviously has had firsthand experience of these issues.

I join with other speakers in congratulating Minister Shorten for putting this on the agenda. Also, I think that another person involved in Australian politics has played a significant role in this, and that is the former state minister in New South Wales, John Della Bosca, who mobilised national activity and campaigned around this issue. I think we all have to recognise that it might be an issue whose time has come, but it may not have come without activity by non-government organisations, carers, parents, disabled people themselves and their political sponsors. John Della Bosca has not had a five-minute commitment to this issue; he has always been a person in New South Wales politics who was respected.

I recall when I was the member for Reid: we had a very large disabled organisation called Cumberland Industries based in Lidcombe, next to the Western Suburbs rugby league ground of past years. Let us be as kind as we can: that organisation collapsed because of absolute and total mismanagement. We will not say that it collapsed for other reasons. But it was an organisation which employed hundreds of disabled people in a variety of work companies. One of the activities undertaken out there by John Della Bosca, the then state minister, was to work with Cumberland Industries—at that stage, people thought they were capable of selling a few raffle tickets or something, which proved to be incorrect in the end. But he established a situation over there—or tried to—whereby a variety of state disability organisations could share administrative and clerical staff etc to reduce their overheads; to have the one site and to utilise a variety of facilities out there. So he has had a long-term commitment. I have seen in my own electorate the way in which this organisation has pressed members of parliament and put the issue on the agenda.

We are here today after the government has undertaken a variety of measures: establishing a Select Council of Treasurers and Disability Service Ministers, appointing a four-expert group to work under the advisory group and making a national government commitment to support the technical work required in the laying down of the foundations to launch the NDIS. The government has also committed millions to projects that examine the what needs to be done so that service providers and their workers are able to deliver individual personalised care. So there has been a significant amount of work, and no-one is
disputing that this is such a massive project that it will certainly require commitment from a number of governments into the future.

One of the things that struck me—and I have said this before in the House—in moving from the electorate of Reid that I represented out to Werriwa was that there was such a dramatic difference with regard to disability organisations and activity. In the old Reid electorate there were rarely any functions related to disability. There were not many organisations. Quite frankly, except for my own individual experience with a few people in the office and people I know locally, it was not an issue which took up much of my daily working life. But out in Werriwa there is such a plethora of organisations, many of them with paid, committed workers, and they each have very strong volunteer bases. I have put it down to, perhaps, being a more Anglo-Saxon electorate, where people are more prepared to talk about these issues. These disabilities are not regarded, perhaps, as given by God. Areas such as Claymore have a high number of housing department homes, and we all know the correlation between disabilities and the breakup of marriages. Usually, the female is left to care for the child. The male—and this is not always the case—predominantly cannot handle those tensions, and therefore you have a lot of single parents in public housing. That is why I think there is a predominance of these organisations and activity in my electorate.

In my electorate I have certainly been persuaded, pushed and cajoled into being involved in the activity around this. I want to cite a few organisations out in my region. One is Junction Works which is led by its CEO, Christopher Campbell. They concentrate on day programs for young adults. They also run a disability catering group which is quite widely used in the region. Recently, I used them for an event with Telstra. Tim Walton heads up AFFORD, a church-connected organisation. It has a factory which employs people in packaging and curtain manufacture. Grace Fava has been mentioned in this House before—she runs the organisation the member for Hughes is intimately involved with. This woman has created an organisation totally through volunteer action. It now has its own premises, it has a 24-hour national phone service and it provides support for children for transition into school. Disability South West has an emphasis on day programs. It operates a house in Lurnea and a drop-in centre for young disabled people. Macarthur Disability Services, headed by Anne Thorn, concentrates on respite and the whole age gamut from children to adulthood. Annamaria Wood is the head of Macarthur District Temporary Family Care at Minto, which provides respite and hosts holiday programs for families. Finally, I want to mention Northcott Disability Services—I say 'finally', but there are many others in the electorate. These are some of the organisations which stand out and which have been involved in pushing the political system to come to this point today.

We can quibble about the funding, but what we have here today is action after decades. It is all right for people to say that it is not properly funded—everyone opposite has been saying that—and this and that. But this is a crucial reform and it has not been put on the political agenda until now. It took the Prime Minister to bang a few heads together at state level to get a few areas for trials. That was a difficult process, but she accomplished it.

Through the NDIS, people will have more choice, they will have programs tailored to their particular needs, they will have a mix of services available to meet their individual
requirements, and they will be able to access various levels of care. I join with other speakers in emphasising one particular aspect—the deep concern people in my electorate have about what will happen to their children after they depart. People are living longer and that creates a range of difficult situations. One is that sometimes you get older people being unable to manage because of the size of their child. Another is the fear people have that, after they go—because of the current mishmash of services and some of the rules about how you gain access to them—their children might fall between the cracks.

A number of speakers have mentioned the situation, which has become particularly noticeable in New South Wales. The service or help you get can depend on such things as whether your disability is from birth or not; whether, if it came from an accident, that accident took place in the workplace or not; or whether the disability was caused by another individual's negligence or not. Depending on those things, you get different standards of service and support. In New South Wales a lot more people are going to be falling into that worrying area because trips to work are no longer to be covered by workers compensation.

I commend the lack of partisanship in this debate. I also commend the legislation, which is very important for people in my electorate. It is the culmination of the work of the committed activists, paid workers—although often these people are paid well below what, based on their level of training, you would think they should be paid—parents and families who have thrown their weight into this campaign.

Mr VAN MANEN (Forde) (18:39): I support the comments of the member for Werriwa and many of the other speakers on the National Disability Insurance Scheme Bill 2012. As the Leader of the Opposition said, it is an idea whose time as come. We on the coalition side have been very clear that we support the National Disability Insurance Scheme and the Productivity Commission recommendations which formed the basis for the creation of the scheme. It is great to have this opportunity to speak and to consider the position of many in our community who probably do not have the options in life that those of us in this House have. I think of people like Merv Cooper and Ross Kruger, parents of children that have disabilities. I have spoken to them many times over the last couple of years advocating for people in our community with disabilities. This is certainly an area that in the past has not been given the attention it has deserved, I think it is fair to say, from either side of politics.

This morning I watched an address by Dr Ben Carson. He was making reference to the US national emblem, the bald eagle. He made the comment that eagles are able to fly because they have two wings, a left wing and a right wing which work together. I think it is a very pertinent point that we in this House are debating the National Disability Insurance Scheme from the basis that both sides of politics are prepared to work together in a bipartisan way to achieve an outcome for the people with disabilities in our communities.

As I said earlier, more is needed to be done to assist the nearly four million Australian people living with disabilities so that they do not feel isolated, secluded and left out of the opportunities that many of us take for granted. We all have a basic need to live with dignity and to feel important, valued and respected. We want to have active roles in our family lives and our working lives and within our broader community. Support for people with disabilities is not welfare; it is support to assist those people in participation in the
everyday life of our communities. I would like to praise those people involved in the grassroots campaigns for people living with disabilities—their families, their friends, their carers and support organisations—for the many years they have spent getting us to where we are today. More than 150,000 Australians have signed up to the Every Australian Counts campaign, which has given Australians a huge reality check in relation to the treatment of some people living with disabilities. We have many young people living in aged-care nursing homes. We have people with disabilities in some cases only getting two or three showers a week and children who are having to wait up to two years for a wheelchair. These are just some of the examples to highlight that we have been failing as a nation to appropriately support people with disabilities.

There is much support for the NDIS in my electorate of Forde. However, there have been concerns in that the scheme's implementation will continue to face hurdles in terms of funding and how the final make-up of the scheme is put together. The disability and carers sectors also have concerns in relation to the current drafting of those bills. It has been noted that some of the concerns that have been raised are about the lack of detail in the bill and the impact of the bill on small service providers. In addition, further questions raised by the bill include how the full version of the NDIS will be financed, whether there will be sufficient monitoring and other protections in place for participants, who specifically will receive support and what specific supports they will receive, and whether people over 65 should be able to become participants. The rollout of the NDIS, as has been pointed out by previous speakers, will span several parliaments and will continue to require the support of both sides of parliament to ensure that it is successfully implemented. As proposed by the Productivity Commission, the NDIS will take some seven years to reach its full implementation.

I have already had many discussions with constituents in the electorate around needs for the NDIS and, in particular, with a constituent who suffered an accident at work and whose life has been forever changed as a result. This gentleman is the father of two young boys and now spends his life in a motorised wheelchair as a full quadriplegic. After meeting with him at his home, I discovered that it costs him around $200,000 per year just to stay alive. His carers are working around the clock, and he is spending a considerable amount of money making changes to his family home to make it disability-friendly. The cost of hiring carers and the cost of medications, which are often not covered by any kind of concession, readily add up to a vast sum of money. The saddest part of this story is that he was a young man in the prime of his life and that it was an accident at work—he was not doing anything untoward or anything silly. It was, unfortunately, an accident. Yet his two children suffer the burden of seeing their father now as a quadriplegic for life. The things that they may have done with him as they grew up—kicking a football around, throwing a cricket ball around the backyard—are pleasures that they will never get to enjoy. So it has not only cost him his mobility but also brought about a massive change in life for him. Unfortunately, it has also cost him his marriage. This is just one example of how tough it can be for people living with a disability, not only in my electorate but in electorates all around the country.

In addition to the requests for financial assistance from families with young children struggling to afford life's basic essentials, I regularly receive inquiries in my office around the necessary aids and medications
for those children with special needs and disabilities. I have also been alerted to the concerns of parents of disabled children, who worry about what will happen when they become old and pass away. Their concern is, 'Who will look after my child then?’ Something needs to be done to ensure that these people are given the support that they need to live a comfortable, dignified life and to assure them that their children whom they love dearly will be looked after when they pass away.

In order to make this a reality, we need to hear how the NDIS will be funded into the future. The NDIS could already be being funded, if it was a priority. Now that the reality has sunk in about the shortfall in the mining tax revenue, where does that place the funding for the NDIS? Does this government have the funding to ensure the NDIS becomes a reality? These questions are asked in a constructive spirit, as we on the coalition side stand ready to work with the government to see the NDIS delivered as soon as possible. To be able to deliver good social policies such as the NDIS, a strong economy is required. That is why we need to live within our means and to ensure a strong and growing economy. As I said at the outset, we support the NDIS for the benefits it will bring not only to those in my community of Forde but also to the broader Australian public. I commend the bill to the House.

Ms BIRD (Cunningham—Parliamentary Secretary for Higher Education and Skills) (18:49): I rise to speak on the National Disability Insurance Scheme Bill 2012. This bill establishes the framework for the National Disability Insurance Scheme and enables the launch of a scheme that takes an insurance approach to the provision of funding for and support of people with disability. The bill will enable the launch of the NDIS in five sites across Australia from July 2013, benefiting more than 20,000 people with a disability, their families and carers. The bill provides for the launch of a scheme that will support the independence and social and economic participation of those people with a disability who are participating in the launch, and will ensure that individuals with a disability have their reasonable and necessary support needs met. The launch of the scheme is a very important step on the road to Australians having a disability support system that is nationally consistent and easy to navigate. It is intended to ensure that no members of our community fall through the cracks because their specific needs do not fit into existing programs. To manage the scheme, the bill establishes the National Disability Insurance Scheme Launch Transition Agency, an independent body responsible for the provision of support to people with a disability during the launch of the scheme.

The bill also provides the criteria that individuals must meet in order to participate in the scheme, and ensures that eligible individuals are entitled to funding for the reasonable and necessary care and support they require. The bill also ensures, however, that participants have control over and choice in relation to the support they receive and that that support is tailored to their specific needs.

Participants in the scheme will work with the agency to develop a statement of their own goals and aspirations and to describe their particular circumstances and arrangements. As part of their participant plan, participants will then work with the agency to set out the necessary and reasonable support and care required to achieve their goals and aspirations.

Under the scheme, people with a disability will be able to make their own decisions about how to manage their support through
the mechanism of person-centred and goal based plans. To the extent that a participant chooses to, under the scheme participants can manage the funding they are provided with under their plan and the purchasing of their supports. The bill also provides that the participant can choose to have all or part of their plan managed by a nominee or a registered provider of support.

In addition to direct care, the bill provides that the NDIS agency can provide funding to organisations to provide the support and to enable participation for the individual in economic and social life. Funding can also be provided for activities, such as counselling for young people with a disability on the transition from school to university or to TAFE or, indeed, to work. I was particularly pleased with this provision, given my involvement in the tertiary education portfolio and my keen interest in equitable access to higher education and skills training. The bill also sets up the administrative structure of the scheme, including rules to protect personal information, the right to review of decisions, and how to and who can act on behalf of a participant in the management of their plan.

Support under the NDIS is not intended to replace current insurance and compensation schemes for personal injury such as those for workplace and motor vehicle accidents. The bill deals with the interaction of the NDIS with existing schemes and allows the NDIS agency to ensure that reasonable action has been taken to recover costs under those insurance and compensation schemes.

The bill establishes the National Disability Insurance Scheme Launch Transition Agency. The agency will deliver the scheme, managing the financial sustainability of the scheme as a whole, and it will undertake research and activities to build community awareness of disability issues. The agency will be overseen by a board with experience in disability services and will be advised by an independent advisory council to provide ongoing advice to the board. Importantly, the advisory council will include members who have a disability and members who are carers of people with a disability, bringing real experience of disability to planning and decision-making processes.

Indeed, community and disability services in the Illawarra have welcomed the introduction of the National Disability Insurance Scheme. In October the Minister for Disability Reform, Jenny Macklin, joined me and my colleague Stephen Jones, the member for Throsby, and other community leaders to host a community forum in Dapto to discuss the progress towards a national disability insurance scheme. Local people with a disability and their families and carers, as well as local service providers, all joined together to attend the forum to hear how an NDIS will work for people with a disability and of the work underway to launch the scheme.

Residents in the Illawarra turned up in numbers to show strong support for an NDIS. They reflected to us that they know we need fundamental change in the way we deliver care and support for people with disability and, in particular, that they are pleased the government is leading the way in making this change. Locals will continue to have a voice, as our government has set up a series of advisory groups to help us make sure that we are getting these very vital elements of the NDIS right. Indeed, as many in this House have reflected in the debate, my colleagues and I will continue to talk to people, talk to our local communities, to make sure we are getting their feedback.

People with a disability and their advocates in the Illawarra have told us loud and clear that they want an NDIS and that is
what we are working hard to build. Once again, on 26 October last year, hundreds of people with a disability, their families, carers and supporters came together at Kembla Grange, to support the government's funding injection into the National Disability Insurance Scheme.

I, along with many of my colleagues, went along and supported this rally, which was attended by several hundred people. I had the opportunity, along with my colleague the member for Throsby and some of my state colleagues, to speak to many of the people who came along for the day. They were all decked out in red, holding slogans and balloons. It was a fantastic sight to see. They were all of the same view: this funding structure would be extremely beneficial to each and every one of them.

Greenacres Disability Services chief executive, Stephen Beard, welcomed the Prime Minister's commitment to a National Disability Insurance Scheme. Indeed, he said in the Greenacres Disability Services newsletter:

It's great; it's the next step …

There's been bipartisan support for an NDIS but getting the funding commitment was [vital].

At this point I would like to acknowledge the long years of hard work put in by Neil Preston, the former chief of Greenacres Disability Services. He is now retired but never retired from advocating on disability issues. He has been working with Stephen Jones and me for many years on these sorts of issues.

Indeed, Greenacres Disability Services has been providing services for people with a developmental disability in the Illawarra for more than 50 years. Illawarra Disability Trust Executive Manager for Organisational Development, Matthew Martin, reported in the University of Wollongong's The Current:

I think our view from the disability sector at this stage is that any commitment is a good one … at this stage there is commitment and there appears to be bipartisan support.

He added:

From a service provider point of view, if you look at the roll-out of the funding that has occurred after the last couple of years particularly at a state level, this is unprecedented.

I would say that you need to pay credit where it is due.

All acknowledge the important role that this scheme is playing. Mr David Bowen, a local resident of the Illawarra, has been hand-picked by the federal government and appointed as the CEO of the body coordinating the launch of the NDIS. This group will be responsible for steering government to a position where we will be able to launch the NDIS by 1 July this year. Mr Bowen is currently chair of the National Injury Insurance Scheme Advisory Committee and was one of the architects of the New South Wales Lifetime Care and Support Scheme. He brings a wealth of experience to the field.

Interchange Illawarra, another very important local disability service, is also supporting and campaigning for the NDIS. At a meeting on 7 October 2011, the Treasurer of Interchange Illawarra, Susan Wallis, joined me in my office where I, along with her and some other representatives and their children, signed the 'I count' pledge. This campaign has had huge support in the Illawarra and carers such as Melanie Language and Jill Coleman were also present to support the event. I was very pleased to be able to sign that pledge, as I know many in this House were.

The family-managed allocations given by Interchange to carers and people with a disability allow them to use the funding to best suit their needs, which is the focus of the NDIS. Mr Kirkwood, a father of a child
suffering autism, said he is all for the proposed scheme, as it means carers will not lose respite service funding when waiting to change from one disability organisation to the other. He as a carer is supporting the introduction of the NDIS. The general manager of Interchange, Glenda Pearce, said on the Interchange website:

… through family allocations and NDIS, people with a disability and their families can access help from trusted personal services, as well as from different support facilities.

… … …

Both NDIS and family allocations are person-centred and can be very cost-effective models of support.

The Flagstaff Group is an Illawarra social enterprise, operating businesses in the Illawarra, which employs people with a disability. Indeed, the group recently presented the New South Wales NDIS Campaign Director, Mr John Della Bosca, with a $10,000 cheque as part of its commitment to the National Disability Insurance Scheme. CEO Roy Rogers said that Flagstaff is committed to supporting people with a disability. He told WIN TV:

Flagstaff is proud to be a part of any initiative that promotes greater participation within the community and opportunities for people with disabilities.

Our organisation is all about improving our employees' quality of life by enhancing their skills and independence while providing meaningful mainstream employment.

Mr John Della Bosca said that the federal government has stated it shares the vision for an NDIS and it has taken the first step, but we need to make sure the government takes the next step and the one after that. After such hard work together, we are so close to achieving this landmark reform. We cannot allow an NDIS to be swept under the carpet. Indeed, this federal government is working to make sure that does not happen. People across the Illawarra and the nation support this major reform that will stand in significance with other generational Labor reforms such as Medicare and superannuation. This bill is a very important contribution to the critical tasks involved in establishing the scheme and I therefore encourage the House to support its passage.

Ms MARINO (Forrest—Opposition Whip) (19:01): I would like to start by acknowledging the years and years of hard work by those at the grassroots level, the campaign by carers, and those who do work with Australians with disabilities, as well as the organisations that support them. I want to acknowledge their efforts that have assisted in bringing us here before the House tonight.

As has often been quoted from diverse speakers such as Ghandi, Hubert Humphries and Jimmy Carter: 'Any society, any nation, is judged on the basis of how it treats its weakest members,' and that is why we are here. This holds true for those with a disability in our communities. It is a message that has been very profoundly and directly delivered, continually and certainly, to the Productivity Commission. It is a message that is very well understood by the coalition. It is why the Leader of the Opposition has said very clearly that the NDIS is an idea whose time has come. How we make that happen within this place is what is before us tonight.

We all know that the current system is not adequate. In my electorate, as with other members, I constantly meet people who are so dedicated and they are often the carers, the individuals with the disabilities and they are often families who are quite desperately in need of respite. They are all desperately in need of a system that can assist them in a simple and practical way. In a rural and regional electorate like my own, there are so many challenges in relation to accessing
support and services. Many people live in isolated areas, and I meet the extended families and friends who are often required to help out with the care. There are small community groups of volunteers who provide support even for just offering exercise.

I would like to thank the Country Women's Association that worked tirelessly to provide a pool for young Nathan Simpson in Capel. Every small step for Nathan is a major achievement. Unlike other children Nathan cannot run, skip, hop or jump. He cannot climb or walk. Instead he crawls or walks with aids and assistance. Swimming is the only way Nathan can experience freedom of movement which eliminates his physical disabilities. I watched him in his pool—the pool that the CWA and the community worked so hard to provide for Nathan. I am sure that this is a story that is repeated right around Australia, particularly in rural and regional areas.

We see those who are of a mature age and who worry constantly about what will happen to their loved ones when they are too old to care for them or are no longer here. This bill is a next step. There is a massive amount of work yet to be done. I do not think anybody in this chamber underestimates the amount of work ahead and the fact that it is going to take, possibly, a decade to get the NDIS to the point it needs to be at.

This work is above party politics. The parliament needs to get the design and the implementation of the NDIS as right as it can possibly make it, because those with a disability, their carers and those who service those needs are counting on us to do that. We stand ready to work with the government right now. We have repeatedly made bipartisan offers to the government to work with them. The NDIS has cross-party support at state and federal levels. And at the state level—this is one of the complexities that the federal government are going to need to deal with—in Western Australia, the Liberal government has been very active in the disability services sector. In my own electorate of the Forrest, the state member for Bunbury, John Castrilli, has successfully delivered what I believe is one of the greatest achievements in high-care support and respite accommodation in Western Australia.

Treendale Gardens was designed specifically for young adults who are disabled by multiple sclerosis and similar neurological conditions. According to the MS Society of WA, which runs it, Treendale Gardens is:

... a modern complex of 11 purpose built, one bedroom, high-support accommodation units where young people with disabilities due to MS or other neurological conditions can receive 24 hour care.

... ... ...

The model provides residents with a true sense of home—something so important—with the additional reassurance of 24-hour on-site support and security.

It also has a six-bed respite house and three-bedroom family respite unit. You can only imagine how useful this is going to be and how much comfort this is going to bring to families in my electorate. It is the only facility of its type outside Perth in Western Australia. Its function is to keep young people with a disability out of aged-care and nursing homes. This is something that has been an absolute passion for John Castrilli. I really do congratulate him on what is I believe an outstanding achievement that brings so much benefit to our community. He has been passionate about this for a long time.

We know that the WA state government's investment in disability across the board is
considerable, which is part of what the government will be needing to take into account. The 2011-12 WA budget invested a massive $600 million in social services, including unparalleled investment in the not-for-profit sector, which provides so many of those services that are required by those with a disability. It was designed to support around 400,000 Western Australians including the 116,000 who have profound or multiple disabilities. I know that the WA government has written to the Prime Minister proposing a joint WA-Commonwealth NDIS. This is just one example of the complexity that is still ahead and that is going to need to be worked through.

The NDIS needs to be very carefully structured. There are some key areas that people have a great concern about—and we will get to the rules—such as eligibility and assessment in the criteria. Those are areas that I see as needing to be very carefully structured and ones that will perhaps create some serious consideration from all sides of politics. Agreement has been reached with five states and territories to host the launch sites with services to be delivered to 20,000 people—which we all know is merely a fraction of the defined need.

Further expansion of the NDIS will depend on the Commonwealth negotiating and concluding further bilateral agreements with each jurisdiction. The most critical question is how the NDIS will be funded. We in the coalition have supported the government's commitment of $1 billion in the federal budget. However, we also note that this comes nowhere near the $3.9 billion the Productivity Commission said would be necessary over the forward estimates period for what is just the first phase of the NDIS. There have been a number of figures expressed over time in the discussions about the NDIS. We have heard that perhaps $10 million per annum will be the cost when the NDIS is running in the way that we might want it to: $10 million has to be found to manage this scheme in the longer term. The current shortfall that we know exists from the $3.9 billion has to be accounted for and I will be looking to see if that is in this year's budget and forward estimates.

The NDIS needs to be delivered in the time frame recommended by the Productivity Commission. It could be delivered in that time frame by a prudent government that can manage the economy and the delivery of the NDIS. The coalition has strongly supported each milestone along the road, including the initial work by the Productivity Commission, the $1 billion in the last budget, the five launch sites, the agreement between the Commonwealth and New South Wales for a full statewide rollout after the Hunter launch, and this legislation.

The bill itself provides for the establishment of the framework for the NDIS and the launch transition agency that will initially manage it. The ultimate aim of any disability scheme is to develop and actually be able to deliver on the ground, where it is needed, the services and supports and the personalised plans for Australians with a disability. I note that most of the funding is to be targeted at individual support packages. Personal planning provisions should ensure that the NDIS offers a person-centred and self-directed approach—very important. Each person has specific needs. There may not be the supports and services that the individual needs in each of the communities, so the individual clients must be front and centre and in charge. They must be able to decide on the supports, the aids, the equipment and the services from the providers of their choice. Under this system, a plan must include a statement of participant goals and aspirations, prepared by the participant, and a statement of participant
support, to be approved by the agency. The plans will specify the general support and the reasonable and necessary individual support to be provided.

We in this place need for the support under the plan to represent true value for money such that the costs are reasonable relative both to the benefit and to alternative support. The plan must have regard for current good practice and must certainly take family and informal networks into account. As I said at the beginning of my speech, when you are out in the rural and regional areas in my electorate, frequently these are the support networks for people with disabilities. We all know that it is the family; it is the extended family; it is friends—quite often there is a vast disability network surrounding the person and the family. That is what has been required just to provide even a basic level of support. The agency may also provide general support for people with disability who are not participants of the NDIS, often through information. Where do I find details of the scheme? Where are the coordination and referrals? That is part of the information that will be supplied.

The level of support a person with a disability currently receives can actually depend on what state they live in, whether the disability is congenital or was acquired, and whether it was the result of an accident. In each case, as we know, there is a variation on the level of support provided. The result is that many people with a disability are left without the assistance they need.

These are core issues that a well-designed and well-managed NDIS needs to address. The delivery of a well-managed NDIS will depend heavily on the rules—and we have not seen the rules. The actual mechanics of the agency are part of this. As I said earlier, one of the key issues will be the rules around eligibility and assessment. The bill is essentially a framework that establishes the transition agency, the board, the CEO and a general definition of eligibility, but it certainly does not deal with the issue of eligibility and assessment. The real delivery mechanism will be established by the rules, and to date they have not been adequately defined. On 1 February, the government released a discussion paper on the rules, but it contained little information of substance. This area is going to require a significant focus and the rules will need to be very carefully crafted in the coming months. The rules certainly do need to be released quickly. I am told that at the Senate Community Affairs Legislation Committee there was recurrent evidence presented by witnesses who said it was really difficult for them to provide advice, pose questions or plan for the launch sites in the absence of the rules. So we can understand very clearly why the rules are so important both to the legislators and the community. We have called for the establishment of a joint parliamentary committee chaired by both sides of politics to oversee the establishment and implementation of the NDIS. It is incumbent on all of us in this place to get this right. It is a very complex issue and process and it will be a complex design. I encourage the government in its deliberations to consider the needs in particular of people with disability in rural and regional areas in relation to support and services and how the NDIS is designed.

Mr GRIFFIN (Bruce) (19:15): Why are we here? We are here to debate an incredibly important piece of legislation that is the first step in the establishment of a system that will deal with the needs of people in our community with disabilities. We stand here to do this because our nation and our political parties have not been prepared to do this before. All of us have experience dealing with people with disability in the
community, some very closely, as has been highlighted by some members of parliament with members of their own family, sometimes their own children. Others members have experience with relatives of a more distant nature, and many of us—in fact all us—have experience with the needs of constituents who come to our offices in search of help, in need of help and most deserving of help. The fact that we as a nation have not previously got to the stage, in a coordinated and efficient manner, to dealing holistically with the needs of people with disability is something that we as a country cannot be proud of—but we now have an opportunity to do something about it.

People with disability and their families are one of the most disadvantaged groups in Australia, with substandard outcomes on most indicators of community participation and social and economic wellbeing. For example, 50 per cent progress past year 10 at school, compared with 80 per cent in the general population; 31 per cent participation in the labour force compared with 83 per cent of people without disability. Two-thirds earn less than $320 a week, compared with one-third of the general population. Furthermore, a 2007 study by the Australian Centre on Quality of Life and the School of Psychology at Deakin University found that family carers have the lowest level of wellbeing of any group. Australia also has the lowest rates of employment of people with disability of any OECD nation.

The Productivity Commission's Disability Care and Support report concluded that:

The current disability support system is underfunded, unfair, fragmented, and inefficient. It gives people with a disability little choice, no certainty of access to appropriate supports and little scope to participate in the community

In short, it concluded that the current system is:

…marked by invisible deprivation and lost opportunities.

The commission's recommendation was to establish a new disability care and support scheme in which all Australians with a significant and ongoing disability—around 410,000 people—would get long-term care and support.

An NDIS will ensure people are no longer shut out from opportunities and from independence by providing the appropriate and necessary supports that allow people with disability to reach their full potential. It aims to support the independence and social and economic participation of people with disability. It will take a lifelong approach and a focus on early intervention, which will substantially improve functioning or delay decline. It will promote innovation in the provision of supports. The NDIS is essentially about choice—it puts people with disability in control of the care and support they receive, based on their individual needs. As the Prime Minister explained in her second reading speech:

The scheme will move away from the crisis model, where families only receive support if they are unable to continue in their caring role and there are no other options. Instead, it will work with families before they reach crisis to make sure that the valuable informal care they provide is sustainable.

The NDIS will be a cooperative venture with the Commonwealth, the states and territories operating as partners under the umbrella of COAG. The scheme will be implemented progressively. Five launch sites are planned for 2013-14 in five different host jurisdictions. Under this bill, support for participants of the scheme will be provided as a part of an individual goal-based plan. Each participant will work with the National Disability Insurance Scheme Launch Transition Agency to identify their goals and aspirations and their individual
circumstances, including living arrangements, informal care and environmental and personal factors. This will help guide the development of their individually-funded support package. Each participant's plan will be in two parts: the first, developed by the participant, will set out the goals, aspirations and individual circumstances; the second, developed jointly by the participant and the agency, will include details about how the participant has decided to manage their plan and when it will be reviewed. Plans are to be approved by the CEO in accordance with prescribed rules and will remain in effect until they are replaced by another plan or are revoked. The legislation provides for the provision and funding of reasonable and necessary support for participants. Plans may be managed by the participant, by a registered plan management service provider, by the agency or by a plan nominee. There are some circumstances where the participant may not manage their own plan—for example, where the participant is insolvent or under administration or where the CEO is satisfied that management of the plan would present an unreasonable risk to the participant. Payments will be made to the participant or the person managing the participant's plan. These payments must be spent in accordance with the participant's plan and records of payments and receipts retained.

The Productivity Commission found that ageing carers are left desperately worried about what will happen to their child once they are no longer able to care for them, and those they care for also feel the pressure of uncertainty, worrying about what the future holds for them. This legislation aims to establish a system that is also sensitive to carers' circumstances and takes into account the sustainability of each person's caring arrangements. Adam Cope, a person with disability, wrote his story in support of the National Disability Insurance Scheme:

Living each day is full of stress for my parents and myself. Not knowing if tomorrow my mum and dad would still be here to continue to support me is the worst feeling. The fact that this will at some time occur is really driving me fearful with worry and anger. The current system provides minimum support and relies on parents, family and charity models to enable me to have a life. The NDIS would give me a means to have hope and be supported to do what I want to do. It would also let mum and dad off the hook and they could then have a life. After 39 years I think they deserve it.

He goes on to outline potential economic benefits:

The NDIS will assist a great number into work. This will, in time, have many more people paying taxes and putting back into the economy. Parents who have had to give up work to support their adult children will also be able to remain in the workforce and continue paying taxes. Equipment design and innovative ways of creating new devices will make Australia a world leader in a whole new approach for disability. This in itself has great potential for the country's economy.

Carer Bronwyn Brown cares for her 19-year-old daughter, Tamesia. Mrs Brown said:

We literally do everything for her. If she sneezes, we are there to wipe her nose and we are up all night because we have to turn her, it is as constant as having an extra arm on your body and it is getting harder as we get older. I now suffer with a back condition from all the years of lifting...We are OK for equipment under the medical aid disability scheme but it is when it comes to respite care that we struggle because she is now at home. Especially when I'm sick or there is a crisis, that is what I worry about most...I went to the rally in the city to fight for this so I am happy about the decision but I fear that a change in government might change the plans.

A large range of disability service providers and sector representatives have openly supported the NDIS. Vision Australia have written:
During 2011-12 Vision Australia provided services to 33,577 Australians who are blind or have low vision, including their families and carers, on a regular basis. We strongly support the NDIS and believe that no person who is blind or has low vision, or who acquires vision loss, should be left without access to government funded service support and assistance.

Cerebral Palsy Australia President Glenn Rappensberg has said that disability services—support and care—must be personalised, caring and specialised. He said:

Funding must be equitable across the nation, balanced by the desirability of having local assessments, community support and flexible responses, which are critical for people living with disability.

The Health and Community Services Workforce Council said:

The NDIS is a much needed reform which will dramatically change the landscape of the disability sector in Australia. This reshaping will undoubtedly improve the access and choice of care available to our communities, but also has the potential to lead to significant changes to the disability workforce's existing work roles and job design.

It is clear that there is bipartisan support; this initiative needs bipartisan support, but the question of the way forward will be full of challenges. As has been mentioned earlier, this is a complex change and a very large change. There will be problems, and that is why there is Senate inquiry, why there needs to be trials and why we can expect that this will take years to implement in full. We need to take that time to make sure that we do get it right. It has been mentioned by many speakers, particularly on the other side, that there are financial issues here, and of course there are. Major changes often do require financial commitment. Needs that have been neglected or that have been left to family members, friends and charities to deal with over time will in fact require financial commitment. It is incumbent on this parliament and the parliaments in the future at both a national and a state and territory level to ensure that that funding is provided. That funding must be provided because the need is there. That need has, as I have said, been ignored often as many of us have, frankly, just turned away because it was all too hard.

Those who have been committed to something like the NDIS for years and who have worked hard to develop models and ensure that politicians and the broader community understand the nature of the unmet need should be congratulated. I will not try and name names because there are probably too many to name. I hope that they see in the initiatives here before the parliament today that the work that they have done and the commitment that they have had is being met by this parliament on a very necessary road forward. This is one step along the way, and it will be one step at a time, but the fact is they are steps that must be taken. It has been said by some speakers on this side of the house—and I agree—that this is a Labor reform, but it needs to be a national reform. It is a reform that is about dealing with those in society with a disability with care and compassion, providing them with the opportunity to be all that they can be and providing real assistance to their families and loved ones. We must do it and we must do it now.

I commend this legislation as a very important step forward on a road that will hopefully lead to a situation where those with disability in our community will receive the support that they need to give them the opportunity to be what they can be. We as a society will be better for it.

Mr MORRISON (Cook) (19:28): I rise to speak on the National Disability Insurance Scheme Bill 2012. Like most, many or indeed all in this place and the other place,
all of our lives have been touched by the issue of disability one way or the other either directly or through our family and friends. As an able-bodied person who has been very fortunate—and indeed my family has been very fortunate in these things—I cannot pretend to know what it is like for people to live with a disability. I also cannot pretend to know personally what it is like to care and be the primary carer for someone in that situation and the burden that places on them. Like everyone in this place, I seek to empathise and to understand, but there is a constraint on truly understanding this for those of us who thankfully have not had that terrible misfortune. That misfortune can come through accident at birth or through accident itself, as many disabilities do—and, in that regard, it is very important that we do all we can to ensure that we keep Australians safe. There are so many great initiatives out there—public, private and in the not-for-profit sector—that are designed to teach children, particularly, how to ensure that they can live safely and do not find themselves in the position of receiving a serious injury.

I say that at the outset because I think there could be nothing more offensive to someone who suffers from a disability or cares for someone with a disability than for us to somehow think that we truly get it or understand it. That is why I provide that qualifier. But, coming from that position of disadvantage, let me say to everyone outside this place that, in this House and in the other place, there is strong support for the intentions and measures that are put forward in this bill. This scheme is long overdue and it is something that we all hope to see achieved in our lifetimes. I sincerely hope it is and I sincerely hope that the momentum that has been created over a very long period of time will continue. I hope that the advocates of many, many years ago are encouraged by what they see taking place here, with equal measures of support across this chamber.

The coalition supports the recommendations of the Productivity Commission, and we have pledged to work constructively with the government to implement these measures in the most timely and effective manner. We do live in the lucky country, and most Australians assume that, because we are an advanced and wealthy nation, there is adequate support and resourcing provided for people with disabilities and their carers. There is not. For such a long time, that burden has fallen—and, sadly, for a time it will continue to fall—on individuals, families, friends and communities, who will be the primary support for those who suffer.

The Productivity Commission identified $6½ billion in unmet disability care and support—money that could have been spent on Australians in need, to support those with disabilities and those who work tirelessly alongside them. That has been the subject of other political debates.

As my colleagues have outlined in this place, the coalition will look to engage constructively to take this important issue forward. When this legislation before us was first introduced into the parliament last year, the coalition, in agreement with the government, referred the bill to the Senate Community Affairs Legislation Committee to systematically work through the detail and inquire into these matters in a spirit of bipartisanship. That report will be presented to the Senate next month, and we look forward to receiving its findings and actioning them accordingly, where appropriate.

In that spirit of goodwill, the coalition also propose the establishment of an ongoing joint parliamentary committee, chaired by
both sides, to oversee the implementation of the NDIS. As well as providing a formal tool to facilitate that bipartisanship, the committee would provide an opportunity to sound out questions about design, implementation and eligibility and put together a potential timetable. Regrettably, to date the Prime Minister has not adopted our suggestion. Disappointingly, the Parliamentary Secretary for Disabilities and Carers has gone so far as to say it was a bad idea. This is disappointing. The coalition, if there should be a change of government, will make the same offer again, because the NDIS is something that should go forward with practical cooperation, regardless of where you sit in this place.

We support the introduction of this legislation into the parliament. It establishes a framework for the NDIS and the National Disability Insurance Scheme Launch Transition Agency. But we must be careful in this place that we do not raise expectations about what is to be delivered by this bill, particularly in the short to medium term. I can think of nothing more cruel than to raise the expectations of people who are living with this challenge on a day-to-day basis. We should be honest about the progress and we should be clear about our resolve, but we should not pretend that things are going to change quickly, certainly not overnight. To that end, making statements about having 'delivered' the NDIS and things of that nature are not helpful. I look forward to the NDIS being delivered, but it certainly has not been delivered yet, and it will be some years before it has. It will certainly be some years before the benefits of such a scheme, enjoying the support of the entire parliament, are actually experienced by those who are intended to receive them.

The bill would enable stage 1 of the scheme to be launched in five sites across the country from July, to the benefit of more than 20,000 people with a disability, their families and their carers. The scheme would provide funding to individuals or organisations to help people with a disability engage and participate in economic and social life. This could be through the provision of an entitlement enabling aids or equipment, or personal attendant care and supported accommodation.

The NDIS in principle is person centred, operating on a self-directed funding model. At its heart, the bill is about empowering those with disabilities to reach their full potential and encouraging them to embrace opportunities, set goals and live a full life. But it is important to note that, without funding, this is nothing more than a hollow gesture, a hollow promise. Where the money is to fund the NDIS is not clear. The government has allocated $1 billion of $3.9 billion required over the forward estimates for stage 1. The detail of where this funding is to come from to give reality to what we are discussing in this place is still to be revealed, if it will be revealed at all.

Labor have brought forward the launch sites by one year ahead of the Productivity Commission's plan. They are still yet to explain how they intend to fund a full national rollout. We believe the Productivity Commission's timetable is achievable, with prudent government and good economic management. The coalition has supported the initial work of the Productivity Commission, including the five launch sites and the introduction of the legislation into this parliament. We will continue to support milestones on the road to the NDIS.

Much has been said in this place today about how the NDIS is an opportunity for once-in-a-generation reform, and this is true. Admittedly, it will be a work in progress, as I have mentioned, for many years, but it is important that reforms of this nature, which
will touch so many lives, are carefully worked through. We have a responsibility to work in this place constructively and collaboratively to ensure we get the detail and the blueprint right. We cannot afford for this policy to be rushed in implementation and catastrophically bungled, like the project delivery we have seen across this government in so many other portfolios.

In reflecting on the promises of this bill before us, it is also appropriate that, in this place, we recognise the work that is already being done in this space—quietly, behind the scenes, in homes and organisations around the country—because the burden will continue to fall on them for many, many years to come. We cannot allow the NDIS to—

Government members interjecting—

Mr Champion interjecting—

Mr MORRISON: I note the interjections from the members opposite. I do not think this is the sort of debate that encourages those sorts of interjections.

The DEPUTY SPEAKER (Ms Vamvakinou): Order! The member for Wakefield will cease interjecting.

Mr MORRISON: If he wishes to make this debate partisan, he will have the opportunity to do that in his own remarks. I was trying to acknowledge the good work of people in our own communities and, I am sure, the member's communities who are actually out there doing it every day, and the carers and parents and families who are doing this job. We should endeavour to do all we can over the years in which this scheme will come into being to ensure that we can assist them in the meantime. I would not have thought that was something inviting an interjection, but I suppose that reflects more on the member opposite.

In my electorate of Cook there are two particular organisations I would like to pay tribute to. They do this work every day of the week, and I would like to recognise in this place the work that they do. Civic Disability Services have served the shire for more than 50 years. Their commitment to providing care and purpose for those with disabilities in our local area is commendable, and they continue to provide those services today in spite of the pressures and costs of operating in a very difficult economic environment. I have had the opportunity to be part of many of their programs and see their work firsthand. They provide people with intellectual disabilities with a job, with real work, which they are paid for as part of a functioning business that is out there making its own way. One of the most inspiring things about Civic Disability Services is to meet the people who have had those jobs for decades. They have had this as a focus of their lives for such a long period of time. It is important that they continue the work that they are engaged with, and it is important that they can continue to be commercially successful and deal with the many challenges that come their way which small businesses understand and face all around this country. They employ more than 100 people. They provide meaningful employment and give purpose to the lives of people with disabilities in the shire because they can provide a commercial service to real commercial clients who expect high standards at an affordable cost, and that is what they deliver.

There is also the Sylvanvale Foundation. It has provided support to people with an intellectual disability not only in the shire but also in greater Sydney for more than 60 years. The foundation provides a wide range of support services and they are dedicated to serving people under the guidance of their now chief executive Jill Deering. Their
vision is to touch lives, awaken potential and work in partnership with people that they support. It is the words 'work in partnership' that ring most true in my association with them. We should be taking that attitude of a partnership forward in the way we engage with the detail of this bill and implementing this scheme in this place. This is not about politics; this is all about a partnership between all Australians. The Sylvanvale mission is to enable people with an intellectual disability to achieve their full potential by providing exceptional services that support, inspire and enable people to reach their goals. Sylvanvale provides a wide range of services and initiatives including accommodation designed to help those with disabilities to live as independently as possible, gain confidence in themselves, acquire skills and expand life experiences. They also offer day programs specialising in lifestyle and social skills, in addition to post-school options and community participation initiatives designed to enable people to gain their independence and look after their health and wellbeing. The Transition to Work Program assists young adults with an intellectual disability to prepare them for work once they have finished school by equipping them with the vital life skills to help them in a home and workplace setting. In Jill Deering's own words, 'It is important for people with a disability to have a choice and have control over the services they need.' Sylvanvale provides that partnership, allowing each individual to take an active role in determining their future.

The level of community support for the initiatives before us in this bill is the reason it has been so well received. The expectations, ambitions and aspirations that the people of Australia have for this have been great, and that is why those aspirations and expectations have to be managed carefully. I noticed this when last year, in response to some changes in funding arrangements, Sylvanvale was out of pocket for some $7,800 to continue an out-of-school-hours care program for children with disabilities. The response from our community to this was simply incredible. Not only was that money raised directly from the community, but it was raised many times over. I particularly want to commend the member for Barton who joined with me to raise much of those funds. Around $20,000 was raised in a Pollie Paddle that we conducted on the Port Hacking River together.

That event demonstrated the spirit in which members of this House, in the main, try to work together in their local communities to address the needs of disabled people and the services that they depend on. With great support from organisations like Ace Gutters, TCQ Construction, Crown and Virgin, and Caringbah Rotary this initiative was a great fillip. It was a great encouragement to those at Sylvanvale, because it said to them that their community cares. I hope in the future that this parliament will be able to demonstrate that it cares through the realisation of the intentions of this bill.

Mr CHAMPION (Wakefield) (19:43): It is a great privilege and honour to speak on this bill. In 2006 I did about 71 or so street corner meetings as well as meetings in towns and suburbs in my electorate. The striking thing about those meetings was that I could probably say that at every one of them was a parent or carer of a person with a disability. Parents came to talk about their adult children who had lived with a disability and who relied on their care. There were parents who were often very worried about what would happen to their child once they had passed off this mortal coil or grew too old to care for them. There were also parents of young children with severe autism or with
other disabilities who were worried about what the future would hold for their son or daughter. And, of course, there were the pleas of carers.

We know that there was nothing new in the issues, demands and concerns brought up by these parents. This was a crisis which had been decades in the making. And we know that state governments had, by and large, done a pretty poor job of providing a safety net, much less a life of dignity for people with a disability, for their carers or for parents of children with a disability.

And credit should go to the member for Maribyrnong, because he was one of the first politicians to realise that this group of people were out there and that they were a constituency whose needs needed to be met and acknowledged. I remember him doing a disability forum with the member for Makin and me. A huge number of people turned out at my old university—it is now a school in Tony Zappia's electorate—and there was a huge outcry from them. They had very reasonable demands of government about giving people with disabilities some dignity.

In August 2011, the Prime Minister released the Productivity Commission inquiry report, *Disability care and support*. That was a watershed moment. The one thing I will agree on with the member for Cook is that we need to be careful about setting up this scheme. We need to make sure that it is set up for the long term. The Productivity Commission found that the state of care in Australia at that time was underfunded, unfair, fragmented and inefficient. We probably did not need the Productivity Commission to tell us that. Any one of those people who turned up at my street corner meetings could have told you that. And anybody who took more than a passing interest in disability issues could have told you that. But it is important for government to hear it from the Productivity Commission—this advisory body.

The Productivity Commission is known for its economic efficiency and not, normally, for its social care. So when you hear it from the Productivity Commission you know things are pretty bad. Some of the things that have been agreed to since the release of the report are that major reform is needed, that that reform should come in the form of a national disability insurance scheme and that we should take an insurance approach to the cost of disability services and support across the community.

That is a very important concept, because disability can affect anybody at any time. It can affect you at birth or you can be the subject of a car accident. There can be some misfortune in life that means that you or a member of your family can acquire a disability, and that disability can literally change the course of your life overnight. It can affect your earnings, the earnings of your family, your quality of life, and your ability to participate in the community.

So it is reasonable that we should take an insurance approach. If it can happen to anybody then we should all take some common approach to making sure that there is a level of protection that is provided by the community so that it is not left to an individual or to a family to meet those demands themselves.

We want to see reasonable and necessary services and supports provided to make sure that a person's individual ongoing disability support needs are met. And we want to make sure that those people with a disability can exercise more control and choice in their lives by having those services tailored to them. And that is very important, because one of the constant criticisms was not just that there was not enough funding, but that the funding was haphazard. Some people got
really great packages; other people got packages that were not suited to their needs.

Having a system that has a person at the centre of its thinking or conceptual analysis is a particularly important thing. This bill reflects work that has been done with the states and territories. It reflects work done with those with a disability, their families, their carers, the workers in the sector, the service providers, and the advocates of the design, funding and governance of an NDIS. This engagement process has been done carefully and methodically but with the haste that is needed because, after decades and decades of delay or neglect, there is a great demand in the community for the creation of the NDIS. So there has been engagement but we want to press forward with the creation of the NDIS, and this bill is a particularly important part of that.

This bill establishes the national agency to administer the scheme. One of the things we want to make sure of is that the NDIS agency provides the overall framework to put in place the full scheme. We want to make sure that, when we have the launch sites, we learn the lessons from them so we can make sure that this agency is independent from government to set the NDIS up.

It will perform a range of functions, including managing the financial sustainability of the scheme, building community awareness about disability, which is particularly important, and undertaking research about disability and social contributors to disability. We want to make sure that this agency is set up appropriately so that it can take the insurance approach and take into account the care and support that needs to be provided to people with a disability outside the cycle of budgets, elections and the whims of politicians. The agency will be overseen by a board made up of people with extensive experience in the provision and use of disability services, financial management, governance and the operation of an insurance schemes, as well as an advisory council made up of people with lived experience of disability and caring. To make sure that this agency is accountable to government, a ministerial council will be established through COAG, and all governments—state, territory and Commonwealth—will be represented on that ministerial council.

We want to make sure the supports that are provided not just are person centric but also look at giving long-term certainty for resourcing disability care and support, and making sure people have got a lifetime of support. In South Australia, the launch site is designed with this in mind. It is looking at covering all children in stages. The first stage is about 5,000 children up to the age of 14, including children who are already receiving support. The launch site will be rolled out from 1 July 2013. The first year of that launch is designed to focus on children from birth to five years of age who have permanent and significant disability or who would benefit from early intervention regardless of where they live in a state. In the first year, it is from birth to five years of age; from 2014, it will be available for children from birth to 13 years of age; and in 2015, it will be for all children with a disability up to the age of 14.

The reason that we focus on children is obviously because this launch site will give valuable experience and inform the national scheme. It is something the South Australian government has willingly signed up to. It is an important trial. We will learn much from it. Early intervention is key to dealing with disability, and this launch site, which will cover people in my electorate, will help provide that.
This is particularly important legislation. For those people who have approached me over the years about the state of disability services in this country, I know it cannot come too soon. I am conscious that we not build up expectations, but I am equally conscious that we do not want to unnecessarily disparage people's legitimate hopes, demands and expectations of government. It is not good enough that people who are born with a disability or who acquire a disability are left to their own devices, or to their family's capacity to take care of them, to make sure that they live a full and supported life within the community. As far as we can, we should make sure that people have access to employment, to the sorts of support that they need to gain that employment and to the sorts of support that they need to get about in the community with dignity. That is a very important expectation. It is an expectation that we should not put off for the future. It is an expectation that we should encourage and foster, because all of the people who are currently providing services or taking care of someone have that in their minds. They have that expectation of a full life in the community. Being employed and involved in the community—they have that in mind for those with a disability.

That is my expectation. I cannot praise the government and the Prime Minister more for putting this on the fast track and making sure that it gets done. I think that it is an important thing for the community and I think that it is an especially important thing for those with a disability. We should do all we can to make sure that they live with dignity and that they live full lives within our community. I commenced the bill the House.

Mr RAMSEY (Grey) (19:57): A friend of mine once told me, when speaking of opportunity and politics, that every now and then the little duckies all line up and you just have to go for it. He was right. For a National Disability Insurance Scheme, the little duckies have almost all aligned. Perhaps there are still a couple of them hesitating under shrouds, but this is probably about as good as it is going to get and Australia should simply go for it. As the member for Warringah and the Leader of the Opposition, Tony Abbott, says: 'It is an idea whose time has come.'

Every Australian has friends, family or near knowledge of people who, through no fault of their own, are dealing with the added burden of coping with severe and debilitating disability. One of the great privileges of this job, of being a member of parliament, is that we get to meet a far higher percentage of these people and their families because, when the system has failed to provide and they need help, their members of parliament are the last port of call for these desperate people.

I say it is a privilege not because I find any pleasure in watching constituents deal with what most of us would consider to be a pretty poor hand but because to meet many of these people is to come face to face with tremendous courage, persistence, commitment and—above all—the unrestrained love of the family. Many of us who have been more fortunate could learn much from these people. Mostly families and individuals come to meet their members of parliament when all else has failed, when they are sick to death of waiting on the end of the phone, when they just want to speak to a human instead of a prompting device and plastic music and when they have exhausted the limits of the system which was supposed to support them. Paradoxically, I have been frustrated the number of times I have actually been able to help some of these people with disability desperately needing services, not because I could not but often because I could.
Not that long ago I intervened on behalf of a constituent suffering from advanced MS, cared for in the home for more than 10 years by a wonderfully supportive and devoted wife. That woman alone saved the nation hundreds of thousands of dollars. But when the gentleman needed a wheelchair with sophisticated head support to stop his head flopping forward and cutting off his ability to breathe—his wife felt it was unsafe to leave the room when her husband was in the chair, which was most of the day—he was unable to obtain that wheelchair that he and his wife both so desperately needed. They were informed by disability SA—

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

PRIVATE MEMBERS' BUSINESS

Skin Cancer

Mr BILLSON (Dunkley) (20:00): I move:
That this House:
(1) notes:
(a) the incidence of skin cancer in Australia is the highest in the world and is two to three times that seen in Canada, the United States and the United Kingdom; and
(b) that skin cancers account for around 80 per cent of all newly diagnosed cancers in Australia;
(2) supports policies that focus on early detection which will in turn significantly reduce the number of Australian lives lost to skin cancer every year;
(3) notes the importance of training for general practitioners to ensure that family doctors are able to recognise, diagnose and treat the various forms of precursors or early stages of skin cancer; and
(4) acknowledges the work of anti-cancer community organisations, the medical fraternity and the pharmaceutical industry in increasing awareness of skin cancer and risk prevention strategies, promoting the importance of regular skin checks and facilitating affordable access to skin checks and early stage treatments.

And I acknowledge the heartfelt contribution of the member for Grey on the matter just before the House.

I rise to speak on this motion because of its profound significance to so many Australians. Skin cancer is a life-threatening condition that impacts heavily on the lives of many Australians, and I am pleased that the House has tonight devoted some time to this debate. Australia has the highest incidence of skin cancer in the world. Australians are four times as likely to develop a skin cancer as any other form of cancer. Two in three Australians are diagnosed with skin cancer before the age of 70. This is an incredibly sobering statistic.

There are three main types of skin cancer: basal cell carcinoma, squamous cell carcinoma—the non-melanoma skin cancers—and melanoma. This area of medicine has a huge impact on the Australian community. In 2010 alone, the total number of deaths from melanoma in Australia was 1,452. In 2010 there were 445 reported deaths from non-melanoma skin cancer. This is a tragic picture, with greater impact on loss of life than the road toll. In 2009 there were 11½ thousand new cases of melanoma. Overall, numbers of skin cancers are increasing as our population ages. There are approximately 450,000 new cases of non-melanoma skin cancer each year, costing over half a billion dollars to treat. This makes it the most expensive cancer in Australia to manage. Because non-melanoma skin cancer is not a reportable condition, these costs may well be significantly understated compared with the reality of cases diagnosed and treated annually.
It is predicted in research published in November 2012 in the Medical Journal of Australia that the yearly cost of treating Australia's most prevalent cancer will increase to more than $700 million annually within three years. In the research, Medicare data for non-melanoma skin cancer between 1997 and 2012, including basal and squamous cell carcinomas, were examined. The total number of treatments increased by more than 410,000 in 1997 to almost 768,000 in the year 2000, and it was estimated that the number of cases would increase to 939,000 by 2015.

Expenses relating to the treatment of non-melanoma skin cancers, including diagnosis, treatment and pathology, increased from $264 million in 2001 to over half a billion dollars—$511 million—in 2010. It was forecast that this cost would exceed $700 million annually in three years. Public hospitals are struggling to keep up with demand.

The Standing Committee on Health and Ageing recently released a report on suicide that showed that 2,000 Australian lives are, sadly, lost in this manner each year. Indeed, the road toll is of similar proportions. As a community, we are devastated by these statistics and compelled to act. But for skin cancer, where the figures are in the same league, with approximately 1,500 people dying from melanoma and approximately 500 from non-melanoma skin cancers each year, our actions and call to address this issue are less clear and less resonant in the broader community.

More than a million general practice consultations are directly related to skin cancer management, and skin cancer accounts for approximately 80 per cent of all those cancers diagnosed in Australia. We do have an opportunity to cease being the skin cancer capital of the world. Early detection and treatment will save lives. It will also reduce the rapidly increasing cost of the management of the condition and its burden on Australia's health budget and on the many families left to contend with this cancer. With the development of skin awareness and the conducting of regular skin checks comes the opportunity to achieve an early diagnosis.

Where early stages of cancer are detected, access to the simple treatments can be afforded, with an excellent chance of a cure. As with most cancers, the best prognosis is achieved before progression to the more problematic stages of malignancies. These are both harder and more costly to treat.

There are some specific steps that can be taken to reduce the frightening toll and the cost of this disease. I urge people to consider these steps. First, if people became more aware of their skin and learned how to self-check their skin regularly so that when a change on the skin was seen they immediately took action to have it diagnosed by a qualified healthcare professional, this would be an important step forward. Secondly, when individuals present with skin changes or when they identify skin damage caused by exposure to the sun's UV radiation, there is a significantly higher chance that the person affected can be successfully diagnosed at a much earlier stage of the disease. Third, with earlier diagnosis comes the ability to provide effective treatments that will slow or halt the progression of the disease. As a direct result, the patient will be more likely to achieve a full cure. Fourth, the treatment at this early stage is significantly less costly and less traumatic to the patient compared with surgery and chemotherapy, which may be needed at the more malignant stages of the disease.

Fifth, Australia is at the forefront of research into skin cancer causes and treatment. Some of these innovations are
now becoming commercially viable, and others still need to be further researched. Investment of this kind will be making a difference to the future generations before they are confronted with the morbidity or mortality of skin cancer that occurs with our older citizens today.

Sixth, we can make use of the tools that are available. They can make a significant difference to those that are emerging now and those that have been used in the past. Better awareness, early diagnosis, effective and affordable early treatment should be employed by all Australians. Effective interventions will save thousands of Australian lives that are currently needlessly lost every year. I encourage all Australians to get behind the Know Your Own Skin campaign which has been developed by leading experts to encourage people to check their own skin, the body's biggest organ, at the start of each season for sun damage and ask their local GPs for a skin check during their next visit. Further information can be found at www.knowyourownskin.com.au.

I also acknowledge the work of MoleMap, a local business in the Dunkley electorate that recognised some years ago the capacity for digital photographic technology and its high-resolution capability to be used as an ongoing tool to monitor and review skin condition. Has that worrying wart or that skin discolouration changed? How much has it changed? Is there some transformation in the area of the skin? All of these things can be more effectively tracked by the use of digital photographic technology, and I acknowledge MoleMap as one of the leading local exponents of that capability.

I make a heartfelt plea to my constituents and to the broader Australian community to please check your own skin. Also, go and get your skin regularly checked by those with expertise and knowledge to see if any early concerns are arising. People should also ask their family doctor to include a skin check as part of regular routine medical check-up, as they can diagnose any areas of damage and recommend appropriate treatment, or in some cases recommend further consultation with a specialist medical practitioner.

This motion has been moved to help support the good work of the anti-cancer community organisations, the medical fraternity and the pharmaceutical industry in helping to reduce the number of lives lost to skin cancer, but my message tonight is: please, follow the guidance of the experts, know your own skin, get it checked regularly and encourage those that are near and dear to you to do likewise.

The DEPUTY SPEAKER (Ms Vamvakinou) (20:09): Is the motion seconded?

Mr Matheson: I second the motion.

Mr GRIFFIN (Bruce) (20:09): I commend the member for Dunkley for the motion that he has brought before the House today. This is a very important issue. It affects the entire Australian community and, no doubt as a constituent of his in the seat of Dunkley and the beach down at Frankston, and the sand and the not-quite surf, certainly it is a situation where he knows, and I know, that that community spends a lot of time outdoors and down the beach on the Mornington Peninsula, and many people in those circumstances are susceptible to skin damage and sun exposure. Probably the member for Dunkley and I are examples more than most. I tend to go from white to pink, to very pink, then back to white. It takes some time, but I know to be careful because I am someone who is a prime example of what can go wrong in a situation where we suffer too much from sun exposure. From the circumstances of having lived for many years with my ex-wife, who
was a very fine clinical nurse coordinator for many years at Peter MacCallum, I used to hear the terrible stories on a regular basis of the tragedy of those who suffered, particularly from skin cancers, and the nature of what that can do to a family and to an individual. It certainly brings home to you the fact that this is a very serious subject matter, although we might make light of it on occasion.

As the motion says, the incident of skin cancer in Australia is the highest in the world and is two to three times that seen in Canada, the United States and the United Kingdom, and skin cancers account for around 80 per cent of all newly diagnosed cancers in Australia. There is no doubt that the rates of melanoma and non-melanoma cancers are on the rise, and although we are seeing a general improvement in attitudes towards tanning, we are still seeing people getting too much sun, and sun protection among young adults and adults is still far from ideal. There was recent information from the Cancer Council with respect to this in a study that was released in February this year, just a few days ago. I quote from that survey:

The research, published in the Australian and New Zealand Journal of Public Health, compares the results of the National Sun Protection Survey conducted in summer 2010-11 with the surveys from 2003-4 and 2006-7. The proportion of adults desiring a tan fell from 39% in 2003-4 and 32% 2006-7, to 27% in 2010-11. Fewer reported getting sunburnt at the weekend—18% in 2003-4 compared with 13% in 2010-11.

Similar changes were reported for adolescents. The proportion of adolescents desiring a tan fell from 60% in 2003-4 and 51% in 2006-7, to 45% in 2010-11 and 25% were sunburnt in 2003-4 and 24% in 2006-7, falling to 21% in 2010-11.

But one in five adolescents and one in eight adults still report getting sunburnt so while attitudes towards tanning are improving, we are still seeing people getting too much sun. This means that approximately 363,000 adolescents and two million adults are still getting sunburnt on any given summer weekend.

Sun protection among adolescents and adults is still far from ideal, with only 23% of adolescents and 45% of adults wearing hats when outdoors. The decrease in adults and adolescents spending time outdoors and hence less sunburn in 2010-11, may also reflect a very wet summer that year.

While improvements in behaviour are being made, worryingly the number of skin cancers reported is still increasing. The Medical Journal of Australia reported that the total number of non-melanoma skin cancers increased from 412,493 in 1997 to 767,347 in 2010. It is estimated that this will increase to 938,991 by 2015. The cost of treating these cancers exceeds $500 million per year.

When we look at non-melanoma skin cancers, fortunately, the mortality rate is relatively low, but there were still some 445 deaths reported in 2010. Melanoma itself is the fifth most commonly diagnosed cancer, with 11,545 new cases in 2009. It is also the seventh most common cause of cancer death, with 1,452 deaths in 2010. Compared with most cancers, melanoma has a high five-year relative survival with over 90 per cent of people alive five years after their initial diagnosis.

But the incidence rate of melanoma has been rising since national records began in 1982. It is projected that there will be 17,517 new cases of melanoma diagnosed in 2020, an increase of 6,052 cases or 52 per cent compared to the 2009 figure. This is a big problem. It is a problem that is with the community now and getting worse—all the more reason for people to be aware and to take action so that they do not become a statistic.
The motion also talks about supporting policies that focus on early detection, which would in turn significantly reduce the number of Australian lives lost to skin cancer every year. Fighting cancer through prevention, early detection and evidence based treatment and care remain key government priorities. Since 2007, the Australian government has invested more than $2.5 billion in infrastructure, medicines, screening and research to build a world-class cancer care system.

One of the key issues that many of us get involved with when we are looking at the question of what is the best way to deal with skin care is how strong the sunscreen is. We now have on sale sun protection factor ratings of up to 50-plus. That will help in ensuring that people get the sort of preventative care that they need to manage in the Australian skin.

A national skin cancer awareness campaign that ran from 2007-07 to 2009-10 saw some $20 million spent over those four consecutive summers to ensure that there was better awareness of the issue within the community. There have been a range of research grants provided in recent years to try and improve understanding of the nature of the problem, into the early detection of melanoma and into the diagnosis and treatment cancers. That research is important.

The motion also notes the importance of training for general practitioners to ensure that family doctors are able to recognise, diagnose and treat the various forms of precursors or early stages of skin cancer. That is incredibly important. Dermatologists play a crucial role, but the family GP is often going to be the first contact point. The points made by the member for Dunkley about the need for people to more aware of their skin were good ones. People need to ensure that they look for moles that may be changing in shape, size or colour. People need to be on the front foot. Often men are the biggest problem here, because basically on medical issues we are largely stupid.

Mr Hartsuyker: Don't admit anything!

Mr Griffin: Frankly, we have to think about that more often. Sucking it up can in fact mean that in the end you give it up. That is not what you want to do in the circumstances. I did not catch the interjection from the member for Cowper, so I will not respond in a way that might be inappropriate. I will say that he, with his electorate being on the beautiful north coast, understands the importance of this issue.

The motion also acknowledges the work of anti-cancer community organisations, the medical fraternity and the pharmaceutical industry in increasing the awareness of skin cancer and risk prevention strategies, promoting the importance of regular skin checks and facilitating affordable access to skin checks and early stage treatments. You need a holistic approach when it comes to dealing with issues like this. You need to be in a situation in which you keep people informed, you keep looking for new answers and you do not rest on your laurels.

I would like to mention one particular skin cancer awareness campaign that was kicked off in November last year in Skin Cancer Action Week. It targeted that group that I mentioned before that are largely stupid when it comes to the question of their own care. It is a campaign with John Newcombe and Tony Roche, two great Australian tennis players. The slogan is 'Newk and Rochey say "Watch your back!"'. In November 2012, tennis legends Newcombe and Roche joined Cancer Council Australia and the Australasian College of Dermatologists to urge all men aged 45 and over to watch their backs as part of Skin Cancer Action Week.
Watching your backs in this case relates to the question of skin cancer, not what we would normally be involved in in this place!

What I can say is that men in this age group are at more than double the risk of dying of melanoma than women of the same age. Although melanoma can develop anywhere on the body, around one in three cases in men occur on the back. Men aged 45 and over are likely to have spent a lot of time in the sun in their younger years before we had skin cancer awareness campaigns. ‘Slip, slop, slap’ started when I was in my twenties and by then I had spent a lot of time out in the sun. Being aware and checking what is going on with your own skin, with your own body and with your own life is a really important thing for men and women to do. We have a responsibility to look after ourselves. These problems will grow in the future. We have a responsibility to ensure that we look after our mates and those around us. If we work together on these issues, we can make a positive impact.

Some of the improvements in community attitudes that I mentioned earlier are an important part of a change that is occurring within Australian society. But if we are going to get to where the member for Dunkley mentioned—being world leaders in some of these areas—we need to keep working at it. This is a motion that is important, because it is important to raise awareness in the Australian community. It is an issue that confronts all of us all of the time. I commend the motion to the House.

Mr TEHAN (Wannon) (20:19): I commend the member for Bruce for his speech on this motion. I commend the member for Macarthur for stepping into the breach for me by seconding this motion. I am the seconder of this motion in the papers, but unfortunately I was not here in time to be able to do it in the chamber. I thank the member for Macarthur. I commend the member for Dunkley for this motion. The member for Dunkley is an extremely committed member of parliament and someone very dedicated to his electorate and to causes in his electorate. As his is a coastal electorate, he understands the importance of this issue. It is fantastic—and I did not realise this until I heard him speak—that there is a business in his electorate that has developed mole-mapping technology, which is going to be absolutely crucial in the fight against skin cancer. I commend the member for Dunkley for bringing this motion forward. It was an honour for me to be able to second it. It is an honour to be able to talk on this motion tonight.

Skin cancer is something that is growing in prevalence, sadly, in our society. It is something that we must tackle immediately. I have the honour of being one of the co-convenors of the group ‘parliamentarians supporting cancer causes’. The very first breakfast that we had was about melanoma. During that breakfast, Marie Karakousis spoke. She has had melanoma. It was one of the most heartfelt speeches that I have heard in this House. It really brought home for me the need for us all to be very vigilant when it comes to skin cancer.

As a matter of fact, I must thank the House of Representatives and the parliament, because, as a result of bringing doctors to Parliament House to look at people's skin and check them, I went and had a check and I found that I needed to have two skin cancers removed. Fortunately, after they went for testing they were found to be benign. I have also been recommended to go and get mole mapping, which is something that I am going to do. For those who have spent a lot of time under the sun in regional and rural Australia, it is particularly important that you check your body constantly to ensure that there are not moles
which could potentially develop into melanomas.

This motion here tonight is extremely timely. The member for Dunkley went through the six key points that you should always have in mind when it comes to dealing with skin cancer. We have moved on a little bit from the Slip, Slop, Slap campaign—that was a great start in making people aware of the need to make sure they covered their skin, especially when the UV was at its highest—but we need to do a lot more now. We have to make sure that we watch our skin and we need to look for any unusual signs that there might be something which is occurring which should not be, and make sure that we get straight onto it and get to our doctors. We also have to make sure that our doctors have the skills to be able to quickly identify potential melanomas and have them dealt with. We also need to keep improving the technology and we have to keep investing in the drugs to deal with skin cancer. Drugs which deal with skin cancer are still extremely expensive and the research into it is still in its infancy. Therefore, we have to make sure there is the money that can go into the medical research to deal with these issues. I commend this motion to the House, I commend the government members for supporting it, but in particular, I commend the member for Dunkley for putting this on the agenda in this House tonight.

Mr GEORGANAS (Hindmarsh—Second Deputy Speaker) (20:24): For most Australians, summer means the beach, barbecues and a variety of other outdoor activities. In my electorate of Hindmarsh, we are lucky enough to have some of the best, most beautiful beaches in Australia, as well as parks, recreational spaces and sporting grounds. These places support our community to be healthy and active, which is important. Like all Australians, I want us to be able to enjoy the lifestyle that we have here in Australia, but there is a danger that too many people who are using these outdoor spaces are ignoring. As we heard from the speaker before, while most of us know—and have known for many years—about the dangers of skin cancer and the clear evidence linking sun exposure to skin cancers, it is still the most common cancer in Australia. We have the world's highest incidence of skin cancers; Australians are four times more likely to develop a skin cancer than any other form of cancer, and approximately two in three Australians will be diagnosed with skin cancer before the age of 70.

While anyone can be at risk of developing skin cancer, the risk increases as you get older. These figures alone are worrying, but there are real and significant personal and economic costs associated with skin cancers. In South Australia alone, about 115 people die from melanoma skin cancer every year. Recent research has found the total costs of treating non-melanoma skin cancers swelled from $264 million in 2001 to $511 million in 2010. This will increase dramatically in the future as our population ages, unless we act now. Even more worrying is the fact that we can prevent skin cancers, but we do not. The majority of skin cancers in Australia are caused by exposure to UV radiation in sunlight and prevention is the single most effective way to save lives, but not enough of us are taking action to reduce this unnecessary exposure. While some steps to address this issue are being taken around the country—with several states, including my very own, announcing plans to ban, for example, commercial tanning beds, which should be applauded—more needs to be done. The biggest issue appears to be that too many of us are complacent about the risks, and we need to take even greater action to protect ourselves from the sun. This issue does not stand alone and should not be the...
sole responsibility of any single authority or person.

A good example of the broad action required is that a number of schools across my electorate including Sacred Heart College in Somerton Park, Star of the Sea School in Henley Beach and the primary school that I attended, Cowandilla Primary School, just to name a few, were able to build shade structures for their students through the BER funding. Personal responsibility is also paramount and we all need to avoid sunburn by minimising sun exposure, especially in the middle of the day when UV levels are most intense. We need to seek shade and wear a hat that covers the head, neck and ears. We need to wear sun protective clothing and close-fitting sunglasses and sunscreen, which is so important, and we need to avoid using solariums or tanning salons. Where we cannot prevent skin cancer, we must support policies that enable early detection to reduce the number of Australian lives that are needlessly lost to skin cancer every single year, because over 95 per cent of skin cancers can be successfully treated, if found early.

All Australians should become familiar with their skin. Check all of your skin, not just in exposed areas and if you notice anything unusual including any change in shape, colour or size, or the development of a spot, please visit your doctor as soon as possible. I wholeheartedly support the view that prevention is better than cure and we need to do more to take action to reduce those risks as well as educate our friends, family and workmates about the seriousness of, and the susceptibility to, skin cancer. I also want to acknowledge the important work of organisations like the Cancer Council, Surf Life Saving South Australia and schools, as well as the many GPs and health professionals who undertake to care for and educate our community on this important matter. In fact, one of the local chemists at West Beach had a Get to Know Your Skin Day where you could have your skin looked at and any unusual spots were recorded. (Time expired)

Mrs PRENTICE (Ryan) (20:30): I rise to support the member for Dunkley's motion on skin cancer. As my colleagues have already acknowledged throughout this debate, the incidence of skin cancer in Australia is the highest in the world, and is two to three times that seen in Canada, the United States and the United Kingdom. In Australia skin cancers account for around 80 per cent of all newly diagnosed cancers. Queensland is world renowned for its warm and sunny weather, which lends itself to the outdoor lifestyle that so many of us enjoy—whether it be at the beach or at a backyard barbeque with friends. Sadly, however, our increased exposure to the sun means that Queensland has the highest rate of skin cancer in the world. Indeed I, like many of my friends, regularly have treatment for skin cancer after many, many years of doing the wrong thing.

According to the latest figures available from Cancer Council Queensland, 3,007 Queenslanders were diagnosed with a melanoma of the skin in 2009, with 250 dying from the disease. Of those, 1,757 were male and 1,250 were female. In addition to those diagnosed with a melanoma, approximately 133,000 non-melanoma skin cancer cases are diagnosed in Queensland each year. Experts agree that early detection will significantly reduce the number of Australians who lose their lives to skin cancer every year. Beyond that, there are a number of simple measures we can all take to prevent skin cancer: minimise your time in the sun between 10am and 3pm, seek shade where possible, wear suitable clothing that provides good sun protection, wear a hat that
also protects your neck and ears and apply SPF-30 or higher, water-resistant sunscreen at least 20 minutes before going out into the sun.

As members of this parliament know, I am an extremely proud supporter of the research being undertaken at the University of Queensland in my electorate. I would like to take this opportunity to acknowledge the outstanding work of one of my constituents, Professor Adele Green, who is this year's Queensland Australian of the Year. Professor Adele Green, who holds an adjunct appointment with University of Queensland's School of Population Health, is a leading melanoma researcher based at the Queensland Institute of Medical Research. Professor Green has been at the forefront of melanoma research for 20 years. As head of Cancer and Population Studies at the Queensland Institute of Medical Research, her work focuses on assessing the impact of environmental factors in the cause and prognosis of melanomas, as well as the effect of genes on the development of melanoma. Professor Green's research establishing that daily sunscreen use can halve the risk of melanoma set the benchmark for prevention. Recently, Professor Green was lead author on a study of more than 26,000 Queenslanders diagnosed early with thin melanomas, which revealed a 20-year survival rate for 96 per cent of patients. The study has been described as a blueprint for assessing thin melanomas with a risk of metastatic disease. Professor Green has also been recognised for her contribution to public health, including Indigenous health, and her leadership in the wider scientific community. I congratulate Professor Adele Green on her work, which is benefitting not just Queenslanders but all Australians.

I also recognise the work of a team of researchers at the University of Queensland's Institute of Molecular Bioscience, whose work was named as one of the 10-best research projects of 2012. IMB Director, Professor Brandon Wainright, his co-chief investigator, Pritinder Kaur, and their team are researching skin cancer and, in particular, basal cell carcinoma. Professor Wainright and his team have made great headway in understanding the genetic pathway behind skin cancer and generating the replenishment of damaged skin. The team's first major breakthrough came with a discovery of the gene named 'patched', which causes basal cell carcinoma. In mapping the gene, they discovered that 'patched' is part of a larger genetic pathway called the 'hedgehog pathway'. The hedgehog pathway is a very important pathway that almost every organ in our body uses to develop. However, it also contributes to the development of a wide range of tumour types. The team is now working to prove that the cells generated by manipulating the hedgehog pathway are true stem cells, and they can cause the hedgehog pathway to affect, repair and regenerate skin. This is important work which has far-reaching applications, including for the treatment of burns and improving our ability to heal wounds. While this groundbreaking research will undoubtedly assist those with more advanced forms of skin cancer, it is essential that Queenslanders regularly examine their skin for signs of skin cancer, especially if they are in the older age group or have sun-damaged skin or multiple moles and freckles, because in doing so, and combined with ongoing research I hope we will see skin cancer significantly decline—

(Time expired)

Ms HALL (Shortland) (20:35): I rise to support the motion moved by the member for Dunkley, a motion that raises awareness of skin cancer in Australia—and Australia has the highest rate of skin cancer in the world. In Australia, we have a lifestyle built around outdoor living and a culture of surf, sun and
sand. Australians have always been proud of their bronzed Aussie image, but by trying to become the bronzed Aussie, Australians are potentially putting their lives at risk. The No. 1 cause of skin cancer in Australia is exposure to ultra-violet, or UV, rays. This motion before us raises awareness and points us to the fact that we need to act now.

Skin cancer is divided into two categories: melanoma and non-melanoma skin cancers. Non-melanoma skin cancers are the most common in Australia—these are basal and squamous cell carcinomas of the skin. It is estimated that about 474,000 new cases of these cancers will have been diagnosed in 2012, although we do not have those figures as yet. The mortality rate from non-melanoma skin cancers is very low, with 445 deaths reported in 2010. Melanoma is the fifth-most commonly diagnosed cancer, with 11,545 new cases in 2009—but, once again, those are the latest figures. In 2002 Australia had the highest skin cancer rate in the world, as all speakers have pointed out, and about two in three Australians will be diagnosed with non-melanoma skin cancer by the time they reach 70. All my family has had some form of non-melanoma skin cancer. As my mother aged she was constantly having non-melanoma skin cancers removed. It is very common. The older you get the more common it becomes.

The incidence rate of melanoma has been rising. National records began in 1982. It is projected that there will be 17,570 new cases of melanoma diagnosed in 2020, an increase of 6,025 cases, or a 50 per cent increase in comparison with 2009 figures. The cost of treating skin cancer was estimated at $294 million in 2001, and the figure for melanoma was $30 million. Skin cancer places an enormous cost on our health resources. Amongst all hospitalisations with the principal diagnosis of cancer, non-melanoma skin cancer is the most common and melanoma is the 10th most common.

The Australian government has had a commitment to fighting skin cancer. Since 2007 it has invested $2.5 billion in infrastructure, medicine, screening and research. But the real change that needs to take place is a cultural one. We can see that happening with younger people in our society and with children when they are going to school. The culture is changing. Hats are compulsory at schools and the building of COLAs in schools are also giving young children protection against UV rays. Childhood is when the damage really occurs that leads to skin cancer in later life.

I come from the Hunter, where we have been identified by the Cancer Council as being one of the zones that are on the red alert, as is the Central Coast. In those areas we have higher incidence of skin cancer than in other areas. So I would like to encourage the people I represent to think very carefully about skin cancer and what they do. I encourage them to take five steps to save their skin: seek shade, wear protective clothing, wear a broad rimmed hat, wear sunglasses and repeatedly reapply your sunscreen.

Debate adjourned.

**BILLS**

**Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012**

**Second Reading**

Mr BANDT (Melbourne) (20:40): I move:

That this bill be now read a second time.

I will speak very briefly. The seconder of this motion, the member for Kennedy, is not on the speaking list. To allow him time to speak I will speak very briefly. I refer
members and those interested in this to my speech when this bill was introduced.

At the moment enterprise migration agreements can have a massive impact on the Australian labour market, yet they are completely unregulated. The immigration minister is in effect able to have a big impact on wages and conditions in this country. The Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012 not only will ensure greater transparency but will put the government to the obligation of applying a simple test. Before an enterprise migration agreement can be signed it will have to be shown that the employer has advertised the job locally and it has not been able to be filled. That is a very simple test and one that I think most people in this country would agree with as a sensible precondition before we seek workers from offshore.

Mr KATTER (Kennedy) (20:41): I have pleasure in seconding the motion on the second reading of the Protecting Local Jobs (Regulating Enterprise Migration Agreements) Bill 2012. In Queensland, I think the sale of the railways damaged the government in such a way that it could never recover. Also, I think the flying in of 1,740 miners from overseas to make Gina Rinehart richer will damage this government in much the same way. They do not stand up to talk politics, having said that—because I am just trying to scare you blokes into doing the right thing. I am afraid that my scare tactics have failed miserably.

According to the paper—I was looking at it just before I came in—the coal seam gas industry is reputed to provide $45 billion to the Australian economy. This is an absolutely colossal amount of money. The people sitting on that side of the House and on this side of the House gave the entire gas industry away to foreigners. Depending on which set of figures you want to use, it was in the range of 83 per cent to 87 per cent, but another seven per cent is being negotiated for sale as we speak. So you are looking at around 90 per cent of the industry being foreign owned.

The $45 billion comes into Australia at Gladstone and at the two liquefaction plants in Western Australia, and there is one proposed for the Northern Territory. There are no wages—it is just in a pipe with a motor pumping the gas without any requirement for labour. Yes, there will be about 4,000 jobs, but what Australia will be getting out of this vast resource is very, very small beer. We have the highest electricity charges in the world. A lot of other countries have reserved the gas so that they can provide cheap electricity. We have the cheapest electricity in the world in Queensland because my mentor, the great Ron Camm, had taken one-tenth of Utah’s coal, and taken it for free, and fired up the Gladstone power station, which was one of the biggest in the world at the time.

Charlie McDonald, the first member for Kennedy—you will see his wonderful painting as you walk out of here—was one of the founders of the labour movement in Australia. His first seven speeches in this place were about shipped-in foreign workers. The founding principles of the Labor Party were that we had fought and literally died. Three people were shot dead at Dagwood Station—Waltzing Matilda—in the sit-in that occurred there. They were bringing these people in from overseas to undermine our pay and conditions that we had fought so hard for. It is eternally shameful to be associated with the current government in Australia, which has been the government responsible not only for the fly-ins but also the section 457s. Opposition spokesman Mr Bourke criticised the Liberal Party about it. They brought in many more section 457s than anyone else. In many towns, like
Mackay, Mount Isa and even my own town, Cloncurry, it is becoming ‘Spot the Australian’, because they are all foreign fly-in workers. If they are working for Australian pay and conditions then I am a Martian astronaut! And all of this is to make Mrs Rinehart rich. You must really be very committed to looking after the billionaires of Australia when you have given all the gas resources away to foreigners. (Time expired)

Mr STEPHEN JONES (Throsby) (20:45): I welcome the debate and am enjoying the debate. It is at times confused. We have spent as much time on coal-seam gas as we did on EMAs. But it is always entertaining. What I find interesting about the proposition is that it has been brought before the House by the member of Melbourne—in goodwill—to restrict migration into this country of skilled workers needed in areas of workforce shortage. It follows hot on the heels of attempts by the member for Melbourne and others in his party to have effectively an uncapped refugee program in this country. We have a confused migration debate surrounding this particular issue.

I want to say a couple of things about the issue. I come from the electorate of Throsby in Illawarra, New South Wales; in my electorate one in four workers comes from somewhere else. If you walk down the main street of any suburb in my electorate on any day, you could hear Macedonian, Italian, Greek, Scottish, Irish and English accents, and that is before you get to the corner. They have all come to Australia in search of work and a better life. We are not unfamiliar with people coming to Australia, bringing their skills, their hopes and their wishes to this country, looking for a better life and opportunities in our workforce. There is nothing new about us bringing new migrant workers into this country.

It is equally true that there is deep unease within the community surrounding 457 visas and enterprise migration agreements. If you drill into the heart of the concerns about these two issues, it gets down to one simple proposition, which is that if we have both unemployment and job opportunities in this country then the job opportunities should be going to the people who are unemployed ahead of us bringing people in from other places.

Mr Katter: There are 200,000 in Queensland and 80,000 in WA.

Mr STEPHEN JONES: You have had your opportunity, Bob, and it was very entertaining. It was not on point, but it was very entertaining. The objective is to give Australians the first crack at a job, whether it is in the resource sector or anywhere else. That is a proposition that I wholeheartedly support.

The problem with the proposition is that it is misconceived on one particular point, which I will go to. It says that EMAs should not be used unless a job is advertised. The problem with that is that in most instances the job will not exist at the time that the enterprise migration agreement is struck, because an enterprise migration agreement is an agreement which is struck before a project actually starts. It is struck because a lot of these resource projects are getting up and going in remote parts of Australia where there is not a labour force. The history with many of these companies is that they find it very difficult to attract workers to those places. However, they have to attract finance for the project and they have to get their bankers all lined up and their planning all lined up. The one variable that they cannot get lined up in advance is their labour force. So the enterprise migration agreement is the one piece of the puzzle that can enable the project to get up and running. It is not a
blank piece of paper, because all the enterprise migration agreements will have a set of conditions that say you cannot bring somebody in on a 457 visa unless you have met those conditions. One of those conditions is that there is nobody available to employ within Australia. I know from my experience that there have been circumstances where local workers have been overlooked in favour of other people, because I have had these people come into my office and talk to me about it. The problem is not with the enterprise migration agreement; it is with the compliance and the policing of the conditions within that agreement.

I would say that this bill is misconceived. It has a noble purpose. The noble purpose is to ensure that Australian workers are at the front of the queue, but I suggest that there may be better ways of achieving that than the legislation that is currently before the House.

Mr MORRISON (Cook) (20:50): We like to speak romantically about the Snowy Mountains Hydro Scheme, the post-war migration labour force that built it and the testament it is to the successful immigration program. But I wonder when I listen to what those in the Labor Party and the trade union movement say about skilled and semi-skilled migration whether these are just stories they like to tell and whether they actually believe the sentiments behind them.

More than 100,000 people, from over thirty countries, came to the mountains to work on that project. Those workers were Australian-born, German, Greek, Irish, Italian, Norwegian, British, Polish and Yugoslav. Up to 7,300 workers provided their labour at any one time. Seventy per cent of all workers were migrants and most migrant workers on the scheme arrived under assisted migration schemes. The project cost $820 million to complete at the time and, if repeated today, it would be worth $8 billion to the Australian economy.

In my home town of Sydney, migrants also came to work on another major feat of engineering, the Warragamba Dam—a project that took 20 years to build and at times involved more than 1,800 people working across three shifts, seven days a week, to get the job done. The workers were drawn from more than 25 different nationalities. The labour was very difficult and dangerous and 14 men lost their lives in the course of the dam's construction.

A project such as the Snowy, which had an economic contribution of $8 billion in today's terms, makes me think about the Roy Hill Mine project. This project is worth $9.5 billion to Australia, will employ more than 6,000 Australians and requires a maximum of 1,700 foreign skilled workers. Under the agreement, the company will provide up to 2,000 training places for Australians, including 230 apprentices and trainees and preparing 110 indigenous Australians for work in construction. English-language requirements are consistent with what is required under the 457 program, which commenced under the Howard government. The arrangements would be reviewed every six to 12 months, and employers would be bound by migration law to provide overseas workers with the same terms and conditions of employment as Australian project employees. This was all carefully engineered to protect Australian workers and act as a disincentive to the exploitation of foreign labour. If backed up and competently implemented—a big ask for this government—enterprise migration agreements do represent good policy. The government often complains about the lack of support from coalition for their policy measures. We have always said that when you come up with a good policy, we will support. Well guess what? They did.
Amazing, I know, but they have come up with a good policy with enterprise migration agreements and we support them.

The government also seeks this bipartisan support, but on the day of the Prime Minister's announcement of the Roy Hill EMA the Prime Minister amazingly claimed to be furious, caved into union pressure and hung her then immigration minister out to dry, casting doubt over the arrangement and the policy. With the departure of that minister, its one remaining champion being the minister for resources, this enterprise migration agreement will be an orphan. We are into another year—this was announced in May—and the agreement and deed has still not been signed. I suppose it is some comfort for the Greens to know that the incompetence of this government will ensure that this EMA will never be signed, it will never happen and they will have nothing to worry about from their perspective. But this creates a real issue in terms of this government's sincerity when they talk about a skilled migration program. When they go out there and talk to investors, they say one thing and announce grand schemes and policies only to never be able to follow through. It now rests with the new Minister for Immigration and Citizenship, from clan O'Connor of the CFMEU clan, who will be there and in a position to oversee whether this arrangement is finalised. I am not going to hold my breath. I do not think the investors will and I do not think the project proponents will, because this policy is withering on the vine and I have no doubt that it will wither with this new union dominated minister.

The bill as intentioned simply tries to add further regulation and further regulatory burden to an already overcomplicated arrangement. The coalition wants to take the regulatory burden off the back of business in this country, not continue to stifle it as this government has done with thousands upon thousands of new regulations bundled onto the back of business in this country and stifling innovation. If you want to know why productivity has fallen off, it is because this government has killed innovation through overregulation. The one key commitment, above all others that the coalition has given to restore productivity, is to attack over regulation. That is why we will not be supporting this bill. We will not be supporting this bill and the government will join us in opposing this bill, but I guarantee you that this government will never sign an EMA.

Dr LEIGH (Fraser) (20:55): The former New Zealand politician and head of the World Trade Organisation Michael Moore once had a terrific analogy to describe those who would argue for more foreign aid but also argue for less trade and less migration. He said that attitude was the like the attitude of someone who puts money in the collection plate on Sundays but then behaves badly to the disadvantaged for the rest of the week. It is with the same concern that I rise to speak on this bill today. The attitude that says that we ought to increase our foreign aid, that we ought to increase our refugee intake, but that when workers in our region want to come to Australia to improve their skills and send some remittances back we ought to slam the door in their faces. That is not an attitude that is consistent with the values that I hold dear.

The member for Kennedy was right about one thing in his speech. He said that the old Labor Party would have supported this, and there is an episode of my party's history of which I am not particularly proud. In its early founding in the beginning part of the 20th century it was the party of white Australia and the party that railed against Kanakas. That Labor Party perhaps would have supported this motion, but that Labor
Party is gone. Members in this place who said that 'two Wongs don't make a white' have been replaced by members such as Minister Wong, of whom I am greatly proud. Ours is now a party of markets and multiculturalism, a party that recognises that if you do not bring in 1,700 workers to work on a resource project then 6,000 Australian jobs are gone. EMAs are fundamentally about improving the access to megaprojects for Australians. Workers can only come in under EMAs if they are essential to the project. There are key training requirements and this bill would render those EMAs unworkable. Where it does not contain statements of motherhood and statements that are consistent with what occurs already, it requires the tabling in parliament of commercially sensitive information that would then become publicly available. That would cause no company to go ahead with an EMA. As a result, we would have fewer Australian jobs and fewer overseas workers.

Those overseas workers benefit us and they benefit themselves. My colleague Senator Cameron came to Australia through a migration scheme, part of a great post-war migration, and has greatly enriched Australia. But those skills also benefit people in developing countries when they return. Work by Michael Clemens, Claudio Montenegro and Lant Pritchett have estimated that a Haitian who moves to the United States is six times as productive as that very same person was in Haiti. They learn new skills, send money back and often return to their countries to set up businesses.

If you are in favour of reducing global poverty, you should be in favour of EMAs. If you are in favour of boosting Australian jobs, you should be in favour of EMAs. This is a massive boom. We have seen commodity prices go up tenfold. House prices in Moranbah, Queensland, for example, have risen just in one year from $459,000 to $730,000. We have hundreds of Australians flying in and flying out every week, some of them even from Bali. This is a boom the likes of which we have not seen since the gold rushes. Yes, it is placing stresses on the Australian economy, but the right way to respond to those stresses is to make sure that we do not close ourselves off to the world, that we do not make the mistakes that past generations made under White Australia, that we have EMAs with training requirements and that require employers to test the labour market but recognise that guest workers can sometimes make the difference between a project succeeding and a project falling over. Opposition to EMAs can mean that projects will fall over. If you do not want the 1,700 overseas workers, you will not get the 6,000 Aussie jobs and, furthermore, you will not get the development that goes with EMAs.

Debate adjourned.

PRIVATE MEMBERS' BUSINESS

Tobacco

Mr NEUMANN (Blair) (21:01): I move:

That this House:

(1) recognises that:

(a) tobacco is still the single most preventable cause of death and disease in Australia;

(b) there was over 19,000 tobacco related deaths in 2012 in Australia; and

(c) the social cost of smoking is as high as $31 billion a year in Australia;

(2) notes that mandatory plain packaging of tobacco took effect in Australia on 1 December 2012; and

(3) calls on all Members, Senators, candidates and political parties to stop accepting donations from tobacco companies.

In a cruel twist of irony, the Marlboro Man died of lung cancer. Actually, it has been reported that three of the actors who appeared in one of the most successful
advertising campaigns of all time have died from cancer. One of those actors was Wayne McLaren. He contracted lung cancer in the early 1990s. He had been a smoker for 25 years and died at the age of 51 in 1992. The Philip Morris company initially tried to deny that McLaren had appeared in the ads but later admitted he had. McLaren spent his last few years testifying in favour of antismoking legislation and trying to convince Philip Morris to limit tobacco advertising. It is said that some of his last words were: 'Take care of the children. Tobacco will kill you and I'm living proof of it.'

Tobacco smoking is the largest preventable cause of disease and death in this nation. Lung cancer is the leading cancer related cause of death, and tobacco smoking is by far the leading cause of lung cancer. Each year, over 500 people die from lung cancer in Brisbane alone, in my home state of Queensland. The incidence of lung cancer in Queensland women has increased 2.3 per cent, while the incidence in men has dropped by 1.6 per cent, according to Cancer Council Queensland. Smoking harms men and women. Women who smoke tobacco are more likely to develop cervical cancer and have a higher risk of having stillborn and low-birth-weight babies. They risk reduced fertility and complications during pregnancy and childbirth. It is disturbing that 32,000 Queensland schoolchildren aged 12 to 17 are smoking weekly. There is significant research that links tobacco smoking with social disadvantage in Australia. Quit Victoria reports that there are now over 19,000 tobacco related deaths each year.

It is imperative that we do all that we can to reduce the incidence of tobacco smoking. Australia is considered a mature market, meaning that tobacco use is in decline. South-East Asia is now big tobacco's largest market, with six million new smokers recruited in 2009 and another 30 million expected to be added by 2014. The World Health Organization calculates that, of the six million people who will die from tobacco use each year, 80 per cent will be in the developing world. Big Tobacco is determined to get young people in developing countries hooked, and their exploitation is a tragedy.

This federal Labor government is renowned through the world for its stance against Big Tobacco. I commend the former Attorney-General and Minister for Health and Ageing, the member for Gellibrand, for her courage in taking on and tackling tobacco smoking. Thanks to legislation passed in the House, Australia now has the toughest and most comprehensive antismoking measures in the world. Plain packaging laws have come into effect, and there are many other things that we have done, including listing nicotine patches on the Pharmaceutical Benefits Scheme to reduce the price of those patches, producing rounds of antismoking ads and the like.

Sadly, still 15 per cent of Australians are daily smokers—compared with about 50 per cent after the Second World War. The social cost, according to the Cancer Council, is $31 billion. Locally, I congratulate the Ipswich City Council for its stance against smoking, banning it from pedestrian malls such as the Nicholas Street Mall and D'Arcy Doyle Place in the CBD.

All of this is why the Labor Party refuses to accept donations from tobacco companies, and has for years. The Liberal and National parties have long been friends of the tobacco industry. In the 2011 financial year, the coalition accepted almost $263,000 from Big Tobacco—Philip Morris and British American Tobacco. Since 2004, Big Tobacco has donated almost $2 million to the Liberal and National parties. On top of that, in the 2011 financial year Imperial Tobacco and Philip Morris invested $4.74
million in political advertising against the federal Labor government's plain packaging of tobacco products initiative.

The former Howard government health minister and current Leader of the Opposition infamously said on the ABC's AM program in 2009:

... I personally would not get hung up on something, in my view, as trivial as smoking while the kids are in the car.

And former Liberal senator Nick Minchin infamously said on Q&A in 2010 that smokers die early and actually save us money. How Orwellian. The influence of Big Tobacco is all too pervasive, and there is a list of former Liberal Party identities, like Graham Morris, Tony Barry, Nick Greiner and Chris Argent, all working for Big Tobacco. It is time for all of us—parties, individuals and MPs—to cut ties to Big Tobacco. It is time for the Leader of the Opposition, Mr Abbott, to kick the habit and say no to tobacco donations.

The DEPUTY SPEAKER (Mr Murphy): Is the motion seconded?

Mr Perrett: I second the motion and reserve the right to speak.

Mr McCormack (Riverina) (21:07): In Australia, smoking is the largest single cause of death and disease, with about 290 people dying from a smoking related illness every week and a total of 15,500 people dying every year. Smoking rates have significantly declined over the years, but there are still 16.4 per cent of Australian males aged 14 and over, and 13.9 per cent of females aged 14 and over smoking in Australia. They are terrible statistics. These numbers are still much higher than we would like to see, yet when we consider that 72 per cent of men were smoking in 1945 and 33 per cent of women were smoking in 1976 we have can see how low the numbers have dropped. The drop in numbers has occurred as a result of sustained federal, state and territory government education campaigns and tobacco control strategies, including tobacco taxes and advertising restrictions.

Amongst men, the highest rates of daily smoking are those aged 30 to 39 and 40 to 49, and for women, amongst those aged 40 to 49. Many of these smokers will have been smoking for at least 20 years of their life—20 years of doing damage to their bodies and also damage to the bodies of those affected by their second-hand passive smoke.

Quitting smoking at any age will have health benefits, and obviously the earlier you stop the better. Quitline details the benefits of quitting which can start to occur as early as only 12 hours after quitting when almost all the nicotine is out of your body. After 24 hours the carbon monoxide, a highly toxic gas, has dramatically decreased in a smoker's bloodstream and oxygen has increased. After a year of not smoking, a person will have halved the risk of dying from heart disease of that of a continuing smoker, and after a decade the risk of lung cancer is less than half of a continuing smoker and continues to decline. Despite these benefits many people continue to smoke. Why? Why do they do this? Perhaps because quitting smoking is one of the most difficult things a person can do.

The United States Surgeon General, Regina Benjamin, has stated that tobacco products are as addictive as heroin. Given 80 per cent of smokers have tried to quit but failed, the strength of the dependence on smoking is clear. I can honestly say I have never put a smoke to my lips. The fact that I am out of breath is due to the fact that I have run all the way from the Senate to get here because it is such an important issue and I wanted to have my words recorded on this. The Royal Australian College of General Practitioners identifies smoking as the
behavioural risk factor responsible for the highest level of preventable and premature death in Australia, even though the smoking rate continues to fall. The college recognises that, if a general practitioner can stop two potential lifelong smokers, they have saved a life. There is no other intervention for a common problem which is this effective.

 Whilst someone who is already smoking is likely to continue to do so, we do not really understand why people choose to take up smoking in the first place. There are multitudes of educational campaigns available, yet studies show that many people remain unaware of the extent of the impact of smoking on the body. They know smoking is bad, just not how bad. This is particularly concerning amongst young people. Schools run educational programs, messages are promoted through television programs, and even friends tell each other about the dangers and consequences of smoking. It is therefore shocking and highly concerning that a 2011 survey of Australian school students found current smoking rates amongst boys aged 12 to 17 to be seven per cent and amongst girls in the same aged bracket to be 6.3 per cent. Why do children so young want to smoke, and where are they getting access to tobacco products?

 In my electorate of Riverina, the TAFE NSW Riverina Institute became a smoke-free workplace on 10 April last year. This was done to align with community expectations about smoking zones, and the institute also put systems in place to support staff and students who may have used the smoke-free measure as an inspiration to quit. There can be no better means of helping to curb smoking and to stop it being taken up in the first place than with education campaigns. Whilst current campaigns are working, we need to continue to work on finding the reasons why people initially take it up and then choose to continue to do so. Australia has great support networks such as Quitline to assist those who do wish to give up, and it is important we remember it has to be an individual's decision to quit, but we can ensure there are plenty of measures in place to support them during this difficult time.

 My father, Lance, passed away through lung cancer in 2008. I can honestly say that any measures that help save a life from smoking is a measure well worth taking.

 Mr PERRETT (Moreton) (21:12): This is something I do not think I have ever done before, but I commend the member for Riverina for his contribution, and I pass on my kind thoughts to him for his family. In rising to support this motion put forward by the member of the Blair, I think there is a lot of bipartisan support for the motion and the idea that the government needs to recognise that tobacco is still Australia's single most preventative cause of death. At least three million Australians still smoke regularly. Unlike the member for Riverina, I cannot say I have never had a smoke. Thankfully, I did give up back in the seventies when I was still a kid. But, sadly, not before I hooked my older sister, Kerry Shearer, and she still hounds me over that. Out of the nine children who are alive in my family, three of them still smoke. So we are certainly a smoking family. Sadly, smoking kills more than 19,000 Australians every year, and I was horrified to see, when researching this, that it went up from 16,000 in 2003.

 Smoking costs society more than $31 billion a year. If all those Australians who smoke were to stop smoking, that would actually create enough money to almost half-fill the opposition's budget black hole, so it is obviously something that there should be bipartisan support for. We must do more to discourage people from smoking and I appeal to all those that have spoken or will speak—members, senators, candidates and
political parties—to stop accepting donations from tobacco companies. I was horrified to hear some of those figures from the member from Blair of the amount of money that has rolled into the coffers of those opposite over the last few years from tobacco companies. Obviously, the Labor Government today, in 2013, is no friend of tobacco. Already we have increased the excise by 25 per cent to make smoking less affordable.

Honourable members interjecting—

The DEPUTY SPEAKER (Mr Murphy): Order! The member for Moreton will resume his seat. The member for Dawson on a point of order.

Mr Christensen: I rise on a point of order. The National Party does not receive funding from tobacco.

The DEPUTY SPEAKER: The member for Dawson knows that there are other means in which he can make a contribution. The member for Moreton.

Mr Perrett: Thank you, Mr Deputy Speaker. I just confirm that the Liberal-National Party in Queensland receives money from the big tobacco companies. That is the fact. There is opportunity for me to correct the record but that is the actual fact. I was interested to see the member for Dawson rise on that point of order.

The reality is that the Labor government has taken significant steps. We have increased the excise by 25 per cent to make smoking less affordable. We have a great record on tobacco control. We have plain packaging because we introduced the world's first legislation for plain packaging for tobacco products. That was the last front for marketing tobacco products. That legislation was not supported by those opposite. We have also banned internet advertising.

Dr Southcott: That's wrong.

Mr Perrett: Would you like me to show you the tweets that were made by those opposite in terms of not supporting the plain packaging?

Dr Southcott interjecting—

The DEPUTY SPEAKER (Mr Murphy): Order! The member for Boothby will desist from interjecting. The member for Moreton has the call.

Mr Perrett: Sorry, Deputy Speaker, I stand corrected by the member for Boothby on that. The nanny-state postcards that I received were not from the Liberal Party. I should stress that, although the nanny-state campaign was certainly supported by some members opposite. I particularly commend the courage of the former Attorney-General, the member for Gellibrand, Nicola Roxon, for her stance on this.

We put nicotine patches on the PBS, making them more affordable, especially for pensioners and low-income earners. And we have had 111,900 dispensed between February and June, which means lives have been saved because people have stopped smoking. We have the social marketing campaign, under which $85 million was invested in campaigns to encourage Australians to quit smoking. The Quitline investment of $5 million was so that people get the support when they need to get off the darbs.

Obviously, Indigenous communities have been particularly vulnerable to advertising techniques because their smoking rates have increased—particularly for Indigenous women—so we are putting $100 million into Closing the Gap programs across 57 regions in Australia. There has been a record $872 million invested in preventative health programs, including in Tackling Smoking programs through workplaces and councils.

Sadly, the Liberal Party does not have the same view as the Labor Party in terms of
refusing endorsements from large companies including Big Tobacco like British American Tobacco and Phillip Morris. With $2 million since 2004, obviously the head of that organisation, Brian Loughnane, has made the decision to keep on accepting that money. Obviously the Leader of the Opposition has made his decision to keep on accepting that money. (Time expired)

Dr SOUTHCOTT (Boothby) (21:17): I rise to speak on the very important issue of tobacco control in Australia. Currently, smoking is a leading cause of preventable death and disease in Australia. There are approximately 3.3 million Australians who still smoke. Half of all long-term smokers will die prematurely because they smoked. The cost of smoking to the community was $31.5 billion in 2004-05, and it would be of a similar order of magnitude today.

In 2010, 15.1 per cent of people over 14 years old were smoking daily but that has come down considerably from 24.3 per cent 20 years earlier. Australia has much to be proud of in the efforts to reduce the incidence of smoking. We have some of the lowest rates of smoking in the world. However, there is still much more to be done. When you look at what has happened to smoking rates over the last 30 years you find that Australia has seen the largest declines in the rates of smoking. And it is not something that has been occurring all around the world. We have seen drops in smoking rates amongst women in the order of 40 per cent, and that has been matched by some of the Scandinavian countries. But if you look at Europe you find that they have seen increases in female smoking rates over the same time period: five or six per cent in countries like France and Germany, and an incredible 44 per cent in Greece.

Australia has been particularly successful in reducing the smoking rates through a multi-pronged strategy which involves state governments, local governments and the federal government, and addressing all aspects of tobacco control. But there are still significant disparities in the incidence of smoking within certain social demographics. We still see much higher smoking rates amongst lower socio-economic groups. The unemployed, the homeless, the imprisoned, those suffering mental illness and those with drug or alcohol dependencies are much more likely to smoke. Those living in remote areas are more likely to smoke—28.9 per cent compared with 16.8 per cent in the major cities. In 2008 more than 45 per cent of Indigenous Australians over 15 smoked daily.

The coalition has always had a strong track record when it comes to tobacco control, and we will continue to do so. The coalition presided over the biggest decline in smoking rates whilst we were in government. Under the last coalition government the prevalence of smoking declined from 21.8 per cent in 1998 to 16.6 per cent of Australians over the age of 14 by 2007.

It was Robert Menzies who first introduced a voluntary tobacco advertising code for television in 1966. Malcolm Fraser banned tobacco advertising on TV. Dr Michael Wooldridge, in June 1997, announced what at the time was the biggest ever national advertising campaign against smoking. It was the Howard government, and Tony Abbott as health minister, who introduced the graphic health warnings on tobacco products in 2006—something which I think will be very significant in reducing smoking rates. And it was the coalition who first proposed, in opposition, an increase in the tobacco excise in 2009—a measure which was later adopted by the government.

There is bipartisan support to reduce the incidence of smoking to under 10 per cent—
and it can be done. Jurisdictions like California already have a smoking rate below that level. The COAG agreement details how to get to a smoking rate of below 10 per cent and also how to reduce, specifically, the Indigenous smoking rate.

In January this year, the government released the updated National Tobacco Strategy 2012 to 2018. It sets out the framework to help achieve the goal of 10 per cent. The first National Tobacco Strategy was implemented in 2004 under the Howard government. The renewed strategy has nine priority areas, which include increasing mass advertising, reducing the affordability of tobacco and particularly focusing on those populations with a high prevalence of smoking. I think the approach of focusing on all of those nine areas will be the way to get to below 10 per cent.

Reaching the bipartisan target of 10 per cent will require a comprehensive and sustained approach to tobacco control. There is no one solution and we need to continue to look at all of the approaches outlined in the National Tobacco Strategy to reach those 2018 targets.

Ms SAFFIN (Page—Government Whip) (21:22): I am pleased to be able to speak to this motion that the honourable member for Blair has put before the House, because tobacco fundraising is really not something that we should be making money out of or taking money from. I am also pleased that on 23 June 2011 this House endorsed, without dissent, that all political parties should stop accepting donations from big tobacco. This is one of the current debates in public life and an issue that goes to integrity. There are also these debates going on about superannuation funds and other things like that, about where money is invested and where we put our money. Even though that went through the House, I know that the same cannot be said for the coalition because it seems that the long arm of big tobacco reaches into this chamber.

I say this knowing that over the years political parties have taken donations from all sorts of companies, but there comes a time when you draw a line in the sand and you say, 'Enough.' You refuse it, you withdraw from it and you say, 'I will not be taking any money.' It is really time that everybody in this place, including the coalition, took heed of that as an issue of integrity and also took heed of that motion that actually did go through the House.

New figures from the Australian Electoral Commission show that big tobacco has invested at least $7 million to influence Canberra since 2004. One of the things that has been interesting with the whole debate on plain packaging and all of that was the extent that the big tobacco companies went to in trying to influence and lobby people and the way they used the legal system to try to stop that as well. They talked about it in terms of free trade, which was really just a lot of nonsense. It just shows the extent they will go to.

It is not as if we are talking about something that is benign; we are talking about something that kills and we know that it kills. We are not talking about banning it, even though some people say, 'If you are going to do this, you should.' We should not, because there has to be a way that we can deal with it—but it does kill. Even though it is in decline in a lot of areas of Australia, South-East Asia—our region, our neighbours—is now big tobacco's biggest market, with six million new smokers recruited in 2009 and another 30 million expected to be added by 2014. The World Health Organization calculates that, of the six million people who will die from tobacco use each year, 80 per cent of them will be in
the developing world. So, really, it is an industry that has no moral compass at all. There is no responsibility taken for the lives that it affects.

When I was said 'all of us in this place, including the coalition', I did mean the Liberals but also the National Party. When I look at the list of donations that go to the political parties, I see that they go to the National Party as well. I think I have heard people say here that it does not, but it actually does. It is something that should be stopped.

Dr Southcott interjecting—

Ms SAFFIN: Look, the Australian Electoral Commission website—

The DEPUTY SPEAKER (Mr Murphy): Order! The member will be heard in silence.

Ms SAFFIN: The people on the other side can throw out whatever they like, but the fact is that it is the people I am talking about on the other side who take the donations. You can do something about it. Shame on you as a doctor as well, because you know better.

In addition, what I would like to say in conclusion is that 15,000 Australians die from smoking related diseases every year. That is more than the people who are employed by big tobacco in this country, and big tobacco says that the new laws will cost the industry jobs. What about the industry and smoking costing lives?

Mr LAMING (Bowman) (21:27): This is a most serious motion that should have been brought to this place by serious members of this parliament, but in effect what we have is a juvenile attempt—presumably by this Prime Minister—to belittle the issue of smoking and take the most innocent and ill-informed government MPs from Queensland, and a wannabe Queensland MP from the government's side as well, to prosecute this ridiculous debate about donations.

Ms KING: Speaker, I rise on a point of order. The member has just impugned another member and I ask you to call him to order, please.

The SPEAKER: The member for Bowman should address the motion. If he is going to treat this motion seriously, perhaps he could refer to it.

Mr LAMING: What we have here is a juvenile approach to a very serious issue. One in five Aboriginal Australians die of a smoking related illness. These three have presumably been sent down into this great chamber with speaking notes from the Prime Minister's office; you can almost hear the advisers giggling away in the Prime Minister's office, saying, 'Yes, go on, make a political point out of smoking.' What a disgrace! We know how serious this is. There has been bipartisan support about this and all you can make is a juvenile point, direct from your own leader's office.

If you were serious about smoking and the 49 per cent of remote Aboriginal Australians who are desperately trying to kick the habit, you would be more worried about what our Indigenous coordinator is doing, you would be more interested in the investment that is going on in small communities right across this nation to kick smoking and you would take the lead from my previous coalition speaker, who gave a dispassionate, well-informed and completely sober analysis of smoking—which we have not had from the government's side. This is one of these 9.25 pm giggles that is not even worthy of being brought into this chamber. There is no mention of the money from alcohol outlets that the other side of the chamber relies on and there is no mention of the gambling money that festoons itself in the ACT through the Workers Club and the
Tradesmen’s Club which keeps your entire campaign in the ACT afloat.

**The Speaker:** I don't think it keeps my campaign afloat. The use of the word 'you' is not appreciated.

**Mr Laming:** There is the fact that so much more money is taken on the areas of gambling, but of course there is no mention of the great social harm that makes: quite prepared to be holier than thou after a 2004 decision but not willing to pay back any of the money the Labor Party took from smoking companies prior to that; just quite happy to make a cheap political point ever since. This is a serious matter, probably the greatest health challenge facing this nation. We had half an hour in this chamber to address this in a sober way, and that is something that has not happened from this government.

Debate interrupted.

**Adjournment**

**The Speaker** (21:30): Order! I propose the question:

That the House do now adjourn.

**Gilmore Electorate: Parkinson’s Nurses**

**Mrs Gash (Gilmore)** (21:30): Marilia Pereira is Australia’s first neurological nurse educator. Marilia was appointed by Parkinson's Australia following a federal funding grant to support the position for two years. The position was located in Nowra and evolved from an initiative of the Parliamentary Friends of Parkinson’s group, of which I was chair when in government. I was first introduced to Parkinson's through Rod Irwin, a former diplomat, who was living in Moss Vale when that was in Gilmore. Rod has since passed away, but I will be forever grateful for his guidance on the matter. The group is a bipartisan group with members from across the political spectrum unified by their concern towards sufferers of this insidious and endemic disease.

According to Deloitte Access Economics, it is conservatively estimated that in 2011 over 64,000 Australians were living with Parkinson’s; 52 per cent were male and 48 per cent were female. This equates to 283 per 100,000 of the total Australian population, or 857 per 100,000 among the over 50s. I hasten to add that at any time there are many more who are yet to be diagnosed and remain unaware that they have the disease. Based on these estimates alone, approximately one in every 350 people in Australia lives with Parkinson’s. Over 80 per cent of sufferers are aged over 65 years. Given Gilmore’s above-average demographic in this age group, this was one of the reasons the pilot program was established there. Not only is that figure growing, but victims of the disease are increasingly younger. In 2011 across Australia, nearly 30 new diagnoses of Parkinson’s were made every day—30 a day; imagine that. During my period with the Parliamentary Friends of Parkinson’s, one sufferer I met was diagnosed when she was 21.

Ms Pereira’s appointment and subsequent service to Parkinson’s patients has been exceptional. Measured by the sentiments of her many clients, the appointment has been an outstanding success. However, this may came to a sudden halt with the expiry of a two-year trial period. Many of Ms Pereira’s clients are fearful that the funding will dry up without continued government support. So concerned are they that they went to the local press to voice their concerns. Jenny Girdlestone was first diagnosed with Parkinson’s in 2007. I spoke to David, her husband and carer. In his family alone, who all live in the Shoalhaven, five near-relatives have the disease. I will just quote from our
local newspaper, the *South Coast Register*, who ran their story:

… she and her husband David have been through some heartbreaking experiences together, as her body and mind is slowly taken over by the insidious disease.

David Girdlestone believed Jenny was a classic example of how the neurological nurse program staffed by Marilia Pereira could save the state money and sufferers and carers heartache.

In the early stages, before the program was established in the Shoalhaven the couple spent many nights in casualty at Shoalhaven Hospital.

“My wife was clinically depressed,” Mr Girdlestone said.

“Depression is part of Parkinson's, so Jen was in and out of the emergency department with panic attacks for quite a while.

“We were in and out of the emergency ward because we didn't know what was happening to her.

“That was the worst period for both of us, it was really hard,” he said.

Mrs Girdlestone said she didn't believe she would be alive today if not for Marilia.

“I have days when I say I've had enough, that I don't want to go on living like this,” she said.

“It is vital that this service continues.”

This is just an example. The *South Coast Register* story included many other names, and the article in December produced a follow-up piece in January. The thread remains consistent. The Parkinson's nurse is a vital, productive and successful initiative. If a case ever has to be made for continuity of funding, surely this is it. But Parkinson's Australia, to their credit, are not resting on their hands, waiting for benevolence. No, they are actively pursuing voluntary donations to keep this important service going. Such is their need.

I urge the government, in the most emphatic of terms, to show compassion and understanding and to resolve to maintain funding. The statistics show that demand will only increase, not decrease. It may not get better, but at least for those who are blighted by the disease—the carers and families—life can be made just that little bit easier.

I would also like to acknowledge Bendigo Bank's many years of support towards Parkinson's. The Milton and Sussex Inlet branches pay for the upkeep of the nurse's car, allowing her to continue her good work. I hope the government soon sees fit to do the same.

The Prime Minister recently spent $66,000 of taxpayers' funds to upgrade her personal hot water system at the Lodge, which was not even solar. My point is that $66,000 is enough to fund our regional Parkinson's nurse for more than six months. The wellbeing of the hundreds of Parkinson's sufferers in Gilmore, in my mind, should not be negotiable. I urge the government to renew this funding.

I would also like to acknowledge Parkinson's Shakers groups in our electorate. The work they do by simply meeting and communicating is providing much-needed stimulation. It is about each other and about discussing new drugs that are available. *(Time expired)*

**Blair Electorate: River 94.9 FM**

Mr NEUMANN (Blair) (21:35): It has been a tough period for many of our residents, farmers and businesses within the Ipswich and Somerset regions as we have come to grips with the repeated devastation caused by flooding in 2011 and 2013. Tonight I wish to give praise to our local commercial radio station, River 94.9 FM, for its commitment to Ipswich and Somerset region communities and those beyond during these stressful events. We are very lucky to have a unique broadcasting philosophy of community commitment by River 94.9.

Historically, Ipswich has been the centre of broadcasting excellence. In 1935, 4IP was
granted a commercial licence to serve the then town, and in the mid 1960s it became Colour Radio 4IP, which excited listeners with its progressive programming and community involvement. In 1974 it became the community voice during the terrible flooding that covered much of Ipswich, Brisbane and surrounds and shortly after became the No. 1 radio station in South-East Queensland. Sadly, 4IP relocated its studios to Brisbane and moved its transmitter out of Ipswich, effectively leaving our local community without a radio station until 1990, when a group of local businesspeople applied for and received an FM commercial radio licence for the Ipswich, Lockyer, Somerset and Scenic Rim areas. It was opened as QFM by the then Governor-General, Bill Hayden—who, incidentally, remains a resident of Blair. The radio station, under various owners and management, had mixed fortunes for some 20 years against competition from Brisbane, the Gold Coast and Toowoomba radio stations.

In 2000, Star FM, as it was then known, underwent another name change, to River. It changed its broadcasting frequency and transmission facilities to become River 94.9. This led to River 94.9 having a clear signal across our entire area—in Logan and Lockyer, into Toowoomba, up north into the Somerset and across a big portion of Brisbane's south and south-west, including Ipswich.

Today we are very fortunate to have a private ownership of that radio station which gives us live delivery of programs, a local voice and a caring for the community like no other. Given the vastness of Queensland and the remoteness and isolation of some areas, reliance on radio as a form of communication has always been vital. It is these regional commercial radio stations that work to reflect local interests and create close relationships with local newspapers and television channels.

Radio, particularly in regional areas, remains a vital source of information and entertainment for Queenslanders. River 94.9 is owned by Grant Broadcasters—the Cameron family, who own a considerable number of commercial radio stations across Australia. Their commitment to localism at all of their stations is to be commended and in relation to River 94.9 the staff worked live through both weather events in 2011 and 2013 to get out vital information to assist flood-affected communities. In addition, with limited staff they kept their emergency website and Facebook communications on the go, adding to their reputation of the radio station as the place to go to when things get tough. Some 78,000 people visited the River 94.9 website at the height of the recent disasters, and a further 37,170 people involved themselves on the River 94.9 Facebook page and then shared the information they found with 442,592 of their friends.

In 2011, I recall people huddling around radios at the Ipswich evacuation centre, not watching commercial television but listening to River 94.9 for local news and information about towns, rivers and creeks, flood levels and flood damages, warnings and warm stories about human empathy and decency. River 94.9 staff, cut off from their homes, slept at the station and worked around the clock disseminating much-needed news, personal cries for assistance and offers for help. In 2013, River 94.9 repeated the effort.

I pay tribute to a number of people particularly on behalf of the people of Blair: my friend David Greenwood, General Manager of River 94.9; Keith Evan, an engineer who worked around the clock in 2011 in most hazardous conditions and in recent events as well; David Greensmith,
breakfast presenter; Aaron Stevens, program director; Daniel Thomas, music director; Tania Scherf, journalist and news presenter; Graham Snow—commonly known as 'Snowy' to everyone—journalist and news presenter; and my friend Ashleigh Mac, afternoon presenter.

On behalf of the people of Blair I thank them for the work they have done. I thank the whole of the staff particularly. River 94.9, over recent years, has showed tremendous loyalty to our community. To the credit of River 94.9 it commands the majority of the demographic across south-east Queensland outside Brisbane. I thank them for what they have done each and every day during the recent floods. (Time expired)

Northern Australia

Mr ROBB (Goldstein) (21:40): Australians are desperate for a sense of direction about the things that really matter to the future of our economy in our country. They want leaders who have the futures of our children in mind, who have the ability to sensibly invest in long-term national growth and who have the courage to consider new ideas. They want leaders who can deal with the present, while planning and building for the future. Free speech and debate is at the heart of such policy making and good government. Yet, last week we saw the bizarre spectacle of federal Labor ministers falling over one another to shut down debate on the coalition's early draft discussion paper, 'Developing Northern Australia—a 2030 vision'. The parade of 11 Labor ministers giving highly denigrating and dismissive statements by 10 am in response to a leaked part of a draft discussion paper, a paper that most of them could never have read or seen, was both embarrassing for the government and a very bad sign of things to come in this soap opera election campaign.

It was regrettable that an early rather than a later draft of the federal opposition's plans to populate, invest in and develop Northern Australia, found its way into the press. Nevertheless, the public's response has been very positive. A Daily Telegraph poll posted with the story showed 62 per cent support from 5,500 voters, and encouraging media reports and editorials followed across the country and continue through to today. Debate and consideration of initiatives that could deliver a northern food bowl, triple mineral exports, see major energy developments, a bigger high-value northern tourism industry and world centres of excellence for tropical medicine and health research together with major education and Defence facilities and a larger population must not be choked off or closed down for crass political purposes.

The government's recent Asian paper clearly suffered from being secretly prepared within the bowels of the bureaucracy and ministerial offices, without the benefit of wide community consultation. No wonder it resulted in a bland document which has sunk like a stone. The minister for trade today could not even spend three minutes mounting any sort of defence. It was embarrassing. What a missed opportunity for leadership.

The Labor government should be concerned that the 200,000-people-strong Cairns area has consistently had the highest level of unemployment in Australia for some years and it remains around 10 per cent today. This is a government that should be governing for all Australia, not just for a few and not just for politically-sensitive areas, but for all Australians.

As the mining boom has shown, growth and development in all parts of Australia feed back into jobs and opportunities in Sydney and in all major capital cities, and
the suggestion that the coalition will in some way take our eye off the rest of Australia by seeking informed feedback about the long-term development of the north, before taking final decisions ahead of the election, is an insult. The coalition is working hard on a wide range of policy initiatives to create jobs across the country, with a high priority on places like Western Sydney, Tasmania, Victoria and other such areas where unemployment is already above six per cent and growing.

A coalition government will be a government for all Australians, addressing not only today's problems but also mapping out a pathway for future national growth, prosperity and stability, and in the process we will not be bullied out of publicly testing new ideas about developing our nation's full growth potential.

Radio Lollipop

Mr RUDD (Griffith) (21:44): I rise this evening to talk about an important but little-known volunteer organisation that is making an enormous difference to the lives of sick kids both on Brisbane's south side and around the country. This organisation is called Radio Lollipop, an in-hospital children's radio station and play service whose aim is to entertain and distract children during their stay in hospital. Given that the experience of being in a hospital is often scary and alien for children, Radio Lollipop gives sick kids and their family's an element of normality during what can sometimes be a very traumatic experience. When I was a kid I spent far too much time in hospital with rheumatic fever and other complaints and I remember how scary that experience was for a four- or five-year-old. These kids may not have a choice but to take their medication; however, they can request their favourite song, win prizes and hear their own voice on the local hospital radio.

Radio Lollipop has been supporting kids around the world since 1979. The first service in Australia was opened in 1985 at the Princess Margaret Hospital for Children in Perth. They now operate 11 services in Australia, including one at the Mater Hospital in South Brisbane. I was fortunate enough to visit Radio Lollipop at the Mater last year and see for myself the tremendous support that this organisation provides to sick kids and their families. It was there that I met Matthew and his mum Loraine. Matthew is a little two-year-old and has spent much of his life in hospital. Every day after school Loraine has to bring Matthew's two sisters, Chloe and Emma, with her to the hospital. Radio Lollipop gives Chloe and Emma a place to play and have fun and gives Loraine some respite and the opportunity to spend quality time with little Matthew. The life of this family is made a little more bearable because of the care and support that Radio Lollipop and the team of volunteers who support it provide.

It is not just the happy faces on kids and their parents that are testament to the value of Radio Lollipop. Various studies have shown that calm kids recover better and require less pain relief medication. After Radio Lollipop's first year of operation at the Mater in Brisbane it was estimated by the hospital that the hospital had saved around $400,000 in un-administered pain relief. Extrapolated over 22 years, the figure comes in at about $10 million. When you think that each station is self-funded and runs on a miniscule budget of around $50,000 per year, you get a real sense of the difference this organisation makes to the lives of those it touches and to the ever constrained budgets of our hospitals.

This service is entirely run by volunteers, who are responsible for developing and participating in fun activities with kids and their families, producing and presenting a
nightly radio program and fundraising for their local station. In recognition for her selfless dedication to Radio Lollipop and the sick kids in Queensland hospitals, one such volunteer, Sandra Ursino, was this year awarded the Medal of the Order of Australia, an OAM. Sandra has been with the organisation in Queensland for 13 years and started out as simply a ward volunteer. She is now Queensland director and totally dedicated to brightening up the lives of sick kids. Upon receiving the Medal of the Order of Australia, Sandra dedicated it to the entire Radio Lollipop volunteer team.

The next three years promises to be a challenging time for Radio Lollipop as they prepare to relocate some of their services and as well as establish a new service in Melbourne. In Queensland, Radio Lollipop are preparing to move into their new Logan and Gold Coast Hospital facilities as well as shift their operations from the Mater Hospital to the new Queensland Children's Hospital, which has been built on Brisbane's south side in my electorate. This will more than double the number of sick kids that the service will reach. In Western Australia they will relocate to the new Fiona Stanley Hospital and the new WA Children's Hospital. On top of this, Radio Lollipop will respond to an invitation to establish a new service at Monash Children's Hospital in Melbourne.

However, to make all this possible, Radio Lollipop need to raise nearly $1 million and, for an organisation that receives zero additional funding above and beyond that which they raise for themselves, this will require a truly Herculean effort. So with this in mind I take this opportunity here in the House of Representatives in the Parliament of Australia to put out a call to everyone in this place and all those who may be listening: Radio Lollipop needs your help so that they can continue to bring this unique brand of care and support and much needed fun to the sick kids of Australia in the hospitals right across the nation.

Public Housing

Mr BANDT (Melbourne) (21:49): It is time to stand up for public housing. Safe and secure housing should be a human right but it is increasingly out of the reach of many people. The Labor government has dropped the ball on housing. In my electorate of Melbourne there are hundreds of people sleeping rough each night, couch surfing or in insecure and crisis housing. Organisations such as Home Ground, with whom I spoke recently, struggle to find safe and affordable accommodation for the people who turn to them for help every day. In a wealthy nation, this is a disgrace.

Public housing is the only housing affordable to many people. Yet tens of thousands of people are on waiting lists and overcrowding is rife. Despite millions of federal dollars going into housing in Australia, there has only been one extra public housing apartment made available in my electorate of Melbourne in the past six years. New social housing has been built, but often at the loss of public housing open space. We have seen public lands sold by state Labor and Liberal Victorian governments, sometimes to create social housing but also to create private and expensive housing.

There are currently more plans afoot for Fitzroy and Richmond. This will result in a loss of green space and it is not clear whether any new public housing will be built on these estates. We do know that in 2009 the federal government gave $175 million to the Victorian government, then Labor and now Liberal, to create new homes in Fitzroy and Richmond. We know that this was intended to introduce a mix of new housing, including affordable private housing. However, apart
from selling public land to build private affordable housing, there is no indication that existing public land will be used to support new and improved public housing. The process is causing confusion and concern for tenants. My colleague Greg Barber MLC has said in the Victorian parliament: ‘As far as I am aware, no-one has ever asked the tenants what they want.’ The Minister for Housing has said in the Victorian parliament:

This master planning process was a stipulation under the funding agreement between the federal government and the Labor government. …the funding agreement also stipulated that … there must be private housing on this estate.

The then state Minister for Housing, Richard Wynne, the member for Richmond, made that funding agreement but is out there now disingenuously saying that he does not agree with it. Tenants are rightly confused and concerned and there is still no new public housing known to be planned for Melbourne. I have met many of the people in Melbourne who are desperately waiting for public housing. One particular man couch-surfs while his pregnant wife and child stay with a generous woman who houses them free of board while the wife helps around the home. This man travels to care for his elderly mother each day. The family has been hoping to be housed in a two- or three-bedroom apartment where they can live and support each other. However, their wait has been long and stressful and as yet unresolved.

My office is currently helping with close to 50 cases of people looking for affordable homes or larger accommodation so that families do not have to squeeze into two-bedroom flats. I have been in regular contact with a family in which six children share three mattresses in a small room. The children have been asked not to come to school when they have displayed signs of scabies. In our wealthy electorate of Melbourne we have a chronic shortage of public housing, and cases of scabies in the housing we do have. Scabies is associated with extreme conditions of poverty and overcrowding. It is disgraceful that members of my electorate sleep rough, suffer from disease and had to wait years—sometimes a decade—for affordable housing.

With the right care, support and resources public housing estates are great communities. With 80 per cent of tenants as recipients of Commonwealth benefits, there is a high need for social support. I would like to take this opportunity to congratulate Mere Paora Epero for becoming Citizen of the Year in the City of Yarra for her work with the tenants of Collingwood Public Housing; a well-deserved tribute. Without safe and secure housing we have poverty. From poverty health costs, welfare expenses and crime are born. Turning public housing land into private housing is a false economy. Safe and secure housing is a human right, and the Labor government should be putting this right above the greed of developers and the price of inner-city land. Over the coming months, I will continue to join with thousands of constituents in Melbourne to save public housing and lobby for federal funds to be devoted to public housing, not the sale of green public land for private housing.

Independent Office of Animal Welfare

Ms PARKE (Fremantle—Parliamentary Secretary For Homelessness and Social Housing and Parliamentary Secretary for Mental Health) (21:54): I want to take this opportunity to speak about the proposed Independent Office of Animal Welfare. Last November, caucus acted on the 2011 National ALP Conference platform commitment to establish this much-needed oversight body and I am pleased to say that work on the model for the office is well
advanced. Australians care about animals, farmers care for their livestock, families care for their pets and people feel passionately about Australian wildlife. There is virtual unanimity regarding the importance of the humane treatment of animals, yet public faith in Australia’s animal welfare system has been undermined in recent years by revelation after revelation of cruelty to livestock, both here and in countries to which we export live animals. In almost every case, the systemic mistreatment has been revealed by animal welfare groups, and the public is right to wonder how these incidents can happen when Australia has good animal welfare laws and prides itself as a world leader in animal welfare.

I believe the answer is relatively simple. The industry self-regulation has often amounted to self-delusion, and unfortunately no existing government department has overarching responsibility for animal welfare as its core role—and that is what is needed. Currently, the federal Department of Agriculture, Fisheries and Forestry, or DAFF, has chief responsibility for animal welfare policy, and most state and territory departments of agriculture and primary industries are responsible for animal welfare legislation. The regulatory regimes for live animal and meat exports are currently administered and enforced by DAFF and include welfare considerations. Other departments at both levels of government are involved to varying degrees in specific animal welfare issues on the basis that these are incidentally relevant to their core areas of responsibility, such as environment and health.

Departments of agriculture, including DAFF, are not widely regarded by the community or animal welfare groups as impartial when it comes to animal welfare. DAFF’s historical role as an agency with a core responsibility for ensuring profitable primary industry means that it is ill-suited to take on the growing role of animal welfare oversight and regulation, especially in relation to livestock. It is inherently conflicted because improvements in animal welfare are often not consonant with increased productivity and profitability, and vice versa. These conflicts of interest skew decision-making in the development processes for the Australian Animal Welfare Standards and Guidelines and the Australian Standards for the Export of Livestock.

Decision-making committees also tend to be dominated by industry and agriculture. A lack of independent animal welfare science is also a major problem. While the Australian animal welfare system strongly advocates the need for policy to be evidenced based and to reflect scientific knowledge, this is currently not often the case. Research topics are prioritised and controlled by livestock industries in partnership with DAFF, even though much of the funding is derived publicly. Commonly, industry bodies dictate whether research findings are published in scientific journals. The results of too many animal welfare studies remain commercial in confidence and not subject to independent peer review and public access.

What is required, and what this Labor government is proud to be developing, is an independent office of animal welfare. As a statutory authority outside the agriculture portfolio, the office will be dedicated to animal welfare policy, science and law, and will be independent of undue influence from competing political and commercial interests. It will be internationally recognised as a centre of excellence in animal welfare. This would be the ideal framework for assessing emerging animal welfare issues in a more objective and consistent manner, and to demonstrate to our trading partners the importance of animal welfare to the
Australian people. For the first time, the Australian government would be able to provide an expert animal welfare opinion free of the conflicts of interest that characterise existing arrangements. The office would take the lead role in managing the development of national animal welfare policy, including the standards and guidelines, and facilitating harmonised legal outcomes by the states and territories. The office would not administer or enforce animal welfare legislation—currently, the responsibility of states and territories—due to the political, constitutional and budgetary difficulties this would involve. However, it would oversee the live export system since this is a specific responsibility of the Commonwealth.

A significant proportion of the resources and funding for the office would be sourced from existing government structures. The functions proposed for the office do not represent a significant increase to those already provided for, and there would be considerable cost savings by the rationalisation of existing animal welfare committees and processes. This is a real opportunity for Australia to manage animal welfare in a better, fairer and more cost-effective way and I believe this reform will be warmly welcomed by the Australian community. I would like to acknowledge Mr Jed Goodfellow and Dr Jenny Hood for their assistance with the proposed model.

Cybersafety

Ms MARINO (Forrest—Opposition Whip) (21:59): The world has totally changed with access to the internet. There are those who now live almost exclusively in a cyberworld. There is probably no greater threat to the safety of our citizens—especially our young people—than the misuse of this great resource. The internet can be our greatest asset but also our greatest risk factor. That is why cybersafety is such an important issue. We need an Australian population that is cybersavvy, much more aware and alert than we are now. We are constantly playing catch-up as cybercriminals become more and more sophisticated. As the internet expands and develops, with faster speeds and greater reach, the threat grows. This is why we need to educate Australians on how to protect themselves and their families.

The West Australian newspaper today said that 'according to Telstra, Aussie kids aged between 10 and 17 are online for an average of two hours a day—amongst the highest internet usage rates in the world'. Do we know whether this is two hours of safety, enjoyment and learning, or two hours a day of risk?

This is a national problem that in my opinion needs a national coordinated solution. Everything I have seen and done on this issue tells me that education is really the key. That is why I believe that cyber safety should be and must be made a part of the national curriculum. Young Australians need the skills to protect themselves; it needs to be part of what they learn. In the United Kingdom online safety is a compulsory part of the national curriculum for children aged five and upwards.

It is not okay when a child suffers abuse because they did not know how to protect themselves from an online sexual predator, who was pretending to be another 13-year-old girl. It is not okay that a teenager takes their own life because they do not know how to protect themselves from the cyber bullying that is so rife.

I believe that cyber safety needs to be part of a national curriculum so that current and future generations of Australians will know how better to protect themselves online. They certainly need online safety knowledge
and skills to be part of their learning environment. I understand very well the challenges that this presents in relation to the National Curriculum. But I have delivered cyber safety presentations in schools right across my electorate for the past three years. I recognise the risk and the threat to our young people and I want them to be better able to protect themselves and their families in their online activities. These sessions have often involved federal and state police officers, and I would like to take this opportunity to thank the Australian Federal Police and Western Australian Police for their support. Their contribution has been outstanding. They have assisted me in educating great young people. I have provided sessions not only for primary and secondary students but also sessions tailored to parents and the broader community. This is how I know that there is a need, and what a great part of the answer is. This year I have been asked to provide sessions from preschool through to year 12.

But it is the information the younger primary school children give me in these sessions that worries me the most. It is very clear that the threat is real and constant. The bullying they can be subject to can be 24 hours a day, seven days a week. It is often the quiet and vulnerable who are the victims. Equally, it can be those who are popular, or it can be the talented sports person or the academic.

The number of online friends on social websites for eight- to 10-year-olds I meet I find to be extraordinary. They certainly do not know the majority of these friends in person. For them, issues such as sexting and the risks associated with geo-tagging are ones they face on a daily basis—and, as I said, it can be 24 hours a day, seven days a week. Also, there are continuous changes to the applications they have access to, so the risk changes constantly.

I want our great young people to have the skills to manage online risks. This is their world and they probably will be involved in the cyber world for most of their lives. They are also part of the answer, because they are the ones who will help to educate other generations, older generations, who were not brought up with this technology.

I believe that education is a major part of the answer. That is why I feel so strongly about this issue. (Time expired)

**Bass Electorate: Australia Day Awards**

Mr LYONS (Bass) (22:04): For many Australians, Australia Day is an opportunity to relax with family and friends and enjoy what this great nation has to offer. However, it also gives us the opportunity to acknowledge special individuals whose passion, commitment and hard work in the community deserve recognition.

As the member for Bass I am privileged to attend many of the Australia Day awards ceremonies held by local councils in my electorate. I would like to congratulate some of the individuals from Bass whose ongoing commitment and service to community was recognised with Australia Day awards this year.

On January 26, I had the pleasure of attending the Australia Day Breakfast, hosted by the George Town City Council. The George Town Council Australia Day Awards recognised the hard work and dedicated service to the community by many local people. In particular, I would like to congratulate the following award recipients. Citizen of the Year was Mr Roger Millar, for his many years of voluntary service to the Hillwood community. Young Citizen of the Year was Getasew Ferguson, for his very high achievements in athletics. The Event of the Year was Dancing in the Streets, awarded to Jill Fish from Port.
Dalrymple School, and the Lions Club of George Town for their Country Music Festival.

I also attended the Launceston City Council Australia Day Awards and Citizenship Ceremony. It was fantastic to welcome some 60 new Australian citizens to the Launceston community and hear them affirm their loyalty to Australia and its people.

The Council recognized local residents who have demonstrated outstanding community service and celebrated community events with their Australia Day Awards 2013. I offer my congratulations to Citizen of the Year Rosalind Lewis, who was actually a teacher at my high school—I think it was her first year out—and Ros is still out there championing the people who are vulnerable in the local community and around the world. The Community Event of the Year was jointly won by the Encore Theatre Company and the North Launceston Bowls and Community Club.

I also spent a great afternoon at the Meander Valley Council’s Australia Day celebrations. After some top entertainment from local artists, Australia Day awards were presented and I would like to offer my congratulations to several individuals. Citizen of the Year was Mrs Edna McCormack, a fabulous worker for the whole community and a long-term volunteer at Launceston General Hospital. Young Citizen of the Year went to Will Smith. The Sports Award was awarded to Michael and Gale Claxton, who have dedicated their lives to the Westbury Cricket Club. The Community Event of the Year went to the Tasmanian Women in Agriculture Meander Valley group for the 10th Women on Farms gathering.

I was also thrilled to hear about the contributions of two dedicated individuals from Bass who are recognised in the Australia Day Honours List. The Australian honours system recognises and celebrates the outstanding contribution and achievements of a diversity of Australians. Receiving an Australia Day honour is a great personal achievement and a source of pride and inspiration to our local community. Firstly, I offer my sincere congratulations to Dr Jane Zimmerman for her appointment as a Member of the Order of Australia for her significant service to the community as an advocate and promoter of the status and health of women. I would also like to congratulate Alexander McNeill for his award of the Medal of the Order of Australia. Mr McNeill was recognised for his ongoing commitment and service to the welfare of veterans and their families. Both Dr Zimmerman and Mr McNeill are truly deserving recipients of these honours. I am delighted that their contribution and service to fellow citizens here in Australia and internationally has been recognised in such a way. Once again, I say well done to all of the Australia Day Award winners and to those included in the honours list. I thank them all sincerely for their commitment to community and to community service. I am so pleased to be able to celebrate the excellence and achievement in the Australian community by participating in these Australia Day Award ceremonies.

Native Title

Mr RAMSEY (Grey) (22:09): The recent decision of the government to cease to fund landholders participating in negotiations to reach voluntary Indigenous land use agreements is a one-sided, thoughtless and ultimately counterproductive move by the government. I have been unable to ascertain the savings to the budget associated with this particular measure, but I can assure the government that the news has been met with
a sense of bewilderment in regional Australia.

Landholders have been told for many years that it was in their, the claimants' and the nation's interest to be proactive in reaching Indigenous land use agreements. In the case of this group, it now seems that the government is only prepared to use a big stick to force them to the negotiation table. The national interest has been well served by keeping these issues out of the courts. Legal proceedings are extremely expensive and now it is highly likely that, as a result of the government's decision, more of these claims will end up in just that place. My office is filled with a steady stream of calls from landholders wondering whether they should keep funding their lawyers or whether they should just withdraw from negotiations. Well may they ask. Certainly, I have found it very difficult to get a clear answer from anyone in the legal profession on the issue. My instinct tells me that they could hardly be worse off by withdrawing; however, I have been cautioned against giving this advice. But who could blame them? After all, the landholders are being asked to negotiate in good faith, in the national interest, at their own expense.

Local councils have been drawn into the issue as well, and there are a number on Eyre Peninsula in the mid and upper north of South Australia that still have native title claims pending. This means costs from 1 January will now be met by the long-suffering ratepayers. Councils vary in size from cities like Whyalla and Port Augusta down to some of the smallest in the state with populations of less than 1,000. A number of the affected councils met last week and declared the decision inequitable, particularly as it relates to the councils in question. They declared that the decision has caused significant impacts because of the bureaucratic nature of the new funding arrangements where separate applications are required to be lodged for each aspect of a claim, with the cost of preparing the submission being significant and no guarantees that the funding will be forthcoming; that the native title claims have been resolved in many areas covered by councils with some degree of financial capacity, and this does not apply in even the areas that now have cities as councils; and that one set of rules for an agreed claim, and the resultant ILUA, may not necessarily apply for another claim which is yet to be resolved in the subsequent required ILUA.

The existing complication is that, in many cases, there are overlapping and multiple claims coming from different groups. It can be a lawyer's picnic. The ILUAs can be difficult for the biggest and best resourced bodies in the land, and I am very pleased that the Special Minister of State is here to hear this. Take, for instance, the defence department, which has been seeking an ILUA over the lands that they have compulsorily acquired from a group of pastoralists between Whyalla and Port Augusta for the expansion of the Cultana Army training base. They have been negotiating for years, and to this date I am not sure that they have reached an agreement. The issues surrounding the acquisitions and the ILUA at best leave a nasty taste in the mouth and at worst are simply an abrogation of justice. I have spoken on this issue before and almost certainly will do again, as I am currently waiting for the courts to hand down a decision in the case of one of the properties. The point is that the government has funded the defence department and the claimants but is no longer willing to fund landholders subject to claims even though they know from firsthand experience just how arduous and torturous the process is.
Australia is supposed to be a country of the fair go, but any sense of fairness has been thrown out the door. Unfortunately, it is difficult not to see this as just another chapter in Labor’s class war, as they attack those that they see as wealthy, not having any understanding of the difficulties and sacrifices that these families make to convert what much of the world would consider to be desert into productive and sustainable properties. They deserve respect and fair consideration, and they are not getting it from the government.

Wakefield Electorate: Local Government

Mr CHAMPION (Wakefield) (22:13): Last week on 6 February I was reading my local paper, the Bunyip. The Bunyip covers the areas around Gawler and the city of Playford. It is a very notable paper, has a long history and first formed out of the Humbug Society, where two members sued one another after one of their newsletters was distributed—so it has a contentious history as well. In the Bunyip last week, there was an article headlined ‘Mayors ready for election’ and it involved the Mayor of Playford, Mr Glen Docherty. I will say at the start of my speech that I have always had a constructive relationship with the mayor for the good of Elizabeth and places like Munno Para, Angle Vale, Craigmore, Hillbank and all the other towns and suburbs in the city of Playford. At the heart of the City of Playford is Elizabeth, which is a unique place, a great working-class community and home to Holden and the Central District footy club. It is a city with a great deal of strength but, of course, it also has its share of struggle streets. It needs all of its publicly-elected officials to be 100 per cent dedicated to the area. When Mayor Docherty was elected, he remarked to me on more than one occasion that the only job he wanted was the Mayor of Playford. That is why it was a bit of a surprise last week when I opened the Bunyip and read about his selection for the marginal seat of Newland for the Liberal Party. Newland is up over the hill on the other side of Adelaide. I do not think you can be mayor of Playford, which takes in the Adelaide plains—including places like Elizabeth—and then seek public office in another part of the city up over the hill, which represents places like Tea Tree Gully, St Agnes, Ridgehaven and Highbury. I think these are two fundamentally different parts of Adelaide. They have different outlooks. They have different demography and they service different people. Anybody from Adelaide will tell you that is the case.

It has often been said that you cannot serve two masters, and I do not think you can serve two places at once. You cannot really be an independent, non-partisan mayor of one part of the city and a partisan party candidate of another part of the city. I think Elizabeth, with all its special needs, needs a mayor that is myopically focused on its needs and not distracted by a candidate who is only focused on their next political motive.

Dr Southcott: Are you offering yourself?

Mr CHAMPION: The member for Boothby asks whether I am offering myself. I can assure him I am not. I would avoid local government like the plague. But I do think Elizabeth deserves a non-partisan, full-time mayor myopically interested in its own affairs. Every day when I am back in the electorate, doing street corner meetings and shopping centre stalls, I hear from people about the footpaths, about trees that need to be removed, about local neighbourhood issues that they are concerned about. These are issues that I do not mind bringing up with the council, but they really should be attended to by mayors and by local councillors. I do not think it is appropriate to have a local mayor who is focused on the next move in state parliament. It is fair
enough that that is what he wants to do, but it is completely unfair to the City of Playford. I think that, particularly after the big rate rises in the last couple of years, people are entitled to demand that all of their elected officials are completely committed to the local area and are not off campaigning in another part of town for a different group of people in a partisan way. I urge everybody in Elizabeth and Munno Para and places like Hillbank and Craigmore to express this view to the council and to the mayor to make sure that we get our money's worth out of local government.

**Riverina Electorate: Tumbatrek**

Mr McCormack (Riverina) (22:18): I am pleased to speak tonight about the highly successful Tumbatrek bushwalk through the high country of Tumbarumba in my electorate on Saturday. Some members may recall this great tradition of an annual walk along the Hume and Hovell track in the beautiful Snowy Mountains was started by former Deputy Prime Minister and Leader of the Nationals, Tim Fischer, when he was the member for Farrer in 1985. With a group of 60 keen trekkers, we set off for the nine-kilometre walk, starting along the Mount Garland Fire Trail and then covering part of the Hume and Hovell track to Tumbarumba Creek Bridge, Big Hill Lookout, Burra Creek Falls, the Chinese Mining Tunnel and finishing at Henry Angel Trackhead.

Tim Fischer maintained this tradition of showcasing the best of the Tumbarumba Shire for many years. When Tim asked me to continue the tradition, I could hardly refuse the call and I now have possession of his iconic Tumbatrek stick. Rating highly amongst Tim Fisher's marvellous legacy is Tumbatrek. When Tim joined us at the dinner in Tumbarumba on Friday night, he recalled how his annual trek through the Snowy Mountains became the stuff of political legend. As the Acting Prime Minister, he sometimes ran the nation from the slopes of Kosciuszko while the press gallery watched with delight. Quite famously, Tim used to take a dip in the creek to entertain the press gallery by using his trademark Akubra for a bit of modesty. While I certainly did not follow in Tim's lead in this, a great day was had by all who attended and it will generate some much-needed publicity for tourism in the Snowys.

Among the 50 trekkers was the Premier of NSW, The Hon. Barry O'Farrell; Deputy Leader of the Nationals, Senator Nigel Scullion; state member for Albury, Greg Aplin, whose electorate includes Tumbarumba; Tumbarumba shire mayor Ian Chaffey; Wagga Wagga mayor Rod Kendall; and Tumbarumba Councillor George Martin and many of his colleagues. The indefatigable George Martin entertained us with many of his great stories along the way.

I was also very impressed with a delegation from Tumbarumba High School who attended the walk and carried home-baked supplies for morning tea and lunch. The group is training to trek the Kokoda Trail in Papua New Guinea for a fortnight in April and honour the people who served during the war on that same trail. Sponsored by the local Rotary Club in Tumbarumba, the 12 year 11 and 12 students have been in training for many weeks, getting ready for the more than 90 kilometres of arduous trail which await them in April. I commend Tumbarumba High School for its 'Tumbarumba2Kokoda' initiative and I wish them well with their trip. I will report back to the House upon their return.

Having the Premier join us on this Tumbatrek—the second since my election to this place—was a great opportunity for the local mayors and councillors to speak with the Premier about their day-to-day concerns.
It was also very pleasing to hear the New South Wales government confirm $4.9 million funding for the reconstruction of Mannus Dam, which was destroyed by a flood on 15 October, 2010. It is my hope the legacy of Tim Fischer can continue with the annual Tumbatrek and that our delegation will continue to grow. I offer my congratulations and thanks to Tumbatrek organiser Marilyn Gilbert, Kokoda Trail leaders Grant Harris and Glen McGrath and Tumbarumba High School Deputy Principal Fiona Jackson.

While speaking about young people and achievements, the Temora and District Education Fund recently announced the 17 Temora shire youth, who have a genuine commitment to achieve their career or education goals and who are the recipients of this year's grants. The mission of the Temora and District Education Fund is to foster further education, career and personal development opportunities of Temora Shire youth through community based encouragement and financial assistance. The fund is led by the Mayor of Temora, Rick Firman, who is very enthusiastic about this particular fund and all things Temora. The recipients this year were Jordan Barrett, Ashleigh Breust, Ashleigh Cartwright, Morgan Durham, Brad Foote, Mikayla Heinjus, Chris Hoad, Mardi Hornby, Aimee Lanyon, Kaitlin Maguire, Sarah O'Callaghan, Tiarne Pattison, Guy Piltz, William Robinson, Michael Stacey, Lisa Stacey and Bethany Taylor. Guy gave a wonderful address to thank everybody who attended the night, particularly the interview panel, which comprised Chairman Councillor Dennis Sleigh, Secretary Eileen Derrick and board member Darryl Williams. The time and effort of these individuals who contributed was most appreciated by the recipients because the money will be put to helping them through those important week-to-week and day-to-day things that students continuing their tertiary education often get confronted with. It is certainly going to help them realise their dreams. They were advised on the night by those who spoke at the function to make sure that they did not forget their origins, did not forget their wonderful home town Temora. It is a wonderful community and, with the enthusiasm shown on the night, I am sure that those young people will go on to bigger and better things, but they certainly will not forget where they came from and nor should they.

Africa: Aircraft Accident

The SPEAKER: Whilst it is uncommon for a minister to get an adjournment, leave is granted on this special occasion.

Mr GRAY (Brand—Special Minister of State and Minister for the Public Service and Integrity) (22:23): I know it is unusual, but I rise to speak on a matter of indulgence. I acknowledge comments made earlier today by my friend the member for Pearce. I wish to speak of the crash in Zambia of Cessna ZS KOX on 9 September 2004. I would like to acknowledge family members listening to this broadcast and those present here this evening that have contributed to a search for justice: Her Excellency Koleka Mqulwana, South African High Commissioner; His Excellency Michael Small, Canadian High Commissioner; Mr Tony Brennan, Deputy British High Commissioner; Mr Sam Morton, who tragically lost his daughter and son in-law in this crash; and Alan Stray, who was working at the Australian Transport Safety Bureau during the time of the crash and provided advice to Mr Morton. Justine Watters, her husband, Matt, and Matt's mother, Shirley, from Perth, died in the crash. The others who died were Justine's friends from England, Justin and Rebecca Ward, and the Canadian pilot, Mike Channer.
Shirley, Matt, Justine, Justin and Rebecca were on a two-week holiday in Zambia and had flown from Mfuwe in Eastern Zambia to Livingstone to view Victoria Falls. Shortly after the return flight began, the propeller fell off at 8,000 feet, and six minutes later the plane crashed, killing all on board. I have been informed that this is the first time a propeller has detached in this way in Southern African aviation history. ZS KOX was a South African registered and maintained Cessna aeroplane operating temporarily in Zambia. It had flown approximately 30 operating hours since its maintenance service in South Africa 19 days earlier. The subsequent investigation, focusing on the maintenance company Nelair, has been one of missing files and missing evidence, much to the frustration of the South African National Prosecutions Service. The member for Pearce has in some detail earlier today highlighted the challenges investigators have faced in a search for truth, justice and safer skies in South Africa. Since the crash of ZS KOX in 2004, Nelair has been involved in two more serious incidents. On 22 August 2007, Nelair aircraft ZS MHE was involved in a forced landing with five tourists on board. From the South African Civil Aviation Authority Report CA18/2/3/8354, the following findings were made: ‘During the recovery of aircraft wreckage it was found that the hydraulic pressure door open hose was punctured by a screw, resulting in a hydraulic leak. The airframe log book was reviewed, and there were anomalies in relation to operating hours. The information about engine overhaul operating times was not entered into the appropriate pages and was found to be unreliable. When the hose wheel bay was checked for possible items that may have caused the hydraulic hose to rupture, it was considered that the identified hydraulic hose may have been slightly too long and thus rubbed against a screw or bolt. When requested to give information of the evacuation process that followed the accident, one passenger reported that the emergency door could not open. They were thus momentarily trapped inside the aircraft.’

These findings led to the following safety recommendation in the report: ‘It is recommended that the South African Civil Aviation Authority should increase its oversight activities in respect of small operators.’ Again, on 23 July 2010, another Nelair aircraft, ZS KDX, had a propeller separation similar to ZS KOX six years earlier. The following findings were made in the South African Civil Aviation Authority report into the incident CA18/3/2/0796: ‘While in a straight and level flight, the propeller blades separated from the propeller hub. Various propeller maintenance organisations confirmed verbally that it was a norm in the industry that certain tasks were not carried out due to alleged cost implications to the owners. None of these AMOs were prepared to put this in writing. It is the investigator’s opinion that the practice of not conforming to the manufacturer’s requirements during a mid-life inspection could have contributed to this incident. Investigation of the blade root revealed that a crack had started from the outside of the blade root, progressing inward until the final failure occurred; and, though log books reflected that the aircraft was correctly maintained, it is the investigator’s opinion that the propeller was not maintained as called for by the manufacturer.’

These findings led to the following recommendation: ‘In the interest of aviation safety it is recommended that the department of civil aviation should through the appropriate department ensure that all propeller overhaul facilities adhere to the mid-life inspection requirements as stipulated by the propeller manufacturer.’
I extend my condolences to the families so sadly affected by these tragic events. I pay tribute to the family members and to the great humanity of Mr Sam Morton.

Finally, I table exhaustive documentation that I have compiled on the crash of ZS KOX. I know I speak for this parliament when we appeal to the South African Department of Transport to take appropriate action to ensure proper investigation and, if appropriate, prosecution of those responsible for those terrible and tragic event. Many South Africans, Africans, Australians, British, Canadians and others travel by air in South Africa. They should be able to do so in safety.

Pope Benedict XVI

Mr McCormack (Riverina) (22:29): Reports out of Italy tonight suggest that Pope Benedict XVI is going to retire later this month. That will come as a shock to many people, but on behalf of the Catholics of Australia I would like to wish the Pontiff all the best for the future. The 85-year-old Pontiff says he no longer has the strength to adequately continue the job. He has done a marvellous job as the head of the Catholic Church, and on behalf of Catholics in the Riverina and elsewhere I would like to wish him all the very best.

The Speaker (22:30): Order! It being 10.30 pm the debate is interrupted.

House adjourned at 22:30

NOTICES

The following notices were given:

Mr Hockey to present a Bill for an Act to amend the law relating to taxation, and for related purposes.

Mr S. P. Jones to move:

That this House:

(a) the growth of self-managed superannuation schemes investment structures by Australians seeking to grow their retirement savings;

(b) that there is $1.4 trillion in Australian superannuation assets;

(c) self-managed superannuation funds are the largest single sector in superannuation; and

(d) the severe hardship caused to investors in Trio Capital, which collapsed as a result of fraudulent activity and which was the largest superannuation fraud in Australian history, with around $176 million lost or missing;

(2) acknowledges that while investors in the Australian Prudential Regulation Authority (APRA) regulated superannuation funds were eligible for compensation through a member-funded levy under Part 23 of the Superannuation Industry (Supervision) Act 1993, no such member-funded compensation scheme exists for investors in self-managed superannuation schemes;

(3) notes the legal and resource limitations regarding supervision and detection of fraud by government regulators and prosecutors such as the APRA, Australian Securities and Investments Commission and Australian Federal Police in respect of failed offshore financial investment vehicles; and

(4) calls on the:

(a) self-managed superannuation sector and policy makers to work together to achieve consensus on the establishment of a member-funded compensation scheme for self-managed superannuation scheme investors who have been subject to fraud; and

(b) Government to work with regulators to enhance fraud detection and prevention in the superannuation system.

Ms Owens to move:

That this House:

(1) notes that 21 February is International Mother Language Day, which has been celebrated every year since February 2000 when it was designated by UNESCO;

(2) acknowledges the:
(a) many different linguistic communities present in Australia and the significant contribution each of them makes to the cultural and linguistic diversity of our nation; and

(b) important role that preserving one's mother language plays in maintaining expressive, communicative and cultural traditions in our culturally diverse nation;

(3) recognises that linguistic diversity is a key element of cultural diversity and that recognition of this diversity is a step towards greater intercultural understanding and harmony;

(4) acknowledges the special significance International Mother Language Day has for the Bengali community in Australia, commemorating the day in 1952 when Bengalis lost their lives while peacefully protesting the right to speak their mother language; and

(5) congratulates all community based organisations for promoting linguistic and cultural diversity in Australia and internationally.
CONSTITUENCY STATEMENTS

Pearce Electorate: Australia Day Awards

Mrs MOYLAN (Pearce) (10:30): Every year as we celebrate Australia Day and the national honours are announced I cannot help but reflect on the thousands of men, women and children who make a voluntary contribution to their local community. Their generosity in sharing their time, talent and, often, money makes local communities better places to live. It was to acknowledge this contribution that I, early in my election to parliament, established the Pearce Australia Day Awards. Over the years, local people of all ages and from all walks of life have been nominated. This year, country people focus prominently although not exclusively, and 13 people were nominated for the Pearce Australia Day Awards. They are: Peter Winstanley, who established an after-hours justice of the peace signing service; Malcolm Roberts, who has been a justice of the peace in the town of Beverley since 1991 and who was awarded for over 12 years of volunteering in the town; Janny Harris, from York, has been responsible for leading a program to beautify the town and plant trees; Guydan Boyle, a young farmer in the district, raised over $100,000 for Kids Cancer Project and organised a separate big fundraiser for Zoe; Mark Palumbo has led a very successful York basketball team; Emily Mott-Hogan, head girl at the York District High School, had a year of achievements in sport, culture and citizenship and also won the high school citizenship award for 2012; Marshall Jones, a student who has mentored other sportspeople in tennis and basketball, the sport of his love, also received an award; Reilly Joyce is still at primary school and has provided a great role model through his swimming achievements; Jake Duperouzel showed outstanding commitment to the West Australian Water Ski Association and was the Western Australian under-17 champion; Adrian Lister was recognised for outstanding service to the York Golf Club; Sue Chapman was recognised for her achievements as a karate champion; Bernie Finestone organised the annual York children's Christmas street party, with great success; Tess Earnshaw donated her time and musical talent for the benefit of the local church and for community events.

Each individual has achieved excellence in their own field of endeavour while demonstrating a strong commitment to positively shaping their local area. They are great role models for others, and their contributions make sure that their communities are great places to live, to work and to play. I extend my warm congratulations to all those who were nominated for the award.

Fremantle Electorate: Child Care

Ms PARKE (Fremantle—Parliamentary Secretary for Homelessness and Social Housing and Parliamentary Secretary for Mental Health) (10:33): The week before last, I had the pleasure of visiting Smiley's Child Care centre, in White Gum Valley, with my colleague and friend the Minister for School Education, Early Childhood and Youth, the Hon. Peter Garrett, to congratulate the centre and its staff on winning the 2012 Australian Child Care Week Award for providing the best program involving families. This accolade gives well-deserved recognition to the expertise and creativity of the early childhood education staff and
management at Smileys, and I again congratulate Lisa Godwin and the whole Smileys team for their winning program, which involved a thoughtfully designed and shared production of a beautiful picture book. The images in the book were a compilation of the children’s colourings of the Smileys logo mascots, Sam and Sophie, which were sent to the children's friends and relatives around the world to be photographed and arranged in relatively exotic locations and then returned to the centre. Needless to say, the book was a hit, providing a rich learning experience for the kids and also acting as a wonderful community building initiative.

The first couple of weeks of this parliamentary year coincide with the first fortnight of the school year in Western Australia, and I am very conscious that this is a time when many families get back into the rhythm and challenges of the work-school-childcare balance. That balance can be a difficult one, especially in the area of child care, and that is why this Labor government has worked hard to make the choices easier and more affordable, the services better and the whole framework of school and early childhood education more responsive to the needs of Australian families.

I know that in my electorate of Fremantle there have been few more important reforms when it comes to supporting young families than the increase in the childcare rebate, from 30 per cent to 50 per cent of out-of-pocket costs, and the almost doubling of the rebate, from $4,350 to $7,500. And, of course, the new National Quality Framework for Early Childhood Education and Care, introduced a year ago, is now operating to improve educator-to-child ratios, lift and support education and training for childcare educators, cut red tape for centre operators and provide more information and transparency for parents.

This is a sector that relies to a great extent on the work and expertise of thousands of caring talented educators, many of whom are women. As with other sectors in which women are strongly represented, their vocational commitment tends not to be properly rewarded but, instead, leaned upon as a cost component that can be suppressed. This is not fair and it cannot continue. Educators, particularly in WA, cannot afford to live on the wages they receive and are being forced to leave the jobs they love and for which they are highly valued by parents who entrust their children to their care.

As a supporter of the Big Steps campaign and as a person who knows that affordable, available, high-quality early childhood education is necessary if we are to liberate the productive energy and capacity in Australian families, with all the individual and community benefits this will bring, I know how important it is that there are professional wages and fair conditions for early childhood educators. I want to finish by acknowledging the role played by all the childcare centres in my electorate and by paying tribute to the operators and the early childhood educators who are giving so many kids such a caring and high-quality start to their learning journeys.

Mr EWEN JONES (Herbert) (10:36): I would like to put a personal perspective on the leaking of the discussion paper on the development of Northern Australia. What this discussion paper sets out is, to me, only a natural extension of the evolution of our country. This is not to be viewed as a boom; far from it. This is the future of Australia. The shadow finance minister, Andrew Robb, said to me on one of his many trips to North Queensland that we should understand that when Europeans settled in the south of the country it was because it was more like Europe. When you look at the world's population and the changing face of
Australia it only makes sense that we do more in the tropics. But it is the relentless negativity of the Labor government which gets me the most.

Straight away, the Assistant Treasurer, the member for Lindsay, ramped up the attack lines. He says there will be 'gold plated streets in Karratha'. He has obviously never driven the Bruce Highway! In an email to his Labor faithful followers, signed by David Bradbury as Assistant Treasurer, he says:

You probably heard today about Tony Abbott's secret plan to put nearly 275,000 workers on notice. He wants to rip jobs and services from our cities and force hundreds of thousands of public servants to uproot their families and lives and move to northern Australia.

What rubbish! This is the Assistant Treasurer. This is Wayne Swan's right-hand man; the man who would have the words 'I love Julia' tattooed on his arm if his wife would let him. He is standing in the House and also going on television telling all and sundry who will listen to him that he thinks development of the north is stupid. His words 'white elephant infrastructure' will surely be the death knell of his government in the north of the country. How dare he reap the benefits of what we bring to the table and then tell us it is a stupid idea to even consider this.

This relentless negativity coming from this out-of-touch mob must stop. Even Tony Raggatt from the Townsville Bulletin seems unwilling to even consider this as an option. His article on the weekend had me completely flummoxed: he thinks it will never come to pass and doubts reign throughout, yet he cites the Ord River scheme, the Burdekin Dam and the rail line to Mount Isa as visionary. What must happen here is that we have to see where we can get the best return on government investment. In my region of North Queensland, around Townsville, we provide 0.8 per cent of the country's population and yet we provide nearly two per cent of the country's GDP. We continually punch above our weight, and we should be supported. If the future of the country depends on water, the Burdekin, Fitzroy and Ord systems must surely point the way forward.

By the way, to the member for Lindsay I say: we do not want to rip anyone out of the western suburbs of Sydney to live up north. We only want people who want to come. The rest can stay where they like. We want people who want to put in, not just take. Again, this is a discussion paper that we are talking about. Yes, the discussion should be serious, but it is about the next 30 years, not the next six months.

Canberra Electorate: School Legends Awards

Ms BRODTMANN (Canberra) (10:39): I am living proof of the transformative powers of education, so I spend as much time as possible engaging in the activities of schools in my electorate. In the first six months of my term I noticed there were plenty of awards for students who got straight As in maths or English or who excelled in sport, but there were no awards for those students who were what I call the quiet achievers. There was a real gap in the market for those students who overcome physical and personal challenges and yet still achieve their goals.

In 2011, I introduced the School Legends awards. These go from the Little Legends awards for kindy students right through to the Member of Canberra awards for year 12 students. These awards were introduced as a result of the gap in the market that I saw. I noticed in 2011 when I first presented the awards that they were dominated by students who overcame
physical challenges. There was many a tear shed when a little person, who had undergone brain surgery, emerged from the audience, yet still went to school and arrived with a big smile on their face despite the physical challenges that they had experienced. I also had a number of children who experience cerebral palsy and juvenile diabetes—all crippling diseases—yet they managed to overcome these physical challenges and arrive at school with smiles on their faces, happy to engage in activities and overcoming these challenges.

This year was quite different. About 60 per cent of the students who received the awards had suffered significant personal challenges. It was a really marked contrast. I will talk about some tragic circumstances. The father of one of the boys I gave a legends award to had committed suicide early last year, and his mother had left him and his five brothers and sisters a few years earlier. As a result of the fact that his father had committed suicide all the siblings were with foster parents throughout Canberra. The boy turned up with his incredibly supportive foster parents and I met him and gave him his award. He is a mentor at one of the schools for the little refugee children, the kids from non-English-speaking backgrounds, and they just adored him. So, not only has this young man experienced an incredible personal challenge and overcome it but he is also mentoring those younger students who are also facing their own challenges and adjusting to a new culture.

These are extraordinary young people who show resilience, courage and strength of character beyond their years. These awards boost self-confidence and self-esteem, and I have had incredibly positive feedback from parents and teachers. They are nominated by the school and they also send a very strong message that their school is watching out for them, aware of the challenges they are facing, supporting them and loving them.

Sport

Mr CRAIG KELLY (Hughes) (10:42): Australia has a long and proud sporting reputation. It is something that has evolved over a century through the efforts of men like Bradman, women like Dawn Fraser, the great Murray Rose, Shane Gould, Dally Messenger, the Ella brothers, Arthur Beetson, Glenn McGrath, Rod Laver, Cathy Freeman and Greg Norman. The list goes on and on. Our reputation across the world is for hard play but fair play. It is a long and proud tradition. Every nation knows that if you come up against someone wearing the green and gold you will be in for one hell of a fight, but the guy or the woman wearing the green and gold will be playing it hard but fair.

But last week, with one stage-managed press conference, that tradition and heritage has been destroyed across the globe. We now have the international media branding our entire nation as a nation of sporting cheats. At this press conference no sport, no club and no individual was named. It was simply a broad brush cast across the entire sporting landscape. Every single Australian sportsman and sportswoman has had this accusation brought against them. Simply by failing to give details they have labelled everyone as guilty. They have smeared every Australian sport. Until we get the full details every sport remains under suspicion.

After these alarmist headlines, when we looked at the detail we found that the report the government relied on, which they called 'Australia's blackest sporting day' used weasel words such as 'maybe', 'could be' and 'suspected'. All we are left with is unspecified, hysterical assertions which slandered our athletes and our sporting institutions. No doubt, like any large group, there will be a percentage of wrongdoers. Some individuals will from time to time
bend and even break the rules to maximise opportunities for themselves. And there should be an investigation; no-one disagrees with that.

Why last week did we have such a media frenzy whipped up with a lavish and sensational media conference using sporting CEOs as props? This Labor government has done much damage to Australia but if it is found that last week their orchestrated emergency press conference was nothing other than a beat-up of a few isolated incidents or an orchestrated attempt to push Labor’s other disasters off the front pages, I say God help the Labor Party because of the retribution they will receive from the Australian sporting community and lovers of sport.

Camden Classic Carnival

Mr GEORGANAS (Hindmarsh—Second Deputy Speaker) (10:45): I rise today because I wish to note with appreciation the running of the 2013 Camden Classic Carnival on 3 February at Camden Oval in my electorate of Hindmarsh. I have spoken about the Camden Classic previously and I do so again today because it is an event that is held every year in my electorate, an event of considerable stature within the South Australian and even national athletics calendars. Camden Athletics Club runs a series of races which we outsiders collectively refer to as the Camden Classic, including races for under-14s, under-17s, under-20s and over-35s. Distances range from 50 metres to the 1,600-metre race, and the actual Camden Classic is a 400-metre race for men. There is a women’s Camden Classic also of 400 metres. These are the absolute highlights of the carnival.

This year the winner of the men’s Camden Classic was Matt Hargreaves of Victoria, who ran the distance in 48.41 seconds. That is an absolutely terrific time for the 400 metres at any level of competition. The women’s Camden Classic was won by Yasmin Openshaw with a time of 54.64 seconds—again a great time at any level of competition. So congratulations to both Yasmin and Matt for their victorious wins in those two wonderful races.

Camden Athletics Club has had a very proud history since its formation in 1931 and it is currently being well served by president, Shane Perry, vice-president Andrew Hreszczuk, secretary Frances Perry, and many others as well as the volunteers who give their time to ensure that they give to the community one of the greatest athletic races in our state of South Australia. One member of the Camden Athletics Club committee who is a terrific champion for athletics in our region and who volunteers for this wonderful event every year is Colin Rowston, who has spent countless hours organising and running the Camden Classic year after year over many years including this year. The gift of the Camden Classic that is given to the community by all members of the Camden Athletics Club and participants, considering the time and the energy given to this community event, is truly appreciated and all involved deserve our wholehearted appreciation. It is a wonderful event. On the Friday prior to the event there was a fundraiser barbecue which I attended, together with Mayor John Trainer and other members of council. (Time expired)

Mitchell Electorate: Australia Day Honours

Mr HAWKE (Mitchell) (10:48): I rise today to acknowledge the special contribution of many members of my community who have been recognised in the 2013 Australia Day honours. We are blessed to have a great community filled with many volunteers and high
levels of volunteerism in Mitchell. We are particularly lucky to have people of the calibre who have received honours in this year's awards.

I particularly think about people like Mr Wayne Merton AM, who since moving to the hills 50 years ago has been the state MP for Carlingford and Baulkham Hills and has had a career spanning 27 years. Mr Merton was the Minister for Justice and Emergency Services in the state government, one of the old-school, high-calibre state MPs who delivered so much for their community, and he became an icon in the hills district doing so many things for so many.

I think of people like Jane Cooke OAM of Baulkham Hills, who has been awarded the Australia Medal for services to the sport of gymnastics and as an administrator. The Castle Hill RSL Gymnastics School has some extremely high-achieving children going on to be Olympians for Australia. Jane also serves on the Mitchell Sporting Champions Panel, and I am so grateful to her for all of the work that she does on behalf of our community.

I think of Mrs Nancy Serg OAM of Baulkham Hills, given her work with the Maltese community. She started her work with this community in Australia in 1965 after she migrated to Australia from Malta at the age of 18. She has been so valuable in hosting community, theatrical and other events integrating Australians of Maltese background into our community so well, doing the work that government could never do.

I think of Mrs Carolyn Gould OAM, who has had a great career in the cashmere industry, starting with two goats on her property which later developed into a whole herd of goats. She has been serving the Australian Cashmere Growers Association in so many capacities and in numerous other voluntary positions that I do not have time to recognise today.

I think of Mrs Wandacita Day of Northmead for, and this reflects the great diversity of Australia, her work with the labour council and trade union. She fought to modernise the Woolworths workplace to make better work conditions and provide women with equal pay in line with that of male employees, something which is an anachronism today but was so important for people like Mrs Day to achieve at the time. There are so many others in our community who cannot be named today but also deserve recognition. Each year the Hills Shire Council recognises exceptional citizens, including Shirley Purser, the Hills Shire Council's senior citizen of the year, Alexander Roberts, the Hills Shire Council's young citizen of the year, Evelyn Lester, the new citizen of the year, Lionel Smith, awarded the local hero award, and Rick Gatenby, awarded the young hero award. Then, of course, there are the excellent volunteers of the calibre of Warren Bowden, of the Hills District Historical Society—which received the Hills Shire Council's community project of the year award—with recognition for all the excellent work that he has done with the Castle Hill Heritage Park being one of the very genuine heritage sites that remain in Australia to be protected by government. All of these people deserve congratulations. They are fine contributors to our community and I congratulate all of them.

Ms ROWLAND (Greenway) (10:51): I rise this morning to mention the Kings Langley Little Athletics Association and a very important issue that they have raised with me, something for which I have recently received a response as to certain representations that I have made. I was contacted by Mick Parker, who is one of the officers of the Kings Langley Little Athletics Association and a very important issue that they have raised with me, something for which I have recently received a response as to certain representations that I have made. I was contacted by Mick Parker, who is one of the officers of the Kings Langley

Kings Langley Little Athletics Association

Ms ROWLAND (Greenway) (10:51): I rise this morning to mention the Kings Langley Little Athletics Association and a very important issue that they have raised with me, something for which I have recently received a response as to certain representations that I have made. I was contacted by Mick Parker, who is one of the officers of the Kings Langley
Little Athletics Association, in November last year. He was alerting me to an article in one of the papers about cuts to education funding in New South Wales, $1.7 billion of cuts which I have spoken about in this place, and in particular their impact on sport. This is one issue that I think is incredibly important for our young people, in representing the young community, as I do. It was reported in the *Daily Telegraph* on 26 November:

Representative state sport carnivals—which produced sporting legends like Ian Thorpe, Betty Cuthbert and Jana Pittman—are being threatened by the state government's $1.7 billion cut to the education budget …

Kings Langley Little Athletics wrote to me expressing their concern about the impact of these cuts and specifically the impact they will have on young people, the impact on their volunteers and the loss of valuable social skills that are gained though sports participation. Mick Parker, from Kings Langley Little Athletics, wrote to me saying:

School sport produces so many benefits for children, including confidence, the will to compete and try, and the making of friends and contacts some lasting many years.

He wanted to specifically mention to me the pride that students take in wearing the 'Blue and Yellow State Jacket' if they are lucky enough to make it from the school competition all the way to the state carnivals. Mick and others are very concerned about these cuts with sport participation falling in some areas and the abolition of representative carnivals and all the associated benefits that would be lost. In the words of Mick:

I hope you can do something about this … action that will affect so many children.

I have received a response from the New South Wales education minister, who had palmed it off earlier. Initially I wrote to the minister responsible for sport and that got passed off to the minister responsible for education and then finally I received a response from the director-general's department. I am concerned on a few fronts as firstly there is a typo, which you expect sometimes—no-one is perfect—but this is an education department. Also there is the fact that there is no attempt in this response to verify that school sport funding will be maintained. It actually says:

On Tuesday, 11 September 2012, the Minister announced that the NSW Government had made some tough decisions—about the education budget. But this is despite the fact that on 31 October last year the Auditor-General revealed that the NSW government had in fact made a $1 billion mistake in its sums, and its budget would actually be in surplus. There was no remedying the situation even after discovering a billion dollars in revenue. The O'Farrell government has refused to put this money back into the education budget that they have recently decimated. That is my fear for sport in New South Wales. *(Time expired)*

**Bombing of Darwin**

*Mrs GRIGGS* (Solomon) (10:54): Next Tuesday Territorians will commemorate the 1942 bombings of Darwin, as we have done for many years. This year though it will be a little bit different as 2013 will be the first time that 19 February records a national day of observance for the 1942 bombing of Darwin.

I am proud that this national acknowledgement has occurred. I know that contrary to some media reports—and certainly the Labor Party—I had a significant role in obtaining national recognition for the 1942 bombings of Darwin. I made a commitment to a number of
constituents, including Mr Tom Lewis and Mr John Moyle, that I would do everything that I could to ensure that there was national recognition of the 1942 bombings of Darwin. After much groundwork and with assistance of the honourable Tony Abbott and the shadow minister for Veterans’ Affairs, Senator Ronaldson, I moved a private members’ motion on 20 September 2011 calling for a national recognition of the 1942 bombings of Darwin through a national day of significance. After some negotiations with the Gillard government, I amended my motion to call for a national day of observance for the 1942 Darwin bombings.

As I attend this year's commemorations I will stand proud knowing that, despite being in opposition, I delivered on my promise to my community to push for 19 February each year to be recognised nationally. I am grateful for the support from the crossbenchers who understood how important this issue was and provided me with the necessary votes to put pressure on the Gillard Labor government to have this day recognised nationally.

It is not surprising that the Gillard government and the former Henderson Northern Territory Labor government played politics with this important issue. We should not have expected anything less. As I have said previously, it was disappointing that Minister Snowdon, who has been in this place since 1987, played politics with this issue. He like his Territory Labor parliamentarians had an ample opportunity to have this day recognised nationally but they did not do that. I was in this place for only 12 months when I moved the motion on 20 September 2011 to get 19 February each year recognised as a national day of significance. At least now it is done. It was not about politics for me, it was about getting things done for my community—19 February recognised nationally as the day of observance for the 1942 Darwin bombings.

Radioactive Waste

Mr BOWEN (McMahon—Minister for Tertiary Education, Skills, Science and Research and Minister for Small Business) (10:57): I want to speak behalf of the people of Kemps Creek and Western Sydney more generally about the Liberal Party’s plans to dump radioactive waste in Western Sydney from Hunters Hill on Sydney’s North Shore. By way of background, in the early part of this century there was an operation at Hunters Hill which meant radioactive waste was left there. This has been a controversial issue for some time. Before the state election, the Liberal Party made a clear and unequivocal commitment not to dump this waste in Western Sydney. Now the New South Wales Liberal government is planning to dump it at two places: Lidcombe and Kemps Creek in Western Sydney. This is a clear breach of a commitment.

The way through this is for Mr O’Farrell to claim that this is not radioactive waste. He said on the weekend that this is just soil. This raises a couple of issues. Firstly, if it is just soil, just leave it there. There is no need to bring it to Western Sydney. Secondly, if it is just soil and they want to move it to Kemps Creek, there should be a dump somewhere closer to where it is being taken from where it could be left, not transported all the way through Western Sydney and dumped at Kemps Creek and also at Lidcombe. If it is just soil, it could be dumped at any one of the number of tips that exist on Sydney’s North Shore, but it is not just soil. If it is just soil, why does it need to be monitored at Kemps Creek for 300 years? It is some soil!

The Premier is clearly in breach of his election commitment not to dump this waste at Kemps Creek and clearly treating Western Sydney like the North Shore's dumping ground.
heard the shadow Treasurer, the member for North Sydney, say at Lidcombe that Western Sydney was the Liberal's new heartland. Lidcombe, one of the places where they are going to dump radioactive waste, is very close to his electorate. It is not a heartland, it is a dumping ground. There is an opportunity for Mr O'Farrell to front the people of Kemps Creek and explain why he is doing this. We are holding a rally on 18 February at Kemps Creek sports club. Mr O'Farrell has been invited by me, the member for Lindsay, David Bradbury, and the member for Fowler, Chris Hayes, all of whose electorates are affected by this. We have invited him to front the people of Kemps Creek and the people of Western Sydney more broadly and explain his position.

Other people who have come are the state Liberal members: the member for Mulgoa, Tanya Davies, who also promised not to do this, and the member for Smithfield, Andy Rohan, both of whom have been struck dumb on this issue. I am sure they did not lodge a submission. Three thousand people lodged a submission. I lodged a submission. Fairfield City Council and Penrith City Council are lodging submissions. But there has not been a word from either of the state Liberal members, who campaigned against this strongly before the election—particularly Tanya Davies—but have not said one word to stand up for their electorates against their own government, to their shame.

The DEPUTY SPEAKER (Hon. BC Scott): Order! In accordance with standing order 193 the time for constituency statements has concluded.

PRIVATE MEMBERS' BUSINESS

Centenary of the Murrumbidgee Irrigation Area

Debate resumed on motion by Mr McCormack:

That this House:

(1) notes that:

(a) 2012 marks the centenary of the Murrumbidgee Irrigation Area (MIA) with the official 'Turning on the Water' taking place at the Yanco regulator on 13 July 1912;

(b) the MIA:

(i) was created to control and divert the flow of local river and creek systems for the purpose of food production; and

(ii) is, today, one of the most diverse and productive regions in Australia, contributing more than $5 billion annually to the Australian economy; and

(c) the Riverina towns of Coleambally, Leeton and Yanco, and the city of Griffith were purpose built and designed as part of the project, and are now some of the most thriving, multicultural regional communities in Australia; and

(2) calls on Members of the House to:

(a) acknowledge the importance of:

(i) irrigation in underpinning national and international food security; and

(ii) our irrigation industry in Australia fulfilling its role as the food bowl of Asia;

(b) recognise that it is important to build our food-processing industry so that it can supply Asia's growing consumer markets, and develop the research, technologies and logistics that strengthen irrigation, grow higher-yield crops and improve safety; and

(c) accept that irrigation communities such as those in the MIA are reliant on a Murray-Darling Basin Plan which fulfils a triple-bottom line of social, economic and environmental outcomes; and
(3) calls on the Prime Minister to implement her commitment to 'strengthen irrigation' as stated in her speech to the Global Foundation Summit in Melbourne on 3 May 2012.

Mr McCormack (Riverina) (11:00): I would like you to close your eyes and let your mind take a journey back in time to 100 years ago. Life was much less frenetic yet in so many ways far tougher, especially in country areas. As much as 42 per cent of the Australian population lived in the regions then, compared with only one-tenth today. Labor's Andrew Fisher was in the second of his three stints as Prime Minister, and James McGowen was serving as the very first Labor Premier of New South Wales. McGowen had a bit of ticker. His government carried out an active policy of subsidising hospitals and dispensaries in order to bring about the realisation of universal health care, and he took it upon himself to settle a gas workers strike by threatening to replace them with non-union labour. His public works minister, Arthur Griffith, conducted the celebrated turning on of the water at the Yanco regulator on 13 July 1912.

This was obviously a government with a plan for the future—a far cry from now—because the Murrumbidgee irrigation scheme cost 25,374,000 pounds, which was quite an investment. Mr Griffith and two men who worked on the construction of the irrigation network, one of whom was Christopher Younger, winched open a sluicegate on the regulator to allow water to flow into the channels of the irrigation system for the first time. A contemporary report described the event thus:

Mr. Griffith said the irrigation land they hoped to open up was the best in the world, and this settlement should be as successful as any in America. It would be also an insurance to the Riverina pastoralists. Then he set to work at the winch and in a few moments, with a noise of cheers, a wave of muddy red water broke out and along the surface of the southern channel.

It was a day of great joy for the district. It was the realisation of the vision of the pioneer dubbed 'the Father of the Murrumbidgee irrigation scheme', Samuel McCaughey. He was the first pastoralist to introduce large-scale irrigation to Australia. This Irish-born farmer's son landed in Melbourne in 1856 and headed bush immediately. In 1889 McCaughey purchased Yarrabee Station on Yanco Creek near Narrandera, in conjunction with his brother, John. In 1900 McCaughey bought North Yanco and at considerable cost built about 200 miles of channels and irrigated 40,000 acres. The success of this scheme prompted the New South Wales government to proceed with the dam at Burrinjuck, construction of which began in 1907. North Yanco, including the land on which the town of Leeton now stands, was later sold to the state for close to settlement.

Early European visitors had not held out much hope for the district now known as the Murrumbidgee Irrigation Area. The Surveyor General of New South Wales, John Oxley, looking out from Mount Brodgen in 1817 saw what he described as:

… a country which, for barrenness and desolation, can I think have no equal. I believe I am the first white man to ever view this desolate landscape and believe I will likely be the last, there is little probability that these desolate plains will ever again be visited by civilised man.

Charles Sturt was just as scathing in his 1829 assessment, yet within a century of these explorations life-giving water transformed once arid stretches into a fertile, bountiful region. Sir Samuel McCaughey, who was knighted in 1905, was right when he declared in 1909 that water was more precious than gold. It is fitting that a statue of this remarkable man will be unveiled on 6 April in the Yanco park named in his memory.
The centenary of the turning on of the water was celebrated in style with a re-enactment of the historical events. The weather for last year's commemoration was just the same as it was 100 years ago to the day: sunny but cold with a who's who of politics and the local community turning out en masse for the occasion. The band played, speeches were given and the water which gave this once-bleak landscape life to produce food and underpin not just the area's economy but, indeed, Australia's, was let flow. 'This is a ceremony of gratitude,' said Governor of New South Wales and Narrandera girl Marie Bashir in a marvellous and captivating address. Professor Bashir talked about how optimistic, energetic and committed the pioneers were and said that the 2012 event would be something everyone should be sure to tell their children about. She said:

It's an emotional homecoming for me because I had the happiest of childhoods in this region. Here we are participating in a ceremony of gratitude for the vision, the sheer hard work and the determination to turn this region into a veritable Garden of Eden. This is a great Australian story – I can remember as a child coming to the farms at Leeton to get the fresh oranges and the wonderful apricots.

The need for sensible water policy and to strengthen irrigation was also mentioned often and loudly at last year's memorable ceremony. The motion before the House acknowledges that the MIA was created to control and divert the flow of local river and creek systems for the purpose of food production and is today one of the most diverse and production regions in Australia, contributing more than $5 billion annually to the Australian economy. The Riverina towns of Coleambally, Leeton and Yanco and the city of Griffith, proud communities all, were purpose built and designed as part of the project and are now some of the most thriving and multicultural regional communities in Australia.

Leeton takes its name from Charles Lee, who was Secretary for Public Works from 1904 to 1910, presiding over an extensive public works program including the Murrumbidgee Irrigation Area, Cataract Dam for Sydney's water supply, construction of Burrinjuck Dam and the creation of the purpose built, Walter Burley Griffin designed town named in Lee's honour.

Griffith was named after the man who opened the gates on that great day in 1912. The Coleambally Irrigation Area scheme began in the 1950s with potential farmland made available through a ballot system. Those who entered the ballot had to establish that they were financially secure enough to set up a farm as none of the land had fencing or infrastructure. The successful ballot winners were also required to relinquish any other primary interests they had. For these hardy souls it would be all or nothing for Coleambally.

In essence, that is the way it has been for this entire region. Riverina irrigators have always given their all, yet in recent years these marvellous family farmers have not been shown the same faith by the federal government. Members of this place should appreciate that irrigation underpins national and international food security. Further, they ought to know that our irrigation industry in Australia fulfils its role as the food bowl of Asia. It is important to build our food processing industry so it can supply Asia's growing consumer markets and develop the research, technologies and logistics which strengthen irrigation, grow high-yield crops and improve safety.

Irrigation communities such as those in the Murrumbidgee and Coleambally areas as well as those in the southern Riverina around Deniliquin, of my colleague the member for Farrer, and the Goulburn-Murray of the member for Murray, need the Murray-Darling Basin Plan to
be implemented in such a way that it does not destroy hard-won rights fought for and utilised to the betterment of this nation for more than a hundred years. The members for Farrer and Murray and I have argued passionately for a triple bottom line of social, economic and environmental outcomes during this 43rd Parliament as the basin plan neared its legislation. I moved to disallow the Basin Plan and had the motion seconded by the member for Murray. It was debated late afternoon on 29 November 2012, the last sitting day. The motion was lost, but it is better to have tried and failed than failed to have tried.

Ten days earlier I had written to the Prime Minister, inviting her to visit the Riverina to address a public meeting to assure the good people there that the hard work they do to help feed our nation and others is valued and that there is a strong future for them after the plan is legislated. I am still waiting to hear back from her office. In her 3 May 2012 speech to the Global Foundation summit in Melbourne the Prime Minister spoke of strengthening irrigation. Her 28 October Asian century white paper acknowledged the huge role Australia has meeting the global food task in the years ahead. Australia is best placed geographically and economically and with our agriculture industry already well established to more than meet the growing demand for food in Asia.

Happily, the Leader of the Opposition on 27 November 2012 made his strongest statement to date on water, saying a future coalition government would cap buyback at 1,500 gigalitres, meaning that with water already recovered there would be only 249 gigalitres to purchase basin-wide. Previously, the New South Wales Minister for Primary Industries had announced a limit on buybacks of three per cent per valley per decade from 15 January 2013. These assurances were welcomed by Riverina irrigators and certainly every Griffith farmer, whom the Australian Farm Institute says feeds 150 Australians and 450 farmers each and every year.

Just last Friday the Minister for Sustainability, Environment, Water, Population and Communities, in rejecting a bid by conservationists to lock out mining from Tasmania's Tarkine region, said:

From purely environmental terms, it would have been something that would have been a wonderful thing to be able to do but you have to take into account the impact on people and taking that impact into account meant that I simply couldn't go with the Heritage Council's recommendations.

As Elizabeth Stott, the wife of a Gogeldrie cotton farmer and a strident campaigner for fair water rights, said: 'I couldn't believe it when I heard those words come out of Minister Burke's mouth.' Unions strongly campaigned to allow mining. Australian Workers Union head, Paul Howes, said that the campaign to put the Tarkine region on the heritage register was run by mainland activists and would have been a disaster for Tasmania. Mr Howes further said:

What the Federal Government has done today is a huge win for the people of Tasmania and also for the future of the economic development of north-west Tasmania which sorely needs more jobs …

Given Tony Burke's alienation of irrigation communities during the Basin Plan process, an attitude many of my people saw as unfathomable and unconscionable, perhaps what was needed for their cause was to have the support of a trade union! Sadly, that seems to be the only thing which gets those on the other side moving. So I call on the parliament to support this motion celebrating the centenary of the Murrumbidgee Irrigation Area, I call on members to show their support for the people who put food on their table and I call on the Prime Minister to implement the commitment to strengthen irrigation, as promised nine months ago.
Mr ADAMS (Lyons) (11:10): I thank the member for Riverina for bringing this motion to the parliament. These are important issues that he raises; we all know the importance that water plays in our wide brown country—the very dry land that we have. The early farmers recognised that to survive in this naturally arid landscape the availability and control of our water systems and resources would be the key to successful food production. However, we live in a continent of extremely high rainfall variability, with long, severe droughts and massive floods, as we saw this year in Queensland.

It is not as simple as just controlling and diverting rivers. We have to understand the changes in the water cycles over time and how we can drought-proof regions, and each enterprise within those regions, for those years when drought hits hardest. We have to understand and continually research how we can improve our water usage and storage but, by the same token, we need to ensure that the communities around the rivers survive as they help to keep our waterways healthy and productive.

When the Prime Minister was talking at the Global Foundation Summit in Melbourne last year she said, when putting into context what had been quoted in the motion:

... it's not just about more exports. It is about developing the systems and services that add extra value to them and participating in the development of a market-based solution to food security across the region. It would involve building our food processing industry so that it can supply Asia's growing consumer markets and developing the research, technologies and logistics that strengthen irrigation—make it better than it has been by using new technologies and being very innovative—grow higher yield crops and improve safety.

So, while the Prime Minister is keen to see the research continue to further improve our production and the safety of our food, we cannot just continue to milk the Murray-Darling Basin without having a really good understanding and plan to ensure that we keep the river flowing too.

Recently, I received a book from Vicky Cullen, the wife of the eminent scientist Peter Cullen, who passed away a year or so ago, entitled, *This Land, Our Water: Water Challenges for the 21st Century*. I had had some correspondence with Peter over the years, and I was very pleased to receive the book. It is a collection of papers by Peter Cullen and some associates. I think Peter, more than anyone, knew that the science behind water allocation in the past had often been based on European knowledge and that we should be developing our own knowledge on the basis of what is known about Australia here and now, about our own climatic conditions, our own lands and our own river systems.

John Williams of the New South Wales Natural Resources Commission discussed this in his book on page 197:

Peter operated within the firm appreciation of our highly variable climate driving droughts and also flooding rains. He knew that we must work hard to go forward with management that can yield river systems resilient to the shocks of drought as well as massive floods which are often amplified by our engineering interventions. He knew that to perform that management with current climate variability would challenge our science and our society. Further he knew that to add to this mix the impact of climate change, our climate variability and changed probabilities distribution of our rainfall would stretch us to our very limits.

Of course, we see some of that constantly. He continues:

The slow and difficult progress strongly suggests that he was correct.
I would support the recognition of the Murrumbidgee Irrigation Area centenary as a significant milestone in the development of Australian agriculture and food production. That river basin has acted as a food bowl for the whole of Australia for a long time. I believe it has played an important role in underpinning national and international food security, but it is not the only area that needs to be recognised, improved and researched. Our water table, river flows and rainfall on the eastern side of Australia need to be continually monitored and understood.

This government has introduced programs that have assisted and will continue to assist this process. In Tasmania, with the help of the state government, we have developed a series of irrigation schemes that will help the drought-prone areas of the Midlands and the east coast to become more self-reliant. Farmers have been persuaded to take part by investing in these schemes for the future on their own properties and many have undertaken to buy water rights. I believe there are still water rights that have not been completely taken up, but as the value of the scheme has become obvious I am sure they will be taken up. People are now starting to see the significance these rights can have for them in their enterprises.

This is a recognition that Tasmania has a lot of rain. I think we have 10 per cent of the rainfall of the continent of Australia on 1½ to two per cent of the landmass. It is a natural advantage, although looking at the dryness and the fires we have at the moment you would not think that is the case; but it is the case. So we have a great natural advantage and we now have the opportunity to use this water in our irrigation schemes to help produce food and make sure the economics of food production work very well.

Bringing water into areas that have been marginal has made a huge difference to the production of new lines, new crops and new ideas in Tasmania. These things are starting to open up and the water has given us the opportunity to open up bigger areas to produce more on a larger scale. Therefore those economics of size are working to benefit many people. This means a lot of jobs and a lot of opportunities, and a lot of these areas are in the great electorate of Lyons. I was very pleased that Mr Rudd, when Labor came to power, gave me the tick for this policy to come into being. The $140 million has been spent, along with the state contribution, in a very successful way. I am very pleased that farmers have been making their own investment in getting pivots and putting in infrastructure to make this become a reality.

For many years the Murray-Darling Basin was treated as though each river system ended at the state boundaries—the state started where the system ended and started again. It is one system, and we need to look at it as a national system, but there are four states involved. I have often said that they should probably give Tasmanians the job—as the honest brokers without any need or self-interest—of sorting this out for everybody.

It has been a long time getting to where we are with some of the ways forward. We do need to go forward, but we do need to recognise our history and the significance of this area. I am very pleased that you have brought forward the National Food Plan and the national plan into the future. I think we have great opportunities in Australia. Our food is safe and we have to continue that way. We have to meet the issues thrown up in the Asian century white paper. There are great opportunities for Australia into the future and we need to make sure that we get it right. But we do need to look at things that are contemporary for our own nation, such
as what we know and what sciences we have, and utilise them for the future. I thank the
member for Riverina for bringing this forward.

Ms LEY (Farrer) (11:21): I am pleased to support my colleague the member for Riverina
and commend his work in representative politics around water irrigation communities and the
people in his electorate that matter so much. I look forward, following the remarks of the
member opposite, to the government supporting this motion when we vote on it in the House.

The value of agricultural production in my electorate of Farrer, part of the Murray-Darling
Basin, is over $3 billion. The value of irrigated agriculture production is $1.8 billion—that is
in the Murray and the Lower Darling. Those figures represent an enormous contribution to
Australia's bottom line. People quote these figures, and I do too. We should also understand
that they can increase, that we can do better and that we can, as farming methods improve,
become much more productive.

When the national debate turns to water and the politics of water, members who represent
irrigated agriculture get very frustrated. I would like to go back to the beginning and quote
some lines from Henry Lawson, who in the last years of his life spent some time in the Yanco
irrigation area near Leeton, a prohibition zone. In his famous poem, which he revised at that
time, called Up The Country, he wrote:

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

The way the early explorers and poets would have seen inland Australia in the part of the
southern Murray-Darling Basin that I represent would be nothing like it is today. Sometimes I
think that there are people in Australia who do not understand the problem and would take us
back to 13-inch rainfalls, scrub country, sheep and, clearly, towns which would be a fraction
of their size.

The member for Lyons quoted Peter Cullen, whom I have a lot of respect for and have met
many times during the debates on water in this place. The irony is that, when we talk about
the politics of water, the national plan as put forward by John Howard and supported by me as
a member in this place was about taking the politics out of water. Unfortunately, that has not
happened. The plan as it stands is very much expressed in terms of flows at the end of the
system in the Lower Lakes. While I have no issue with determining relevant levels of water at
that point in the system, I do know that it is a political imperative that has been described by
the minister instead of a complete, holistic picture of environmental watering. They say, 'We
will deliver this much water to the bottom of the system eight or nine years out of 10.' That is
a political objective; so the government's plan has been distorted from the very beginning.

I commend the motion to the House. I place on record in the strongest possible terms that
the food-processing industry is vital to the people I represent; that value adding is something
that we can do; and that the closer to the source of the primary product you do the value
adding the more jobs and industry you get and the more efficient that activity.
The Prime Minister gave a speech in a summit in Melbourne on 3 May 2012 and made a commitment to strengthen irrigation. I have seen no evidence of that. As the government responds to this motion by the member for Riverina, wouldn’t it be good if the Prime Minister reconfirmed that commitment and talked about what it really means, in light of a very flawed Murray-Darling Basin Plan, to genuinely support the farmers and the food producers and the communities that represent irrigation in Australia today. As my colleague has said, our irrigation industry fulfils its role as the food bowl of Asia. When you consider what we could produce, how we could export that product and how we could jump up to a completely different level, the figures I quoted at the beginning of this speech could become history and we would have a much higher value of irrigated agricultural production. I support the motion before the House and I look forward to the government’s enthusiastic response.

Dr STONE (Murray) (11:26): I begin my remarks by commending the member for Riverina for putting forward this most important motion, which commemorates 100 years of the Murrumbidgee Irrigation Area being established. I think it is a little ironic that Labor have run out of speakers—they have no-one to speak to this motion right now. One of their objections to the motion is that it is to remind the Prime Minister of her commitment—so called—to ‘strengthen irrigation’. She stated this on 3 May 2012. We can see their level of commitment by the fact they do not even have any more speakers to this motion in the House.

I call on the Prime Minister to get serious about irrigated agriculture, because it is under extreme threat at the moment, compounded by the Murray-Darling Basin Plan but also by the carbon tax, which makes it prohibitive for anyone to use electricity or diesel, as our irrigators do. It puts an additional cost onto anyone trying to produce value for money when it comes to irrigated agriculture. Of course, this government is standing by, watching the dollar at current values make our exports non-competitive. It is standing by as we see labour prices going through the roof. Labour prices are exacerbated by the Labor government’s failure to understand how penalty rates can kill off an industry which does not run nine to five, five days a week.

Irrigated agriculture covers less than 0.5 per cent of land across Australia, but on that 0.5 per cent of land we produce 28 per cent of the total gross value of all agricultural production. That statistic speaks for itself. If that statistic reflected the comparative value of the automotive industry in Australia, or of some other propped-up industry that the Labor government prefers, then we would all be celebrating—but no. It is 0.5 per cent of land that, with irrigation, is producing nearly one-third of the gross value of agricultural production.

I am shocked at what is happening in particular to irrigated agriculture in Victoria. As I celebrate with the member for Riverina the 100 years of the MIA, I point out that irrigation in Victoria began in 1886, some 30 years before it began in New South Wales. The irrigated agricultural area now managed by Goulburn-Murray Water involved a unique engineering feat which made use of gravity to take water from the south to the north, ultimately draining into the Murray River. It set about creating a densely populated great northern plains region in Victoria with irrigated dairy and fruit growing, supporting in turn some 23 food factories. Food manufacturing is, of course, extremely important in multiplying employment prospects in regional Australia. We now have the state-owned irrigation system managed by Goulburn-Murray Water trumpeting the fact that we have gone down from the 1,900 gigalitres of water that was available for irrigation before 2007. Now we are down to 1,000 gigalitres. That is a
loss of 900 gigalitres and there is an expectation that we will lose even more before the business of shutting down the irrigation system is complete. The object of Goulburn-Murray Water is to reduce the size of the irrigation system by some 50 per cent. They are going to reduce—as they call it—the 'footprint' by approximately 50 per cent, pushing it back to the backbone. That means that the vast majority of landowners who are on the spurs are going to be, against their will in too many cases, converted to stock and domestic water only. That kills productivity. It kills jobs. It kills communities. It kills the very reason that we put all of that effort into fertilising, genetic diversity and development of our livestock, because there would not be any water security to make sure that at the end of the day we can finish the product off and send it to the market.

I have to say that this is a sad, sad era for irrigation in Australia. The Commonwealth government with its Murray-Darling Basin Plan has no sense of a triple-bottom-line approach. We could have had a great economic, social and environmental outcome if this government understood what was at stake and what was possible. Instead we see just attack upon attack on irrigated agriculture. Who knows where it will end—tragically in tears. I have no doubt there will be less production to meet that enormous food demand growing in the north of our region and fewer jobs in this country.

Debate adjourned.

Newstart Allowance

Debate resumed on the motion by Mr Bandt:

That this House acknowledges that the current level of Newstart is too low.

Mr BANDT (Melbourne) (11:31): Newstart is too low. The thousands of people around this country who are on Newstart are living in poverty. We have had three reports telling us this. Most recently, there was the Senate inquiry that my colleague Senator Rachel Siewert was successful in establishing, which had the agreement of people including from the government benches telling us in its final report that Newstart is too low. We have got these very important reports telling us that it is too low and demonstrating how it is.

But even some simple mental arithmetic done by anyone who is listening could tell you that it is too low at $246 for the single rate. Once you have put a roof over your head it leaves you next to nothing for the week. I tried to do this mental arithmetic myself and live without a few weeks ago. During that week I spoke to someone who had been homeless and had gone to a homeless service that found him a single bedroom in a rooming house in my electorate of Melbourne—for $180 to $220 for that single room alone. I looked around and found that the cheapest place you could find, a one-bedroom apartment in the city of Melbourne, was $240. Once you have taken rent assistance into account, that is $180 out of your $246 gone, just from putting a roof over your head. If you then agree that you are going to feed yourself on the generous sum of $7 or $8 a day, you are down to $4 left for the rest of the week. That is before you have paid any bills for electricity, water or gas. It is before you have paid to have a phone to keep connected to the rest of the world, or your internet to perhaps go and look for a job. It is certainly before you have done anything so luxurious as going to get a haircut or perhaps going to get yourself some clothes for a new job interview. So it is no wonder that it is not just the Greens, but also the welfare sector and the head of the Business Council of
Australia who are saying that it is now so low it is a barrier to people getting back into work, because you spend all your time just trying to survive and have no ability to improve yourself.

Most people would expect that Newstart would be a safety net that holds you while you get back onto your own feet, but it is now so low that it is strangling people. Great numbers of people have told me that you either go into debt, or you rely on others, or you just go without basics like food or like new clothes. If we want to be a more caring society, we have to look after those who fall on hard times. Anyone could, through no fault of their own, find themselves out of a job through restructuring, for example, and there are many people in the south-east of Australia in the manufacturing, tourism and education sectors who are finding themselves in that situation in part because the government has failed to act on the pressures of the mining boom.

You would hope that that person is then able to look after themselves and survive until they get back into the workforce. But this decision is pushing them further into debt and it is making it harder to get back into the workforce. There is a reason that we are here: Labor is not prepared to stand up to big business and raise the money we need to fund the services and the benefits that Australians expect from a civilised society.

Labor in fact pushed single parents onto the dole from 1 January this year. They get an extra $3 a day to look after their kids, which is fantastic and magnanimous. You now have parents saying, 'The cost of sending the kids back to school is so high that I'm going to put my computer, the tool of my trade, into hock or I'm going to go further into debt because it's impossible to make ends meet.' Labor says that it is about getting people back to work. The single parents, who are affected the most, were the ones who were previously working the longest hours because the parenting payment test was more generous than Newstart. They were allowed to work extra hours. Some people are losing up to $140 a week. And when you have a kid to look after that is an enormous slug.

In fact, as we found out last week, Labor are now taking more off single parents than they are going to raise from the mining tax. That is not right and those are not the values that people expect from a caring society. We need to acknowledge that Newstart is too low. We need to then say that we are going to have the courage to stand up to Gina Rinehart and make her pay her fair share. Then we will not need to slug single parents, we will not need to keep Newstart below the poverty line and we will not need to raise the taxes that other Australians have to pay.

Mr BRIGGS (Mayo) (11:36): In an extraordinarily unusual development in my very short political career, I tend to agree with the member for Melbourne on some points—it will not happen very often. However, I do not agree on most of the solutions. It will not shock you, Mr Deputy Speaker, to learn that. The motion before us reads:

That this House acknowledges that the current level of Newstart is too low.

It is an interesting debating point. But it has no detail, no costings about exactly where the member for Melbourne thinks it should go or how much it will cost. Maybe that is one of the Treasury costings that they have been asked about, that they are running a protection racket on—and it is being prevented from being released.

Mr Bandt interjecting—
Mr BRIGGS: Well, you released the costings. You go with Treasury—there are eight of them there. We just want to know what is in them. Maybe that is one of them.

Mr Bandt interjecting—

Mr BRIGGS: No, they are not. There are eight. You are hiding them, Adam. Just put them out there today and we will know what they are.

I thought the member for Melbourne's efforts of showmanship, a couple of weeks ago, claiming that he was living on Newstart reduced this debate—and what should be a serious debate—to a pathetic level. The point on which I agree with him is that it is the responsibility of the government to ensure that we get the safety net right. One of the great strengths of our society is that we have a safety net for people. There is a legitimate argument about the level of a safety net and about whether there is an inconsistency in different payments in the system at this point which creates a disadvantage. I think they are reasonable points. But the member for Melbourne displayed a bit of political showmanship, claiming he was living on a certain amount of money when, quite obviously, each week in this position we as members of parliament are entitled to quite a generous taxpayer-funded salary and to benefits, such as membership of the Qantas Chairman's Club, which many people do not. I know the member for Melbourne attends that regularly as well, as he is entitled to. But to claim that you can somehow live on Newstart is, frankly, a joke and reduces what is an important debate that we should be having about the level of Newstart payments, which this motion seeks to raise, to a pathetic level.

There is of course a reason that this allowance is called Newstart. It is designed to assist people who have, for whatever reason, fallen out of work and who are seeking to get back into the workforce for a period. We do not want people to be on Newstart for a long period. The member for Melbourne makes a good point that the allowance needs to ensure that people can survive and that they can use that allowance, in addition to other assistance they get such as training, and that people who need this money to help them reskill and get back into the workforce are able to. How that money is allocated, I think, needs to be reconsidered.

But it is a two-way street. You cannot just expect that those who create jobs in society will pay more and more tax for those who are unwilling to go to their own extent to get themselves back into the workforce. There are issues in the economy at the moment as we go through a structural change where there are parts of the economy and parts of Australia where there are more jobs than there are in other parts of the economy. That requires, I think, job seekers, particularly younger people, to look at ways that they can better access employment in certain circumstances. So this is a two-way street.

That is what we expect people to do, and that is why our plan that we will put to the Australian people before the 14 September election—of creating an economic environment where the private sector can create two million more jobs—will be an important aspect of this debate also, because we need an economic pie that is growing to ensure that people can get access to work and that we assist the economy to adapt to the structural change that is going on within it, which means that people who had presumed work in a certain industry some years ago which is not there now are able to change their skills, update their opportunities, get themselves back into the workforce and not be stuck on Newstart for a long period of time. That is because, no matter how much you increase Newstart—and it is an expensive thing to do as far as the government goes—you will never be able to put it to a level, and you never
want it to be at a level, where people are living comfortably, because indeed the whole idea of it is to push people and encourage people back into the workforce. We on the coalition side want people to be in work which satisfies them and means that they are contributing to a strong and prosperous economy for the future.

Mr STEPHEN JONES (Throsby) (11:41): When the Curtin government introduced benefits for unemployed people and sick people and other special benefits in 1943, it did so against the backdrop of the Great Depression, where hundreds of thousands of people were thrown out of jobs for many, many months—in some instances years. The poverty and social dislocation and the hardship to families that resulted from that ensured that, when proposals came before the Curtin government in 1943, they received a very favourable reception. Of course, we were not the only country in the world to be introducing such schemes. In the 1920s the United Kingdom had introduced such a scheme, and in the 1930s a scheme had been introduced in the United States as well. What tied them all together was the common view that the No. 1 priority for governments should be to try and provide meaningful work for their citizens and that the benefits should be sufficient to provide a decent standard of dignity while somebody was looking for work and looking after their family in the same instances.

That remains our priority today, and in Australia we are fortunate that there are now some 830,000 fewer people who are unemployed today than would have been had we not been elected to government in 2007—that is to say, we have created 830,000 new jobs in the Australian economy over that period. That should be our priority. In this country we have avoided the ravages of unemployment that have beset Europe, the United States and other similar economies around the world, because the government has done the right thing. We have spent where we have needed to spend to stimulate the economy, at the same time as looking after people who are in need.

We have not ignored the problems of those people on Newstart, as the member for Melbourne would like to suggest. Indeed, at one point recently a $1 billion income support bonus scheme was introduced, providing $210 extra per year for eligible singles and $350 per year for most couples to assist them to meet increasing costs of living. That said, job creation and job protection will always be our higher priority. For example, on this side of the House we do not think you do anything to aid job security by making it easier to sack someone. We believe the best form of job security is providing decent industrial relations laws and a strong economy to ensure that businesses continue to protect people.

Mr Briggs interjecting—

Mr STEPHEN JONES: Very good, thank you. However, we also know that the level of Newstart has fallen behind the level of other benefit payments. We have recently seen evidence and a report from a Senate committee which has inquired into the adequacy of government benefit payments, pensions, and the comparison rate between pensions and the Newstart allowance. We have had a number of expert witnesses provide evidence to the committee. The Salvation Army, for instance, told the Senate inquiry that the current system does not provide recipients with adequate income. Mission Australia provided similar evidence, pointing out that Newstart is less than half the Australian minimum wage. Anglicare said they believe this has become a barrier to assisting the long-term unemployed in the workforce, a sentiment echoed by organisations as diverse as ACOSS and the Business Council of Australia. What they are saying—and I think this is something that policy setters
need to be very mindful of—is that it actually costs money to look for work. If you are unable to pay for your basic utilities, a new suit or a new outfit, getting yourself prepared for interviews and travelling to job interviews, then the level of Newstart can be a barrier to those seeking work.

That is why I think in the upcoming budget we should have a plan to address some of these issues. As I said, we have not been standing still, but we should have a plan to address these issues. Of course, it has to be funded, and it will not be achieved by cheap stunts like trying to live on a cheese sandwich for a couple of weeks. It will be done because we have got a positive plan to deal with the overall economy.

Ms SAFFIN (Page—Government Whip) (11:46): I want to make a contribution on the Newstart discussion, and it is a matter of public record that it is something I have been speaking about for quite some time. My belief is that Newstart needs to be raised, and one of the things that I have to do as a member of a large party and as a member of government is persuade my colleagues to that view. Coming up to the budget this year, as I have said, this is something we should look at. When the single parent changes came in first of all under the Howard government and flowed on under Prime Minister Gillard, I said I did not have a problem with the policy per se. But what I do have a problem with is that Newstart, for anybody going onto it, is too low to live on. I have also said I would like to see Newstart change in other ways, particularly in helping people back into the workforce, and take account of local issues—transport, child care and all the different factors in different areas and regions. And I have got some particular ones in the seat of Page that I am very mindful of.

I have also made statements on Newstart. On 29 August 2012—and this has not really changed—I said that, according to a report published in March 2012 by the Melbourne Institute of Applied Economic and Social research, the poverty line for a single person, including housing, is $341.80. Newstart falls $136 short of this—that is, for somebody who is on the absolute basic payment and not getting any other benefits. In 1997 Newstart was almost at parity with the age pension. While the age pension has experienced incremental increases and a historic increase under the federal Labor government—and its last increase was $33 per week in the 2012-13 budget—Newstart has fallen to only 65 per cent of the pension in just 15 years, with the gap between the two having widened to $106 per week. The age pension with supplements is at parity level with the poverty line, but Newstart falls well below the standard. Newstart is currently only 18 per cent of the average wage which, according to the OECD, makes it the second lowest unemployment benefit in the developed world. Living on $35 per day or $245 per week, as pointed out by Minister Shorten, is an incredibly difficult ask; that was on Sky News Agenda on 29 July 2012. Yet this is what is expected of Newstart recipients; this amount must stretch to cover all essential items. Those who have advocated reform include but are not limited to ACOS, the Business Council of Australia, the Australian Council of Trade Unions, the Australian Human Rights Commission, the Australia Institute, UnitingCare, the Salvation Army, the St Vincent de Paul Society, the Australian Youth Affairs Coalition, COTA, Anglicare Australia and many people in this place, including some of my backbencher colleagues.

The Newstart allowance is part of a broader package of support which includes a basic allowance, supplementary payments, Commonwealth rent assistance, concessions employment servicing and access to training, family tax benefits for those with children and
assistance with child care. In the 2012-13 budget, the federal government announced additional measures to further help those in receipt of allowances, including investment to improve childcare assistance to help unemployed parents receive training and skills needed to enter the workforce, and a new supplementary allowance to help manage the unexpected cost-of-living expenses. This provides up to $210 for singles and $175 each for couples, and that is welcome, but we need the Newstart to be more.

Other initiatives which supplement the allowance include the tripling of the tax-free threshold, intensive support for mature age job seekers et cetera. In my electorate of Page, I am talking to people who are on Newstart, and some people who are on the parenting pension who have gone onto Newstart, and I am trying to assist them there. I know that an increase in Newstart would go a long way to assisting those people.

Debate adjourned.

Iran

Debate resumed on the motion by Mr Simpkins:

That this House:

(1) notes that:

(a) the Islamic Republic of Iran will conduct Presidential elections on June 14 (Khordad 24 on the Iranian calendar) of 2013;

(b) within Iran, political activists, journalist, and political opposition leaders are imprisoned, and often tortured, for attempting to express their freedom of speech, political and media freedom, and for attempting to hold their government accountable for its actions; and

(c) Iran continues to refuse international inspectors free and unfettered access to its nuclear program and this raises suspicions that it is seeking to develop nuclear weapons;

(2) recognises that:

(a) the upcoming Iranian elections will see Mahmoud Ahmadinejad replaced as President by another Supreme Leader endorsed candidate;

(b) political prisoners being held in violation of human rights must be released as a first step towards holding free and fair elections;

(c) Iran's potential acquisition of nuclear weapons poses a serious threat to the Middle Eastern region, and especially to Israel, and could lead to nuclear proliferation; and

(d) the Government's decision in sending two senior officials to the Non-Aligned Movement (NAM) in Iran in August has potentially undermined efforts to isolate the nation, with Iran's Supreme Leader viewing the participation of nations from around the world at the NAM in Iran as affirmation of sanction failure and as a level of endorsement for Iran; and

(3) calls for the:

(a) release of political prisoners in Iran in order to take a step towards the nation conducting legitimate elections, and as an attempt to begin to resolve some of Iran's human rights issues; and

(b) taking of all possible steps to increase sanctions and isolate the regime and pressure it to allow free and unfettered access to International Atomic Energy Agency inspectors.

Mr SIMPKINS (Cowan) (11:52): I have spoken on Iran in the past and, now more than ever, it is relevant to do so again. In 2009, US intelligence determined that, if Iran were in pursuit of nuclear weapons, they would be unlikely to achieve this capability before 2013. It is now 2013. It is a terrifying thought that a country as dangerous as Iran may have nuclear
capabilities in just a matter of months. Many throw about the question of if Iran will obtain a nuclear weapon, but to my mind it is more a question of when.

Iran's actions have raised undoubted suspicions that it has plans to become armed with nuclear weapons regardless of what authorities have actually stated. It has never been shy in showing off its military capabilities, in a subtle attempt to threaten its opposition. We must remember that Iran already has systems in place which can easily target long-distance enemies. All that is needed is for a nuclear warhead to be attached for it to be truly deadly on a massive scale. Perhaps it will soon be time for the US to pre-empt that threat with a strike against those facilities.

In 2012, Iran boasted of a new long-range missile, Meshkat, with a 2,000-kilometre range. It has also announced plans to produce a missile-launching system, the Bavar 373. Even more recently, Iran has claimed that dozens of its drone aircraft have managed to penetrate Israeli airspace without detection, and they plan to produce more.

Iran has not allowed the International Atomic Energy Agency inspectors full access to its facilities, with only selective access granted to locations usually dealing with energy or raw materials. I note that the agency are refused access to sites such as Parchin, which is a suspected military explosives testing site where weapons relating to research may be found. Due to the secretiveness of Iran's programs, there is a strong possibility that, even if it does not have a ready-to-go nuclear weapon, it would be likely to be in a position where it could assemble one on short notice. If Iran did acquire nuclear weapons, there would be devastating reciprocal effects across the region. Nations who are enemies of Iran, especially those who have been repeatedly threatened, such as Israel or Saudi Arabia, may be targeted, resulting in horrific consequences. Power plays would destabilise the Middle East. Some will form closer alliances with Iran to seek protection, while some may even take action to defend themselves against Iran and attempt to level the playing field by acquiring their own nuclear weapons. This will make pre-existing problems in the region even more difficult to resolve.

The contradicting claims by Iranian authorities create uncertainty. Repeatedly, they claim to want to lead the Islamic world and to wipe their enemies—namely, Israel—off the face of the earth. Yet the Supreme Leader of Iran has officially stated that Iran is not seeking to obtain nuclear weapons capabilities, stating that the possession of them is a great sin from an intellectual and religious point of view. I do not believe him, as Shi'ah Islam has used a form of religious dissembling known as taqiyya throughout history. As Shi'ah Islam is the minority, they have in the past justified lying in order to protect the Shi'ah population and ideologies. Regardless of what has been said by authorities, actions speak far louder than words.

If there truly is nothing to hide, why don't they just make the nuclear program accessible? This is unlikely. Iran has ignored international demands and sanctions for years. Their lust for power over their own people and their enemies outweighs their desire to comply. Iran has a sense of entitlement as the dominator in the region, which leads to fears that they are willing to go to extreme measures in acquiring this domination.

For too long, Iran has positioned itself as the victim and continues to claim ancient conflicts between Shi'ah and Sunni denominations and even between Persian and Arabic ethnicities as justification for violence and hatred. Shi'ah belief portrays itself as being the little fish in the Arabic Sunni pond. Iran believes it is its responsibility to return to Persian
dominance, as before the Arabisation of the region between the seventh and 14th centuries. So they view it as their right to spread the Shiah theocracy and to suppress the Sunni majority.

This desire for control is not just for control over others. Within Iran, people are suppressed and they do not have basic human rights. This is a serious concern, especially as Iran claims to be a free and fair democratic nation. With Iranian elections due to occur in June, many are doubtful about how legitimate these will be. We only have to look back to 2009 to see how little honesty there is within the Iranian government and their elections. Despite there being strong support for the opposition, President Ahmadinejad's shocking win, with a two-thirds majority, points this out.

The lack of true democracy in Iran prevents the nation from moving forward. Elections do not achieve real change in Iran, as it is not the President who acts as head of state; it is the Supreme Leader. He is Iran's highest political and religious figure, though he is not elected. He is instead appointed by a closed assembly of experts. While the President is elected in a popular vote, he is only one of a number of selected candidates approved by the guardian council, and that guardian council consists of six clerics appointed by the Supreme Leader, including him.

It is no surprise, therefore, that the Supreme Leader holds that sort of control, showing that he holds almost a dictator-like power, and that the President is merely a puppet preapproved by the leader. Currently, 15 potential candidates have already been approved to stand for election. It is expected that the President will be even more compliant with the Supreme Leader's ideologies following the fallout between the leader and Ahmadinejad. This is not how a successful democracy should be run. This is not a democracy. These elections are not fair or legitimate. Opposition leaders are often denied approval to run as candidates and are often imprisoned for attempting to do so.

Dozens of political activists and those supporting the opposition have been arrested. They are charged with exaggerated claims of espionage, propaganda or treason, amongst other things. Many are never formally charged and few receive a fair trial. There are even cases of those who are subject to abuse, torture and death at the hands of officials. There have also been human rights violations against those in the media, students, lawyers and civil and human rights activists. As of October 2011, there have been claims of at least 49 journalists and bloggers being held in prisons, for questioning the acts of the government. Attacks have been carried out on those who openly criticise the Iranian government, and authorities prevent people from partaking in peaceful demonstrations.

There is no freedom of speech or expression in Iran, two things crucial to the running of a true and successful democracy. Extreme censorship measures are in place, with countless political news, analysis and blogging websites blocked within Iran—not to mention all social media sites, despite the irony of the Supreme Leader having both an Instagram and a Twitter account. Newspapers, blogs and independent journalists have routinely been shut down or been forced to endorse government bias and ideology.

Iran goes to incredible lengths to suppress those attempting to hold them accountable. Authorities continue to deny the freedom of assembly and association in Iran. Activists and students are targeted for acting against national security and arrested for propaganda against the state. Students known, or even suspected, to be politically active may be denied access to graduate programs at state universities.
There have also been numerous cases in which protesters have been killed, regardless of whether their protests were peaceful or not. Even the UN Secretary-General has called for an end to Iran's human rights violations. He has urged for the release of political prisoners in the lead-up to June in order for a fair and legitimate election. If political freedom is not established there will never be a true democracy. The UN continues to encourage nations to enforce and to strengthen sanctions against Iran, to put an end to the numerous human rights violations and to prevent their acquisition of nuclear weapons.

These are steps that Australia needs to take. Yes, we do implement some UN Security Council resolutions which impose sanctions upon Iran and we have established our own autonomous sanctions, yet there is more to be done. In order to strengthen Australia's opposition to Iran and its government, everything needs to be done to show Australia's position. Sending envoys to the Non-Aligned Movement in August 2012 was a step in the wrong direction. The supreme leader claimed the success of the Non-Alignment Movement proves that the forced isolation and sanctions imposed on Iran have been unsuccessful. Simply by attending, Australia, who is not even a member of the Non-Aligned Movement, has reaffirmed those statements.

It is my view that maintaining embassies in Australia for Iran and for Australia in Iran shows that Australia is still willing on some levels to communicate and work with Iran. This shows to Iran that Australia is not as serious as some in the isolation of that country. Israel has complete bans on travel and business with Iran, while the US has an almost entire economic ban. The United Kingdom has closed its embassy in Iran, as well as forcing the closure of Iran's embassy in the UK. Even more recently, Canada announced that it had severed all ties—mainly trade, political and economic—with Iran.

These are the measures that the government needs to take to ensure Iran complies with sanctions. Putting pressure on Iran will be the only way to end human rights violations, to conduct free and legitimate elections and, most importantly, to prevent Iran from ever acquiring a nuclear weapon. We can only hope that the presidential elections will have more optimistic results than in 2009, but this cannot occur without the commitment by the international community encouraging Iran to do so.

There are no easy or immediate solutions, but we cannot allow the attendance at the NAM to occur again. Iran cannot become a legitimate and functioning democracy overnight. It requires a commitment and the dedication of Australia and other nations around the world. (Time expired)

Mr DANBY (Melbourne Ports) (12:02): I welcome this opportunity to speak about the grave threat that Iran's nuclear ambitions pose to the peace and security of the Middle East and of the world. In the past eight years under President Ahmadinejad and supreme spiritual guide, Khamenei, Iran has progressed steadily towards building deployable nuclear weapons. Iranian leaders, including the supreme religious leader Khamanei, repeatedly have called for the destruction of a member state of the United Nations: specifically, Israel. According to all of the international experts, including the International Atomic Energy Agency, they are moving towards acquiring nuclear weapons that would give them the capacity to carry out that threat.

Of course, the member for Cowan is to be commended on this resolution. He has been speaking about their ballistic missile capacities which, together with the nuclear weapons
acquisition, make it a truly frightening prospect for all people who are players in that part of the world.

No rational statesman would talk about such an atrocity as wiping out a state of the United Nations, but I would suggest that the leader of Iran is not a rational statesman. In fact, he is a religious Shi'ite fanatic, and his rhetoric should be taken seriously. The New York Times on 7 February this year quoted him as saying, 'I am not a diplomat. I am a revolutionary, and speak frankly and directly. If anyone wants a return to the US dominance here'—and he was talking about the prospects of direct negotiations with the United States—'the people'—and he was talking about the Iranian people—'will grab his throat.' These are not the sentiments of a man who seeks to achieve peace for his country through negotiations with the democracy that is still the major superpower in the world, the United States.

Both the US and the European Union have warned Iran that they will not allow such a threat to develop, and they have imposed severe economic sanctions on Iran. As chairman of the foreign affairs committee, in every European capital where I have had an opportunity to speak I have commended their foreign ministers, foreign ministries and foreign affairs committees on imposing those sanctions midyear. In fact, that was the key factor in the change in the severity of the economic sanctions in Iran, and the one that is making them pay attention. Iran now lacks even the capacity to refine petrol; the third largest oil producer has lost the technical capabilities and the access to rebuild their refineries.

Let us just look at the effect of the sanctions: Iran's exports of oil had declined to about 1.25 million barrels as of December 2012, down from an average of 2.5 million the previous year. Considering that oil exports historically provided about 70 per cent of government revenue, this has had an astonishing effect on the Iranian economy. Iran's oil exports declined to about 940,000 barrels in July 2012, the month the EU's oil embargo came into effect. If you calculate the decline in oil exports at about $85 a barrel, this means a loss of $50 billion in hard currency in one year to the Iranian regime. So sanctions have certainly been very effective. The question is: are they working?

As the member for Cowan pointed out, the current Iranian president's second term expires soon, and there will be elections in June. Iran's last elections in 2009 were shamelessly stolen—rigged—by Ahmadinejad and his street thugs in the Basij. It was very ominous for the Iranian people, who have never had this happen before, that suddenly all of the ballot boxes were seized by the interior ministry. Afterwards we saw the bloodbath as the people of Iran realised that the election was stolen from them and this theocratic regime had been kept in office. The prospects do not seem much better for this year's elections.

The Economist reported recently that Iran's unelected supreme leader, Ayatollah Ali Khamenei, is determined to get a new president who is completely compliant with his will. We do not know who that candidate will be. Ali Larijani, who has been one of the hardline negotiators on the nuclear matter, may be close enough to Khamenei to get his support.

Khamenei and Ahmadinejad have fallen out in recent years. Ahmadinejad may run his own candidate against the ayatollah's nominee. There is one ray of hope: a reformist candidate, Mostafa Kavakebian, a professor of political science at Tehran university. He must be a very courageous man. After what happened in 2009 to the opposition forces in Iran, I am not optimistic about his chances. If the people of Iran peacefully brought about regime change,
this would be the best way of halting Iran's march towards nuclear weapons and its aggressive policy to countries in the region.

There are reports that Khamenei is concerned, however, about the damage the economic sanctions are doing to the Iranian economy, fearing it will weaken the Islamic republic's grip on power. We must approach this peacefully with strong diplomacy and the aggressive sanctions that are taking place. I note that the United States introduced new sanctions which will block countries that have exemptions to receive Iranian oil exports remitting those finances back to Iran. Iran can only buy goods from those countries, such as China. That is a further tightening of the sanctions that has happened only in the last few days.

US President Obama has been very clear that the United States will not tolerate a nuclear Iran and he seems to have the full support of Europe on this. Remember, he declared in 2012: Iran's leaders should understand that I do not have a policy of containment; I have a policy to prevent Iran from obtaining a nuclear weapon.

There has been a lot of talk at the same time about the unilateral action by Israel against Iran's nuclear program. Perhaps we will learn more about that after the President of the United States visit to Israel in March, a development I certainly welcome.

Israel has a clear right to defend itself against such profound, repeated and verbal as well as existential threats such as Iran's weapons program and ballistic missiles, but I hope it will not come to that. I hope the combination of diplomacy, including the fearless work of the International Atomic Energy Agency, and sanctions will eventually persuade the regime in Iran, whether it is Khamenei or the next president, that developing a nuclear weapon is not worth the risk.

Australia understands that Iran's ambitions do not just threaten Israel; they threaten the whole region, particularly the West's allies—Saudi Arabia and Turkey. They are a threat to the Gulf States such as Kuwait and Bahrain, which Iran sees as part of its sphere of influence. In fact, Iran is a threat to the whole Sunni Arab world, where it seeks to establish a regional Shia hegemony, with allies in Syria and Iraq, and through its political robots, Hezbollah, in Lebanon. They are also a threat, obviously, to Europe and Japan and all of our friends in Asia, who rely heavily on Middle East oil.

People who claim Realpolitik is a sort of muscular foreign policy ignore the Iranian regime's treatment of the Baha'i in Iran—the terrible persecution of that peaceful religion—the hanging of gay people in public squares, the judicial murder of children under 18, the kidnapping of foreign tourists as well as Iran's own intellectual elite. This all says something about the nature of the regime. Dealing with Iran as Dr Kissinger would have us deal with China, which is simply in terms of Realpolitik and ignoring the nature of the government of the country, is actually an effete foreign policy. It is an effete foreign policy because it does not take into account the intent of the regime, the nature of the regime or why a country like Iran will act in a non-rational way.

Do we believe that the Soviet Union under Brezhnev or any of the people in the high communist period would have used nuclear weapons? Most people, even their enemies, regarded the Soviets as rational actors. That is why the Western world was able to deal with them. That is why, in the end, we did not face nuclear conflagration. With these people in Iran, there is a desire for a millenarian period in which Iran will dominate the world. It is
important that there be a firm international stand against them; it is important that we all stand together. I hope that economic sanctions and firm diplomacy do work. I know that the President of the United States means what he says, and I hope they get that in Iran.

There is one last point I would make to the member for Cowan: Australia does perform a very important role for the Western alliance in Tehran, and you need to consider that when you make comments or judgements about this matter. I am not referring to your understandable references to the NAM conference. Australia's diplomatic representation in Teheran is very important—(Time expired)

Mr FRYDENBERG (Kooyong) (12:12): I rise to support the motion put forward by the member for Cowan on the situation in Iran and the dire threat that Iran is to the international community. Let it be said that my friend and colleague the member for Cowan was a major in the Australian Army. He knows what the military repercussions are of Iran's threat to international peace and stability. I would also like to thank my colleague the member for Mitchell for speaking on this important motion.

On 29 January 2002 George W Bush, the then President of the United States, said in his State of the Union address that there was an axis of evil. He was referring here to three countries: North Korea, Iraq and Iran. We know what transpired in Iraq, we know the threat that North Korea is to the world with its proliferation of WMD, and today we talk about the clear and present danger that Iran poses to the world.

Let us remember: Iran is a terrorist state; it imprisons journalists; it has political prisoners; it supports Hezbollah; it has links to al-Qaeda and Hamas; and it continues to support the despotic regime in Damascus led by Assad, which has led to the deaths of more than 60,000 innocent people. Iran continues with its clandestine nuclear weapons program, and its President calls publicly for the destruction of another UN member state, namely, Israel.

It does not matter what happens at these elections on 14 June this year in Iran; Iran will continue to pursue policies which are antithetical to the best interests of the world. We have a responsibility to speak out. We have a responsibility to use our chairmanship of the United Nations sanctions committee to do more to stop Iran—financial sanctions and sanctions about dual-use technology on both individuals and entities are critical. The facts that Iran's economy is in shambles, its rial has fallen to one-fifth of what it was and its oil and exports have been cut by half are good things.

On Iran's human rights record, a tribunal at The Hague found that the Ayatollah and his co-conspirators in the early eighties were responsible for the death of 20,000 political prisoners. More than 500 people of the Baha'i Faith have been arrested and some have been incarcerated for more than 10,000 days. There is no free speech; there is no free press—in fact, bloggers have been imprisoned.

When it comes to terrorism, we have only learnt in recent days from Bulgaria that Hezbollah has been linked to the killing of five Israelis and a Bulgarian bus driver during an attack on Bulgarian soil on 18 July last year. There was an arrest in Cyprus of a Hezbollah operative. There has been a bombing of the Israeli defence envoy's car in India. Attacks have been thwarted in Thailand, Azerbaijan, Georgia and elsewhere, and all have links back to Iran. And, as I said, in Syria more than 60,000 people are dead.
What concerns me most is the weapons of mass destruction program that Iran is undertaking. There is its sophisticated ballistic missile program; its serial non-compliance with successive UN resolutions, and its space program, which seems to be moving ahead in leaps and bounds. The danger if Iran gets a nuclear weapon is that it can carry through its threats to destroy another country. What is more, this will lead to proliferation in the region, in Turkey, Egypt and Saudi Arabia, all of whom will seek to get weapons of mass destruction—not to mention the instability in the Gulf states and the Straits of Hormuz, through which so much of the world's shipping and oil exports go.

There is a way forward. The P5 plus 1, which involves Germany, is one method, but know what is said—that a military solution is not off the table. It is time for Iran to come to the negotiation table, come clean with its nuclear weapons program and be a proper citizen of the world.

Ms BRODTMANN (Canberra) (12:17): In the late nineties, I worked on the Middle East desk in the Department of Foreign Affairs and Trade. One of the professional highlights of that time was being involved in the normalisation of Australia's relationship with Iran. As a result of the Mykonos affair in the early nineties, our relationship had been relatively cool. We had a mission in Tehran, but the level of significant engagement and dialogue was limited. That all changed with the election of the reformist and liberalising President Khatami in 1997, with 70 per cent of the vote. Despite concern from some of our allies, the then Minister for Trade, Tim Fischer, led the first ministerial delegation to Iran in 1999, and I was part of that delegation. The delegation comprised a cross-section of the business community and we negotiated a number of agreements, including a banking and finance agreement, in which I took part.

The Iran under President Khatami is very different from the Iran under President Ahmadinejad. While I am not in any way suggesting that we did not have any concerns with President Khatami's Iran—we did, particularly with regard to human rights—President Khatami's Iran was seeking to engage with the world. President Ahmadinejad's Iran is seeking to antagonise. The Iran of today is hawkish, to say the least, with its nuclear ambitions and human rights abuses, where journalists and political activists are being arbitrarily jailed, including President Ahmadinejad's media adviser recently, and public executions continue. Australia continues to raise concerns with Iran directly on these issues, here in Canberra and in Tehran.

I also lament the fate of Iran's people, who are not just repressed by the Iranian political system but disenfranchised from it. These people—many of them bravely demonstrated after the 2009 election—live in fear of speaking out against the regime. Earlier this year, Ayatollah Ali Khamenei told a gathering that politicians should not make claims or insinuate that previous Iranian elections were not free or fair. I presume he said this because there is an overwhelming belief that Iran does not hold free and fair elections. The Iranian leadership will not harbour any criticism of its electoral system, even though both the opposition candidates in the 2009 presidential race boldly stood up and said the vote was rigged. And what happened when these opposition candidates questioned the fairness of the elections? They were put under house arrest.

Less than a month ago it was reported that Ayatollah Sobhani was calling for the general elections to be scrapped and the next president to be hand-picked. As analysts noted, this is
probably a result of the fear within the Iranian leadership that the national protests and uprising that followed the far from free 2009 election will happen again. My heart goes out to the millions of Iranians who want to see fair elections with opposition parties able to robustly and openly campaign without intimidation, arrest or worse.

Unfortunately, I cannot support the member's motion, because he has rejected an offer by the government to agree to stronger text condemning the Iranian government and our concerns about its nuclear ambitions and human rights record. This seems to boil down to one reference—the reference in the member's draft to Australia's participation at the NAM summit. Australian officials participate in this summit for good reason: to prosecute a broad range of Australian foreign policy interests with the international community. It is called dialogue. Officials did not participate in the NAM meetings themselves, were not present during any speeches by members of the Iranian government and met only with ministers and officials in the margins of this meeting.

Australia's position on Iran has been clear and strong over several years and there is no basis for any claim that our efforts to isolate Iran have been compromised. Our robust sanctions measures, our public commentary and our role in the UN Security Council speak for themselves. We wanted to support this motion and could easily have achieved a bipartisan motion that represented our collective interests and concerns on this important issue. This is simply another example of the opposition compromising a very important foreign policy matter, a matter on which Australia has a strong record, in a vain attempt to score political points.

Mr HAWKE (Mitchell) (12:22): I want to commend the member for Cowan for this excellent and timely motion and also the member for Kooyong on some fine remarks in relation to this matter. Taking up from the member for Canberra, and a little bit from the member for Melbourne Ports, I would say that there is a point of divergence in relation to this motion. However, it depends on your view of what you believe about the solutions to this terrorist state that is Iran. Do we believe that there will be a diplomatic solution that provides a solution to the Iranian question? Of course, the answer is, in my view, no, there will be no diplomatic solution to the question of this state. I think that is evident from the many, many years in Iran since the fall of the Shah.

It is timely that this motion appear today, 11 February, because it is the 34th anniversary of the establishment of the Islamic Republic of Iran. We know that in that 34 years we have seen repression and we have seen terror. We have seen external threats to other nations and states and we have seen the treatment of their own people. The 2009 election of Ahmadinejad for the second time is perhaps the best example of this. That defeat of Mir Hossein Mousavi gave rise to the Green Movement, calling for democratic electoral reform. As a younger member here, it was inspiring to see the hundreds of thousands of people jumping onto social media, an invention of the West, in a desperate plea to do something about their own government repressing them. At the height of it, there were 100,000 tweets per hour on June 16, just after the election, climbing to 220,000 per hour, with the hashtag ‘#iranelection’ being the most tweeted of the entire world in 2009. That should say that the Iranian people themselves are crying out for change, and it is the responsibility of the international community and free nations such as Australia to do whatever we can to help with this situation.
On 20 June we saw the young Iranian woman, identified as Neda Agha-Soltan, shot by the Basij and dying in front of the cameras on Kargar Avenue in Tehran. In today's world that footage alone reached many billions of people and did more for the cause of freedom than we could ever do speaking in this chamber. However, if we are to solve the problem of Iran, we need to be supporting the Iranian people and movements like the Green Movement. We need to be standing up for people like Neda. It is not the case that there will be a diplomatic or UN mandated solution to Iran. When you listen to the words of Ahmadinejad, who travels around the world threatening freedom—threatening Israel and calling for the complete obliteration of Israel; denying the Holocaust; attacking homosexuals; attacking free people all around the world—you can hear from his own mouth the state that Iran is in under Ahmadinejad and Ayatollah Khamenei.

Iran is perhaps the biggest security question of our age. Its attempt to acquire nuclear weapons and the nuclear proliferation of such a state ought to strike fear into any free nation. Not just the internal repression of regimes that we see around the world but this attempt to acquire nuclear capability for the purposes of executing a philosophy that is spouted by Ahmadinejad should strike fear into every member in this place. It is the coalition's view, of course, that the world community needs to continue to apply significant actual pressure onto states like Iran. That is why on 10 January this year, when Minister Bob Carr announced a new round of Australian autonomous sanctions against Iran, we welcomed them: the financial and travel sanctions on additional individuals and entities active in the oil, gas and financial sectors; anything related to Iran's weapons of mass destruction—things that every member of this place supports. We supported those calls from Senator Carr. We support any call from the Australian government to do those things.

It is contrary to these initiatives that we saw in the second half of last year the Gillard government sending our Ambassador to the UN and the Prime Minister's special envoy to Iran to attend a meeting of the Non-aligned Movement. We do have a point of divergence on this. The member of Canberra said we are playing politics with this, but it is not the case. We have a legitimate view that engagement on that level with such a state that is attempting to acquire nuclear weapons for the purposes of executing its evil agenda is not helpful. We do not think it will work. The participation by some countries was used by the supreme leader to claim legitimacy and to affirm the failure of sanctions. That should be a signal to members opposite and everyone here that we ought to be doing everything we can to impose sanctions to support the very people of Iran—the Green Movement and people like Neda who have thrown their lives on the altar of freedom—to help find a free Iran in any way that we can.

Mr CHAMPION (Wakefield) (12:27): The member for Mitchell was talking about the Non-aligned Movement. We have sent officials to the Non-aligned Movement as guests for some time, so there is nothing new in that. Senior officials have attended the last three Non-aligned Movement ministerial meetings: Special Envoy Joanna Hewitt at the meeting in Egypt in May 2012; the special envoy and the former Deputy Prime Minister Tim Fischer in Indonesia in May 2011 and Belgrade in September 2011; and former foreign minister Stephen Smith at the last Non-aligned Movement summit in Egypt in 2009. The Non-aligned Movement has 120 members and is the largest regular gathering of countries outside the UN General Assembly. So it is important not to reduce the Non-aligned Movement down to the
question of Iran. This is a broad movement, a broad body, and it is important for Australia to attend. It is in our national interest and in the interests of diplomacy.

Nobody supports Iran's current nuclear ambitions. Nobody supports its current position on foreign policy—its support of terrorists around the world, particularly in the Middle East—and nobody supports the reign of terror that the current government of Iran imposes on its own people. We should be cognisant of not just the use of sanctions to prevent Iran's ambition to obtain a nuclear weapon but also the use of sanctions to improve Iran's human rights record. Of course, the two are inextricably linked. I think we will not remove the threat of Iran's nuclear weapon ambitions unless there is significant domestic reform in Iran—in particular, a movement to respect human rights and comply with international obligations, and starting a pathway to democracy.

Iran has had a troubled history. It suffered under the Shah of Iran and suffered from foreign intervention during that period, and that led to the Islamic revolution. It is not often you see the people of a country swap one tyranny for another, but it does happen. We would hope that it never happen, but in this case they simply swapped the Shah of Iran and his secret police for a theocracy. Although it allows voting, and votes with some regularity, it is of course only for candidates that the theocracy approves of. There is a secret police and there is a revolutionary guard. People are regularly hauled off to jail, their human rights are violated, their personal freedoms are violated and crimes are committed upon them both by the state and its agents.

In my mind, the announcement of Iran's nuclear ambitions are linked completely to its progress on the domestic front, and we should do everything—as the previous speaker said—to encourage the green revolution which began the movement to democracy in the Middle East but which sadly remains unfinished. I think the sooner that process can begin and continue the better.

Debate adjourned.

School Education

Debate resumed on the motion by Ms Rishworth:

That this House:
(1) acknowledges the important work done by Mr David Gonski AC in conducting the first review into school funding and school education in almost 40 years;
(2) recognises the transformative power of education and the importance of ensuring that we have a school system that provides all Australian children with a real chance to reach their full potential;
(3) supports the principles emerging from this review which have been incorporated into the Government's National Plan for School Improvement, including the need to deliver;
   (a) a fairer school funding system based on the needs of every student in every classroom;
   (b) more support for schools and students who need it most;
   (c) quality teaching in every classroom;
   (d) more power in the hands of school principals; and
   (e) more information about school performance for parents and the community; and
(4) recognises that the National Plan for School Improvement will build on the reforms the Government has already delivered to ensure every Australian school is a great school, including:
(a) the construction of new and upgraded facilities at around 9,500 schools;
(b) delivering record funding to support students with disability; and
(c) working with States and Territories to deliver a national curriculum.

Ms RISHWORTH (Kingston) (12:32): This very important motion talks about the importance of giving every child everywhere in Australia a very good education. I believe that we do need to be having a very serious debate in this country about how we improve our schooling system.

This motion acknowledges the important work done by David Gonski, who conducted the first review into school funding and school education in almost 40 years. It calls on the House to support the principles that have emerged from this. If we are going to move forward, we need to make sure that there is a bipartisan approach to this important issue.

We learned from the review conducted by David Gonski that we are falling behind. Indeed, over the past decade, Australian students have fallen from second to seventh in reading and from fifth to 13th overall in maths. Those results are measured by the international PISA exam. We can see we are falling behind and we cannot allow this to happen. We can and we must do a lot better. The Australian government's National Plan for School Improvement sets out the goals for Australian schools to be in the top five in the world in reading, maths and science by 2025. It sets out an ambitious reform agenda to help us reach this target.

It is no surprise that a Labor government is taking action to ensure that every Australian child has access to quality education. I am very passionate about this issue and, indeed, this is one of the issues that drove me into politics. I truly believe that if we can give our young people a good education, what it really does is provide them with a passport for the rest of their lives. It gives them a passport that allows them to go into different places, different areas, and different occupations—a whole range of opportunities that would not be open to them if they did not succeed and get a good education. It is very pleasing to me to be part of a government that understands the power of education to transform the lives of individuals—and also the importance to our national economy of having a world-class education system.

It is important to understand that we need to be competitive around the world. We can no longer just focus on living in Australia and think that we are not competing with the rest of the world. There is a global village out there and our citizens need to be educated and to be able to be the best they can be when they compete not just for jobs here in Australia but, indeed, for jobs right around the world. That is why it is so important that we do address this.

It is not like our government has not done anything up to this point when it comes to education. There have been a significant number of reforms that I have been very proud of. I have often been concerned about the opposition and their negativity towards these reforms. Some of the things that we saw in the Building the Education Revolution program not only supported so many jobs in my electorate but have allowed for absolutely world-class facilities at these schools. I have 63 schools in my electorate and I have not been to one school that has said that their Building the Education Revolution building will not transform the way they are able to deliver education—whether it has been for science labs or language labs, or for new classrooms. That has been what many schools in my electorate have used this money for: new classrooms. Many were using demountable classrooms with no air-conditioning and no ability to have innovative space for teaching. The Building the Education Revolution has been an important improvement to our schools. Indeed, a digital education revolution has allowed for
curricula to be brought online and be available for teachers—a resource for a whole range of things to enable students to really engage in the digital future. That has been really important.

But we cannot stop and we need to continually improve. We want our school system to ensure that all Australian children have a real chance to reach their full potential. The quality of education a child receives throughout their lifetime will determine the opportunities and experiences that will become available to them. The National Plan for School Improvement is based on some core principles emerging from the Gonski review. It entails a set of ambitious reforms which will help to make the government's vision for a high-quality, high-equity education system a reality. Critically, the plan aims to introduce a new school funding system based on the recommendations of the review, including a benchmark amount per student which is based on the cost of schools that have already achieved great results. Extra money, or loadings, will also be made available to support school students who need it the most, including students from low-income families, Indigenous students, students with a disability, rural and remote students, students at small schools and students with limited English. This principle is critically important because we have heard so many times that there are students who fall through the cracks and they are often those with a disability, those from low socioeconomic backgrounds, or those that do not have access to the same resources as schoolchildren in more populous areas. It is so important that we do not say that everyone should just try and get on with what they have got. It is important that we recognise that these factors make a difference, and that extra funding is directed there to ensure that, no matter where you live or what your circumstances, you will be able to get a very good education.

This government is very committed to this and I hope that the opposition will be part of this, because not only will it be looking at how we direct funding but it will also be looking at a higher standard for teachers with at least one term of classroom work experience before graduation—looking at the training for teachers going into the profession and an annual performance review for every teacher. What we do know—and this has been said by the Prime Minister many, many times—is that quality teaching is critically important.

When I go to my local schools and see passionate teachers really putting in effort I see better results, more engaged students, better welfare for those students and better learning outcomes. I have seen some teachers working in very difficult circumstances without much support, but the quality of their teaching and innovation really help their students achieve. It is really important that we invest in our teachers, and that is why I am pleased that the government wants to deliver training to ensure that teachers get extra help in managing disruptive behaviours and dealing with bullying, so that every child in the classroom gets a chance to learn in a safe environment.

Another important point of our reforms is more power for principals, like hiring staff and controlling the budget. There is also better MySchool information to make sure that no school falls behind in providing more information for parents, so they can see how their kids are doing. We have heard a lot of negativity from those opposite about MySchool and I think it is their policy to abolish it, but when I speak to parents in my electorate they tell me they find this an incredibly useful tool for looking at schools in their area. MySchool gives them information about schools and it is an important tool about which to ask the principal questions. In terms of transparency and empowering parents, MySchool is a very important tool.
tool and I urge the opposition to keep it going if they win government. It would be a bad policy to scrap this tool.

I could keep talking about how important education reform is, but unfortunately my time is limited. This is an important next tranche of reform from this Labor government when it comes to education. It is so important that we pursue this, and I call on the opposition to take a bipartisan approach to education, so that we can ensure that future generations get the best opportunity they can.

Ms GAMBARO (Brisbane) (12:42): I can advise the coalition will not be opposing this motion. I agree with most of the context and the sentiments expressed in the motion, as put forward by the member for Kingston, especially sections 1, 2 and 3 which thank Mr Gonski for recognising the power of education over the lives of our children and express support for some of the principles that came out of the Gonski review.

At the onset, I express my pride in representing an electorate that contains some of the most distinguished public, independent and Catholic schools in Queensland. The list is far too long to give, but I specifically mention New Farm State School led by principal Carmel McGrath. The school has produced outstanding results in recent years and is the winner of my annual literacy competition in the primary school category this year. Well done to New Farm State School. Out of the four winners and runners-up, two are from All Hallows' Catholic School, my old school, and one each from Oakleigh State School and New Farm State School. Through this competition I have witnessed first-hand the extraordinary writing talent of some of Brisbane's best and brightest young students. I am amazed by the intellectual capacity of these young individuals who represent the future of this great nation of ours.

It is interesting we are debating this motion as the Australian Education Bill is commencing its passage through the House of Representatives. The Australian Education Bill contains nine pages and 1,400 words. It sets out aspirational goals and essentially achieves the same thing as this motion. They both express the aspirations and the views of the parliament, but they contain no detail. Because of the issue the government has with Gonski, it has not released any detail, so we do not know where the money is coming from and the government cannot outline how individual schools will be affected.

It is all very well introducing bills and motions outlining principles and outlining goals that we are going to strive for, but the reality of the situation is that unless you know exactly, and unless you outline exactly, how the reform is going to be delivered and implemented then the talk will amount to absolutely zilch—nothing. Part 3 of the motion states:

(3) supports the principles emerging from this review which have been incorporated into the Government's National Plan for School Improvement, including the need to deliver;

(a) a fairer school funding system based on the needs of every student in every classroom;

(b) more support for schools and students who need it most;

(c) quality teaching in every classroom;

(d) more power in the hands of school principals; and

(e) more information about school performance for parents and the community …

I do not think you will find any members of this House who will disagree with those principles. As members of parliament and as leaders in our communities, of course we agree with those sentiments. Who wouldn't? But the devil, as always, is in the detail. How are we
going to make sure that those principles equate to action and ground and real change in our schools?

The coalition believe that the current quantum of funds for every school and indexation must be the basic starting point arising from any funding model. No school should lose funding as a result of a new funding model. The coalition also have our own set of principles that outline our values for schooling, including that families have the right to choose which school meets their needs, their values and their beliefs; that all children must have access and opportunity to a quality education; that student funding needs to be based on fair, objective and transparent criteria distributed according to socioeconomic need; that students with similar needs must be treated comparably throughout the course of their schooling; that as many decisions as possible should be made locally, right on the ground, by parents, communities, principals, teachers, schools and school systems—school sectors, school systems, must be accountable to their communities, families and students; and every Australian student must be entitled to a basic grant from the Commonwealth government; and that schools and parents must have a high degree of certainty about school funding so they can plan for the future and not be hit with any surprises.

Parents who wish to make a private contribution towards the cost of their children's education should not be penalised, and nor should schools in their efforts to fundraise and encourage private investment. Funding arrangements must be simple so that schools are able to direct funding towards education outcomes, minimise administration costs and increase productivity and quality.

Let me assure this House that I will fight every day to ensure that not one school in my electorate of Brisbane is worse off as a result of the changes made to education funding. I make this commitment to teachers and to parents of my electorate. Not one school will lose a dollar of funding in real terms under a coalition government—not one school. This is the commitment that I can give to every constituent. I would call on the Labor Party to make that very same commitment.

As we know, the review panel chaired by David Gonski handed the final report on schooling to the government in December 2011. The main recommendation was to implement a new funding model, at an additional cost to all government areas of $6.5 billion per year. The panel's original proposal was that the Commonwealth and the states split the cost of introducing the model on a 30 to 70 basis, and that would require each government to lift their existing expenditure in school education by approximately 15 per cent.

Dozens of technical issues arose once the panel's model was tested by the government. Both the National Catholic Education Commission and the Independent Schools Council of Australia reported serious anomalies. Leaked modelling in August 2012 revealed that approximately a third of all schools, both government and non-government, would lose funding. The coalition has consistently maintained that any new funding model introduced by the government should see no school left worse off in real terms.

The government has spent hundreds of thousands of dollars on consultants to redesign various aspects of the Gonski panel's original proposal for a funding model since the report was handed to the government in 2011. None of that modelling has ever been made public by the Gillard government and no formal response was ever provided by the government to each of the panel's 41 recommendations. We have seen various state education ministers, both
Labor and coalition, continue to complain that none of this detail—and it is very important detail: it is a huge reform—has been provided. You would think that you would provide some detail, or that there would be some basis, some costings, or some sort of direction on how you are going to implement this once-in-a-generation reform but again, this is a government which designs policy on the run. None of this detail on how this new funding will operate in practice has been provided by the Gillard government. And the same issues keep coming up time and time again. Various education ministers—of all persuasions, as I have said, not just from the coalition—have all complained. Recently the education minister from my own state in Queensland, John-Paul Langbroek, said:

We've had absolutely no detail about numbers. We don't have a model from which we can work. We also don't have any idea about what state contributions are supposed to be let alone whether we can afford them.

You would think that some degree of detail would be released out there so that state and territory governments could move forward with the government in advancing the Gonski review and the Gonski recommendations.

All sides of this House want our schools to be the best in the world. Who would not want that? We all want the best quality education for our children and for future generations. We want our students—and I see that the member for Moreton is opposite. He was a former schoolteacher, is that correct?

Mr Perrett: Yes, for 11 years.

Ms GAMBARO: I am sure he would have wanted all of his students to be at the top of the class and we want the same thing—we want all of our students to do well. However, until this government releases details and until it releases modelling, then all of the aspirational talk in the world about being the leaders in school education will come to nothing. We need the detail. We need to know where this government is going and how it will advance these once-in-a-generation reforms.

Ms HALL (Shortland) (12:52): I rise to speak on the motion that has been brought to this House by the member for Kingston. In doing so I would like to highlight the fact that the member for Kingston is totally committed to education and to ensuring that every child gets a really good quality education.

Education is the nation's future. If we cannot ensure that all our young people get a really quality education that prepares them for life in the 21st century then we are failing them. What we need to do is invest in education for the sake of our economy. If Australia is going to compete in the global market, we need a well-educated workforce—one that is prepared for the future. The government recognises this. We know just how important education is and that is why the Gonski review took place—the first review of the school system in 40 years. The opposition had a chance to instigate a review of the education system when they were in power and they did nothing. Since then, we have undertaken this review and we have made a commitment towards investing in schools. That commitment comes via the National Schools Partnership Program and the National Plan for School Improvement. Those are plans that will put Australia at the forefront of education internationally. They are plans that will ensure that all children have the opportunity to learn. The member for Kingston realises this when she talks about funding a fairer school system, more support for students and for schools, quality teaching in every classroom, more power in the hands of school principals, and more
information about school performance for parents and the community. I know that, as a parent, more information is something I always wanted. Then you know how to work with your children to help them improve.

Over the past decades, Australian students have fallen behind, and that has led to the government deciding that we were going to act now to significantly improve our performance in key learning areas. The National Plan for School Improvement is a new school-funding program that is based on the recommendations of the Gonski review. It will mean around $6.5 billion a year in today's figures—that is the ballpark figure recommended by Gonski—and now we are negotiating between the Australian government and the states. We have the Australian government investing in schools, whilst in New South Wales we have the O'Farrell government ripping $1.7 billion out of the school system. I think that that is not a very good state of affairs.

In Shortland electorate there are around 20,000 students in 49 schools. Nearly $90 million was invested in BER projects. There are libraries, multipurpose halls and science and language centres. There have been 7,589 computers installed under the Digital Education Revolution. Over $15 million has been approved for two trade training centres benefiting 11 schools. There are 11 schools participating in the Smarter Schools National Partnerships program. Eleven schools in the Shortland electorate are eligible to receive funding and are receiving funding under the National School Chaplaincy and Student Welfare Program.

In addition to that, the Australian government invested nearly $6 million under the capital works program in Floraville Public School, and that was greatly appreciated by all the teachers, parents and students at that school. That compared to the Howard government investing in a flagpole and insisting that someone from the government come along and officially launch the flagpole. On one hand you have nearly $6 million invested, and on the other hand you have a flagpole. This government is determined to invest in our future by investing in education and making sure that every student gets a quality education.

Ms O'DWYER (Higgins) (12:57): I am pleased to have an opportunity to speak on this motion about school funding. The Prime Minister, as we have heard so often, has made much of her personal commitment to education, citing it as a 'ruling passion' of her life and stating that the 'education revolution' would be a 'national crusade'. However, as Thomas A Edison so famously said, 'Vision without execution is hallucination.' Given that the Prime Minister is so fond of recounting the facts in question time, let me go through a couple of facts in the short time available.

Fact No. 1: in the 14 months since David Gonski delivered his final report to government on school funding, the government has been silent on each of the 41 recommendations. Typically, a report of this size and significance would receive a detailed response from the government. Typically, we would see modelling done of different funding options, and we would see that modelling released, discussed and debated, but so far we have seen nothing at all.

The key recommendation in the Gonski report is $6.5 billion of additional funding. That is not over the next 10 years; that is each and every year—$6.5 billion. And yet the government cannot answer very basic questions as to where this funding will come from. What is the split going to be? We heard of a 30-70 split in the Gonski review, yet the government has not said whether this 30-70 split with the states will be the funding model. Moreover, the government
has not answered basic questions as to how it will fund the Commonwealth aspects of that funding split, no matter what that figure ends up being. We simply do not know.

The government provided around $5 million in the budget towards another review. That $5.8 million in the budget was for further research into school funding changes. So despite the fact that they say this was the most significant review and that it had all the answers, and saying, 'We need to deliver Gonski,' they needed to spend another $5.8 million to conduct yet another review. Time is up—the government need to answer some questions.

Fact No. 2: the government has indeed spent quite a significant amount of money—they say—towards education. They have spent more than $16 billion on school halls and yet according to the government's own review, the Orgill review, there has been significant waste and mismanagement of that money—that money has not gone to achieving better educational outcomes for future Australians. In fact, according to many media reports, that money has been wasted. We believe more than half of it has been wasted.

Fact No. 3: we know a little about what the government and the Prime Minister in particular think about education and the significance of it because she exposed that in her recent reshuffle. Why is it that the Prime Minister continues to insist on putting failed ministers into education? First we saw it with the member for Kingsford Smith, Peter Garrett, who was the minister responsible for pink batts. Now we have seen it with the member for McMahon, who has been responsible for our border protection failures. These two are now going to be leading lights in education, which the Prime Minister claims to be so critically important to her government.

Fact No. 4: this government governs with the support of the Greens. The Greens have a very clear policy when it comes to education funding. They do not want to see one dollar of funding go towards a student who is attending an independent school. They said this very recently in their manifesto, which appeared publicly on their website—although surprisingly in this election year that manifesto has now come down off the website.

We need to deliver funding security for students and teachers and our schools so that they can deliver the best educational opportunities for all young Australians. This is what we on this side of the chamber believe. This is certainly what I believe as the member for Higgins with more than 39 schools in my electorate. I know it is critically important that we do not rip away funding from some students in order to redistribute it according to the government's own designated formula of what is 'fair'. We know what this government thinks about 'fairness'. It is about taking money away from some students to waste it in other areas—and the government's record stands very clear on that.

Mr PERRETT (Moreton) (13:02): I rise proudly to speak about the national plan for school improvements. I have had to endure five minutes from the member for Higgins. I would like her to list, at the first opportunity, the 39 schools in her electorate that wished their school halls would be torn down. I would like her to list the 39 schools in her electorate that do not appreciate the computers that have been given to them or, if she has any National Partnership Schools, to list the schools that have found that scheme to be not worthwhile. I look forward to her informing the House at a later date.

I have listened to two speeches here today and the hollow words coming from those opposite about what they believe in on schools. Everyone loves kids. I was a schoolteacher...
for 11 years. I am yet to meet a parent or anyone in the community who says we should not put more money into schools. Those are easy and simple words. I am sure we will hear more from the member for Forde once he gets up. But the reality is that it is not what people say they should do for schools; it is what they do for schools.

We are in the third iteration of school funding models. For most of my time as a teacher I had the earlier scheme and then the SES scheme under John Howard and now we are moving towards this Gonski model. Let us look at what these do. Everyone knows the SES model was a flawed model right from the very start. That is the reality. The funding maintained a number of schools. I taught at one of those funding-maintained schools. I taught in a Catholic school. I taught for three years in state schools and eight years in the Catholic system, so I understand the compromise that was made. I particularly understand the problems associated with getting the model right in terms of not taking a dollar away from anyone—which is the commitment the Labor government has given, I remind readers and listeners.

The reality is, we have to look at what people do. I will stack up our 3,000 libraries against their 3,000 flagpoles any day. When I am sitting back in my rocking chair and saying, ‘What did we do as a government, especially when the financial crisis hit?’ I will know that we poured money into education facilities. I see, time after time, these people who are lions in parliament and mice in their electorates standing in their school halls and saying, ‘This is a fantastic educational institution.’ These things contribute to the curriculum; that is the reality. Interactive whiteboards, the NBN and all of these things will give high schools a path for the future. That is what Labor has invested in. It is not just simply saying, ‘We love kids.’ We all love kids; everybody does. That is what society is geared to do—invest in the future—but it is how you do it. With the National Partnership scheme we are making sure that those who need the most support get it. That is the trial that has worked so well.

Then there are those other difficult things. I saw the Leader of the Opposition today talking about the fact that 50 per cent of the Labor caucus come from union backgrounds. I am one of those people. For five years I worked in the Independent Education Union. I am one of those union thugs, I guess. I see the great work that goes on in our schools, not just private schools like The Murri School in my electorate, which is run by the Indigenous community. My electorate has well-to-do schools, Catholic schools—poor Catholic schools and Catholic schools that are doing a little better—and everything in between. I know what wages are like in these areas. I know how difficult it can be for parents to make sure that their schools are well resourced.

Do not judge the Labor Party by what it says or the Liberal and National parties on what they say. Judge them on what they do. I can proudly say that, since we were elected in 2007, the education budget has doubled. We have invested money, at every possible opportunity, to improve the lot of schoolchildren. That is what the Gonski report is all about: working with states. They keep saying, ‘Where is the money?’ The reality is, we are a federation. We have this thing called the Constitution. It means we must talk to state education ministers. We do not run many schools—it is a bit hard to change the Constitution. We need to work in collaboration with the state governments. It is hard to believe, but they are not necessarily willing and able to be led. They tend to be their own people.
Mr VAN MANEN (Forde) (13:07): I thank the member for Moreton for his contribution, as usual. It is always a pleasure to follow this member, my esteemed colleague on the football field on a Thursday morning. I too rise to speak on the member for Kingston's motion on the National Plan for School Improvement, and I do thank her for bringing this motion to the House. We all, on both sides of politics, readily agree that education is an enormously important part of people's lives.

Nelson Mandela once said that education is the most powerful weapon you can use to change the world. As we have heard from the contributions today, I think everybody would agree with that sentiment. Everyone should have the opportunity to secure a quality education. Education is liberating. It gives us the knowledge and tools needed to live a prosperous life. As Benjamin Franklin once said, 'Investment in knowledge pays the best interest.'

The disappointing thing about this debate today is that it is focused on money. In the discussion and focus on money it has overlooked some key aspects of what we are really seeking to achieve with education—that is, an improvement in the outcomes of our students. We seek to improve their knowledge and skills as they enter the workforce after leaving school, to allow them to compete in a new global economy. In this regard, education is an essential foundation and a building block for our society to thrive and prosper in that global economy.

It is interesting to note that it was over 60 years ago that education was declared a basic human right for every person and preserved in the Universal Declaration of Human Rights in 1948. Yet today there are millions of children around the world missing out on education. More than 72 million children of primary age are not in school, and some 759 million adults are illiterate and do not have the awareness necessary to improve both their living conditions and those of their children.

While these are global numbers, it is sad to say that there are people in this country who fit into those categories. If students cannot read, then they cannot learn. The ability to read is in itself fundamental to the development of any young mind—and the ability to acquire knowledge, develop their imagination and learn to dream. It is through the ability to exercise that imagination and see genuine hope for the future that they have the motivation to go to school every day and continue to learn, grow and develop.

Thankfully, while we have pointed out various flaws and concerns in this debate over this past half hour, we do, for all intents and purposes, have a decent education system. But it has not been the thriving revolution that was promised by the Prime Minister and this government. The plans to improve basic literacy and numeracy have failed despite some $540 million being spent in this area over the past five years. The independent performance audit concluded that the literacy and numeracy program has yet to make a statistically significant improvement to literacy and numeracy in any state.

Recently, we conducted a survey in our electorate. We surveyed over 1,000 people, and 930 of those responses were that the basic skills of reading, writing and arithmetic were important. Yet we seem to have ventured off course somewhere because, instead of returning to these basic, fundamental building blocks of education, this basic structure that will improve education outcomes for young people, we have focused on new buildings or a competition and discussion, as we have heard today, about the difference between flagpoles and new...
buildings. Yet nowhere in this debate have we touched on these fundamental building blocks for the future of the students in our system.

Debate adjourned.

**Sitting suspended from 13:13 to 16:00**

**BILLS**

**Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Mr HUSIC (Chifley—Government Whip) (16:01): I am delighted to continue my contribution to this important bill which, as I said last week, is only an interim step towards recognition of Australia's Indigenous peoples in the Constitution. Before debate was interrupted, I was indicating to the chamber that, while ultimately it will be the voice of Australian people who give constitutional recognition to Aboriginal and Torres Strait Islander people, this bill will help raise awareness more broadly in the community of the issue and will also commence a conversation among us all. It remains the resolve of the government to pursue meaningful change to the Constitution that echoes the hopes and aspirations of Aboriginal and Torres Strait Islander people. The bill provides a mechanism for all Australians to become familiar with the possible wording for a constitutional statement that could be included in a future referendum.

I have seen countless times in our area the positive effect that recognition has on people through, for instance, the many award presentations held in the electorate each year, simply acknowledging the good deeds and efforts of individuals and groups. It provides an enormous sense of satisfaction and empowers them to continue to do their work. Imagine how empowering it would be were we to take this to a higher level, the most paramount level, and that is to have existence recognised within the heart of Australia's constitution. This is the sort of effect that the High Court's Mabo decision had on Indigenous people across the country when the court overturned a long-held legal view that this land had not been inhabited prior to European settlement. Overturning the principle of terra nullius acknowledged for the first time in law, for the first time since Captain Cook landed on these shores, that there were people here long before Europeans. It also validated their sense of being, their sense of belonging to the land, their sacred places and stories, and the struggles of all those who came before them. The Mabo decision itself opened the door for everything that has occurred since regarding Indigenous recognition.

It is absolutely important and appropriate to recognise the landmark speech made by former Prime Minister Paul Keating at Redfern Park in December 1992. There he publicly acknowledged to Indigenous Australians that European settlers were responsible for the enormous difficulties that Aboriginal communities continued to face. I quote Mr Keating directly:

We committed the murders.
We took the children from their mothers.
We practiced discrimination and exclusion.
It was our ignorance and our prejudice … 
These were important words and should not be viewed simply in the sense of blame but, rather, recognition of past ills and to enable a situation where we can repair our relations and move the country forward. In a similar way, who can forget the tears of joy and relief displayed when former Prime Minister Kevin Rudd gave the formal apology on behalf the parliament and previous governments for the wrongs that had been inflicted on Indigenous Australians under the previous policy of removing children from their families.

This week marks the fifth anniversary of this significant act of reconciliation, for which Indigenous people in the Chifley electorate continue to be enormously thankful. I hasten to add that the Chifley electorate has one of the largest urban Aboriginal populations in the country, and that many Aboriginal people in our electorate are either members of the stolen generation or their direct descendants. Five years after the apology to the stolen generations, people will again gather in Mount Druitt this week to commemorate this significant national event. Long before 'reconciliation' was a commonplace term in our day-to-day vernacular, members of the community, whom I am proud to represent, started gathering each year in Mount Druitt to celebrate Aboriginal culture and to march together as one for reconciliation. Fifteen years later, the Mount Druitt reconciliation march continues to be an important event in the social justice calendar in the Chifley electorate. This event continues to be well attended and is also recognised as part of the ongoing festivities within the Blacktown City Council area.

At this point, I want to note that these types of events do not occur on their own and that within the context of the discussion that we are having in this place it is important to recognise the central figures who drive the work of the Mount Druitt and Districts Reconciliation Group—in particular, Marguerite Tobin, President; Pat Smith, Secretary; Maureen Berger, Vice President; and Debra Robertson, Treasurer. Their work has helped provide a platform to bring people together across our area, and they should be deeply thanked for this.

I also want to make reference at this point to something else which I was enormously proud to be associated with and which I also think has great relevance to this discussion. Last year, as a member of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, I was involved in the inquiry into Indigenous languages in Australia. I was very enthusiastically supportive of the establishment of the inquiry for a number of reasons, which I will touch upon shortly. I note that in its report titled Our land our languages, the committee recommended that the government support constitutional changes to include the recognition of Aboriginal and Torres Strait Islander languages. The two issues of recognition are inextricably linked. The recommendation of constitutional recognition of Indigenous languages is an acknowledgment of the fact that, post Mabo, Australia should no longer be considered a monolingual nation. The committee found that at the time of colonisation there were an estimated 250 Australian Indigenous languages being used and that today we report with great regret that only 18 languages are spoken by significant numbers of people across all age groups.

The committee's report found that Indigenous language is inseparable from culture and a person's capacity to learn, making it a significant barrier to closing the gap on educational performance. As someone who grew up in a household where we learned English as a second
language, I can testify to the powerful impact that language has on a sense of identity and a sense of being—and this is particularly so with Indigenous language and the role that it plays in day-to-day existence. I know how important having access to language is. It is a bridge between generations and in forming an important bond with culture. It should not be underestimated.

I cannot stress enough the effort that has been undertaken in the preparation of this report and then to bring those recommendations to life. I can testify with my own eyes and ears—hearing and seeing—what is being done in our area. It is great to see the amount of work that is being undertaken to keep Indigenous languages alive and to teach these languages to young people from within cultures. In particular I note Hebersham Public School and the work that it is doing with its Koori Play and Chat program. This program is designed to teach younger Indigenous Australians the importance of their own language and it does so within the educational context. In the future, how exciting it will be when students from all cultures are able to study and master one or more of our own Indigenous languages. What greater recognition of Indigenous culture could there be?

The simple answer to that is that there is no greater recognition for Aboriginal and Torres Strait Islander people than the single most important document to our nation—the Australian Constitution. As I indicated earlier, the Constitution sets out rules for the conduct of the Commonwealth of Australia. But, importantly, as a document it helps define who we are and what we value. Also within this document, the truest recognition of Aboriginal and Torres Strait Islanders must and should occur.

Mr Turnbull (Wentworth) (16:09): As honourable members are aware, the opposition supports the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012 and warmly supports the long overdue move to provide for the recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution. Indeed, the second of the two referendum proposals which were defeated in 1999 was a personal project of the Prime Minister of the time, John Howard—a new preamble to the Constitution. It was designed, in large measure, to achieve this very objective—to recognise Aboriginal and Torres Strait Islander people.

That preamble proposal was, regrettably, defeated in the referendum, as indeed was the change for which I was leading the campaign—to make Australia a republic and ensure that our head of state was no longer the King or Queen of the United Kingdom but rather an Australian citizen chosen by Australians. It is worth noting that the preamble—and this is a cautionary observation—had absolutely unanimous political support. I am not aware of any member of the House of Representatives, the Senate or any political party who opposed the preamble. Notwithstanding that, the preamble achieved fewer votes than the republic proposal. This is a very important point about the practicality of this change to which I will return.

Our Constitution was not a document establishing an independent country. Australia was not an independent country in 1901. It was constituted as a self-governing dominion within the British Empire but subordinate to the imperial government. The Governor-General was not an Australian head of state. The Governor-General was not chosen by Australians or appointed on the recommendation of the Australian government. The Governor-General was an imperial viceroy and indeed was the effective representative of the imperial government in
Australia right up until the 1930s—1933, I believe—when there was, for the first time, a British high commissioner appointed to Australia.

So it is important, when you read the Australian Constitution and see references to the Queen—which are defined in the Constitution Act as being references to ‘Her Majesty Queen Victoria and her heirs and successors in the sovereignty of the United Kingdom’—that does not, in 1901 terms, mean the Queen as she is today, acting on the advice of the state government; it means the Queen acting on the advice of her imperial ministers and the imperial government. The Constitution is filled with provisions which speak to this subordination of Australia. A very good example—this is one of a number, but I will just recite one—is section 59, which states that the Queen may annul any Australian law within one year of it being enacted. Indeed, under other provisions, the Queen has the ability to withhold consent to any law which had been reserved for her consent by the Governor-General.

So there was a whole scheme. If the Governor-General, the representative of the imperial government, felt there were an Australian law that was out of place, he could refer it back to Whitehall where the Queen or King, acting on the advice of the imperial government, could then knock it back. If, by some mischance, the Governor-General approved a bill and it became law—became an act—the Queen nonetheless could annul it.

That of course raises the interesting constitutional question of what would happen if an incoming government in the 21st century were to advise Her Majesty the Queen that she should annul certain laws passed by the previous government within the previous 12 months. It is an interesting question as to whether that dead letter could rise, vampire-like, from the grave and bedevil all the constitutional lawyers and politicians.

But my point is the Constitution was a document written in and of its own times. It has evolved mightily. It has evolved not very much by the method that the founders imagined, by formal amendment, because it has been so difficult to amend the Constitution. Indeed, of 44 proposals to amend the Constitution, only eight have been successful. The last one which was even remotely controversial that was successful was in 1946. The Aboriginal rights referendum in the 1960s, an initiative of the Holt government, was unanimously supported. And the other referendum changes, at least in my lifetime, that have been successful have been essentially technical ones. How the Constitution has evolved has been largely through Constitutional or political evolution. There were the Statute of Westminster and the Australia acts, which had the result that without changing a line in the Constitution references to the Queen, meaning the Queen acting on the advice of the imperial government, came to mean the Queen acting on the advice of the Australian government. And then you have all of the changes effected by the justices of the High Court as they interpreted the Constitution.

But we have in many respects, as George Winterton once said, in Constitutional terms a frozen continent. We have been unable to change our Constitution in any controversial way. Many people have said that you need bipartisan support to change the Constitution. It is certainly very hard to change it without it, but it is absolutely not enough. The preamble is a very good example of that, a very good demonstration of the force of what I am saying.

In order to successfully change the Constitution you need to have overwhelming public support, a real sense of momentum, the strongest possible support, and very little opposition—somewhere between very little and no opposition. The reason for that, in my
judgement—and I acknowledge that it was the Chief Justice Murray Gleeson who drew this to my attention many years ago—is that we have compulsory voting in Australia. So people who are not interested in the issue, not because they are foolish or irresponsible but simply because they are not interested in the issue—people who have chosen not to pay attention to it, who have not read all the literature and have not watched the debates, and are then, as we are in Australia, dragged along by force of law to the polling booth and presented with a proposition—are invariably much more likely to vote no than yes. If you don't know, you are likely to vote no. Indeed, at every referendum which has been contentious the forces against change have said quite openly, 'If you don't know, vote no.' Obviously the less you know about it the more likely you are to be open to scare campaigns and the like. They are not unknown in political circles, so honourable members I think will acknowledge.

So the big challenge we face with this project is not that everyone in this building is not united in their support for having a Constitution that more properly speaks to the Australia of today: the Australia that does not treat Aboriginals and Torres Strait Islanders as it did in 1901, as not simply second-class citizens but effectively non-persons, non-citizens, not even to be counted, not to vote, as though they had just been airbrushed out of history. That was pretty much where it was in 1901, to our great shame. But all of that has changed. How do we make this document speak to the civilised, just, fair Australia of 2013? How do we get it passed?

Some people would say, 'Oh well, just give it a go. Work up a referendum proposal and see how you go.' The consequences, to my mind, of a referendum proposal on this topic being defeated would be very serious. It would be seen as a national rejection of reconciliation. It would do extraordinary damage to Australia in terms of our own perception of ourselves and indeed to the world's perception of us. So to have a referendum on this topic is a momentous roll of the dice. I think Australia would have been better advised, obviously, to have approved the republic proposal in 1999. I imagine there are many people in the world who still imagine that Australia is in some respects not fully independent because the Queen of the United Kingdom is our head of state, notwithstanding that we are of course as thoroughly an independent country—in fact in some respects more independent—as the United Kingdom. So perceptions matter. But with this question, because it touches on such a sensitive issue of race, the stakes are much higher.

So I am very pleased to see that the bill provides that the minister shall within 12 months of this bill being enacted take soundings, and report on the feasibility of a change being achieved. It is something that is going to have to be undertaken with great care and with great responsibility. There is a tendency in some sections of the media and in some sections of the community to run very hysterical scare campaigns on a range of issues. We are all familiar with those. This is a proposal that is very potentially vulnerable to that. You can well imagine people saying, 'Oh, if we were to make these changes, Aboriginals will be able to claim our backyard, claim our house.' You can imagine all the scare campaigns that could be run. They will have to be resisted with great force, and care. This is going to be a test of our maturity as a nation. Are we able to tell the truth about ourselves? We no longer regard Aboriginal and Torres Strait Islander people as second-class citizens or non-citizens. There may be some people who do, but there is no serious constituency. There is no accounting for a handful of...
people. But overwhelmingly the vast majority—that is 99.999 per cent—of Australians share the same aspirations as are in this bill. But it is so easy to run a scare campaign.

Of course, you have to remember that in any referendum you have to have a specific proposal. You cannot just have a vote on recognising Aboriginal and Torres Strait Islander people, just like you cannot have a vote on whether Australia should be a republic. You have to have some specific words. It is always possible for people to say, 'Oh well, we agree with the general objective but we object to these words.' They try to clothe their opposition in a technical objection. This bill, which some people have said is pretty innocuous, is much more potent than most of its readers imagine. It is in many respects a challenge to all of us, to all Australians: are we mature enough, are we grown up enough, are we confident enough to say we are not going to play petty politics, scare campaign politics, frightening people politics? Are we going to face up to the facts and maturely and soberly find a set of words that achieve the recognition that we should all support, but does so in a way that it can be carried? This is a great project that we are looking at today and we should all strive very hard to ensure that it is completed successfully.

Ms O’NEILL (Robertson) (16:24): I too rise with some hope and sense of anxiety, I expect. That was very well articulated by the member for Wentworth, because this Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012 is indeed adult reading for an adult nation, and we need to take the necessary precautions to ensure that all Australians come with us on the journey as we move towards this appropriate recognition of the reality of our country and history.

I am proud to be a member of the party that removed the final vestiges of the White Australia policy. I am proud to be a member of the party that handed the first tracts of land back to traditional owners and I am proud to be a member of the party that apologised to the stolen generations. I am proud to stand here in this place as part of a Labor government that continues to make important strides forward in the official recognition of Aboriginal and Torres Strait Islander peoples in our Constitution.

While we should be proud of these strides we made as a government and nation it is also important to recognise that there have been times we should be ashamed of: times that we have gone against our great professed Australian belief in egalitarianism, times in our national history that reveal us as a people failing to meet that sense of our best selves, times in our history where we have had a sense of what we should strive for to ensure we all move forward together and times when, through lack of generosity or fear, the historical record reveals us as far less than the best Australians we could be. So let this time, our time, not be one of those shameful times.

In order to advance Australia toward fairness we, the Gillard government, are introducing this very important bill to the House. On our journey toward community understanding of the substance of a referendum and a confidence that such a referendum will successfully achieve a positive outcome for the entire population—the first Australians and those of us who arrived a bit later on boats and planes—this bill is both an instrument that enables that conversation to occur and a record of our journey toward that day of constitutional recognition.

We find ourselves here, in this House of Representatives, with this Aboriginal and Torres Strait Islander Peoples Recognition Bill before us. It is a bill that will establish an act of recognition acknowledging the unique and special place of Aboriginal and Torres Strait
Islander peoples and their descendants as the first people of our nation. It will serve as a stepping stone to holding a successful referendum that will change the Australian Constitution to recognise Aboriginal and Torres Strait Islander peoples. This should be a bipartisan goal, and I am very heartened by the comments of my fellow parliamentarians in this debate. This should be a goal that brings all Australians together, not one that divides us. This should be a goal that we can be proud of, not one tarnished by political gains.

As part of our commitment to recognising Aboriginal and Torres Strait Islander peoples in the Australian constitution, this government established an expert panel to lead a discussion with the communities to move this issue forward and to bring it to public consciousness. The expert panel consulted widely, and we in this place should be very proud of the high level of community engagement that was achieved during this process. When the report was handed to parliament in January last year we had a comprehensive set of proposals that would guide our government and future governments toward the effort of recognition.

We have already invested $10 million to help build public awareness and community support for change. In my role as the member for Robertson on the very beautiful Central Coast—Dakinjung and Guringai country—I meet wonderful, active citizens who deeply understand what we are seeking to achieve here. I commend a particular group from my electorate known as Friends of Mingaletta, formerly called Central Coast Citizens for Constitutional Change, and I acknowledge and put on the record today my regard for their work and advocacy in bringing more attention to this issue in the seat of Robertson. The Friends of Mingaletta have already held a number of community meetings, and they have brought together community leaders to enlist their support in promoting and publicising the need for constitutional change and engaging the wider community in that debate. It is a task that has presented quite a challenge and they have certainly risen to that challenge. They know that for this historic and necessary change to come about we have to pull together—we have to come together as a country. And, as the member for Wentworth indicated, there are those whose interest, perhaps, in making money above making a country might interrupt this journey in some way. We need to be very careful to engage our media in enabling an historic, forward-looking campaign to achieve the outcomes that this legislation sets in train.

We have to talk about this issue with colleagues; we have to talk about this issue in schools; we have to talk about this issue through social media and, importantly, we have speak about it in the parliament. Indeed, as parliamentarians we are called to lead discussions in our own communities in very positive ways about the issues that are at hand and being considered through this bill. We have to drive the conversation. We have to ensure that as every week and month passes more non-Indigenous Australians hear about this proposition—that more non-Indigenous Australians say 'yes' to recognition; that more non-Indigenous Australians say yes to closing the gap. Passing this act will continue that momentum for change.

Again, referring to the region in which I live—the seat of Robertson—I am privileged to have a very active and growing local Aboriginal community, ably represented by Sean Gordon, CEO of the local Darkinjung Aboriginal Land Council. I asked him to bring together some of his own thoughts on what this legislation will mean for the local Aboriginal population that he leads at this moment, along with other great leaders in our local Aboriginal community, and I would very much like to read those comments into the record now:

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FEDERATION CHAMBER
Darkinjung local Aboriginal council is located on the Central Coast of New South Wales representing 9,000 Aboriginal people on the Central Coast and is the fastest-growing Aboriginal community in Australia based on the 2011 census data. Our experience is similar to that of our remote communities although not to the same severity. What is clear is that Aboriginal people living within urban settings are more likely to be disconnected from country, language and identity due to colonisation and European settlement. The Act of Recognition bill is an important critical step towards Constitutional recognition. This bill provides an opportunity to introduce as an interim measure the concept of recognising Aboriginal people as the first people of this country. The bill is a step in the right direction as it establishes foundation to build the necessary support structures to gain bipartisan agreement within parliament; however, more importantly, the bill allows the Australian community, both black and white, to better understand the importance of recognising aboriginal people in the Constitution. The immediate impact of the Act of Recognition Bill, if recognised, supported and passed by parliament demonstrates that there is a genuine commitment to create a real and lasting change between black and white Australia and demonstrates a sign of good faith that governments care and acknowledge our history. The Act of Recognition bill should not be seen as the solution to address the existing problems between black and white Australians nor should it be seen as the solution to fixing communities. The bill should first and foremost be seen as the first step in a true recognition and a genuine reconciliation. This bill, if passed, will provide our future generations—our next generation of leaders—the opportunity to be proud of our history and proud of who we are as Australians. The bill will hopefully generate and sustain a new generation of leadership amongst Aboriginal people and communities and allow future leaders to concentrate on remedies and solutions to our communities without the burden of recognition or the lack thereof. Finally, if the Act of Recognition bill is passed, it will lay the foundation that is necessary to achieve constitutional recognition of Indigenous Australians and demonstrate what we all know and love: that Australia truly is a great country.

Mr Deputy Speaker Scott, I want to thank Sean Gordon for those words and all the representatives on the land council for their contribution to our life—our cultural life and our physical life on the Central Coast. I have been taught to look with new eyes many times by my Aboriginal brothers and sisters, and I am sure that you have had similar experiences, as we are gifted with opportunities to travel around this great wide brown land.

This legislation makes the clear statement of recognition of Aboriginal and Torres Strait Islander peoples as the first inhabitants of Australia. It acknowledges the unique history, culture and connection to traditional lands and waters. It also commits to closing the gap in life outcomes between Aboriginal and Torres Strait Islander peoples and other Australians and acknowledges that constitutional recognition of Aboriginal and Torres Strait Islander peoples is an important part of that process.

This bill should not be a substitute for full recognition but, rather, it should encourage all Australians to become familiar with the need for and the importance of a constitutional change. Sunset provisions in the act will mean that a future parliament will reassess how to move forward with the change and will not allow this legislative instrument to become entrenched at the expense of a referendum. The apology did not bring a full and equal opportunity for Indigenous Australians and, sadly, nor will this referendum, even if it proceeds to a successful conclusion from the perspective we have been discussing here today. Nonetheless both are very important steps in bringing closer that goal and bringing it to reality.

As the Prime Minister's words echoed just the other day, there is much more to do to close the gap, and this bill is, in essence, part of the journey towards closing that gap. I do recall, as a student, accessing a book in the library one Friday afternoon. It was one of those Friday
afternoons when perhaps I was avoiding a more onerous task, but I was browsing the shelves and pulled off a book and opened it up. Sometimes in our lives the pages that appear before us are very powerful. The story that was recounted on those pages was of a different interaction that might have occurred when the British arrived here in this country. I read several pages of an interaction in which the white arrivals spoke to the Aboriginal people and marvelled at the richness of their understanding of country, marvelled at the uniqueness of their language, marvelled at the sustainability of the way in which they lived and marvelled at the complex multikinship structures, and I often wonder what a different country we might be if that fantasy had been a reality. The moment for proper engagement and acknowledgement of the richness of Aboriginal culture passed at that time. It is important that at this time, while it is our duty and we are on watch, we make every endeavour possible to ensure that we reach out across the nation, that we engage in sound enabling education that draws us together with an acknowledgement of our common humanity and draws us to a much better and long overdue recognition of the place of the first peoples of this nation. I commend the bill to the House.

Mr LAMING (Bowman) (16:39): Indeed the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012 allows this nation more time to debate the issue of constitutional recognition, to build consensus and to work on increased awareness right across this great country. The debate, I think, has had two important contributions made by the previous speakers. On our side, from the member for Wentworth, there was a very, very clear elucidation of just how complex a referendum change can be, and the previous speaker referred to 'an adult conversation for an adult nation'. It is a theme that I would like to pick up, because the one component of that discussion that has not yet been added to this debate in this parliament is the conversation within Aboriginal Australia about their role in succeeding in this very, very important course of events.

I would like to focus a lot of my speech on a 2009 quarterly essay by Noel Pearson, not because I do not believe that it is, for the very simple and self-evident case, a very important piece of work that will be remembered as really expanding on the role of Indigenous Australia in its own journey towards constitutional recognition but because large elements of this quarterly essay have yet to find their way into Hansard. I believe that important parts of this debate on this day will be looked back on, and we will see the important role that this piece has played in this journey.

Of course Pearson, like many people, is inspired by the readings of others. In this quarterly essay, he focuses on Jonathan Lear's Radical Hope: Ethics in the Face of Cultural Devastation, a work in 2006, where Lear asks the important question: what would it be for such radical hope to be justified for Aboriginal Australia? Those who hold, harbour and project such hope must be serious in order to succeed. Pearson makes the very important point that determination alone is not enough, that it is necessary but not sufficient, that we will need more than that. When you are struggling against all odds, determination is no guarantee of success. He makes the very important observation that discipline is just as important. The 'great vulnerability' that he observes in Aboriginal people has been that the institutions of their culture mandated a seriousness that, met long ago, fell apart and has really struggled to restitute itself. It has been inadequately replaced or inadequately rejuvenated. In the midst of the ruins of the old world and facing the mutations of the new, Aboriginal Australia is seeking
an accommodation of those things that make Aboriginal culture something of a serious people.

Pearson postulates that all pre-modern peoples face this very challenge, that they carry within their culture 'some institutional essence of what made and maintained them as peoples', but at the same time they are facing modern people—to use that vernacular—who are secular and unanchored. Modern people come to feel a double-edged sword, because modern people in many ways are free of that traditional orthodoxy. That includes the ability that we have to lose our own identity as modern people and to also succumb to and assimilate easily into a dominant culture, which is not the characteristic of pre-modern people. That is a fascinating observation by Pearson. Those who resist assimilation really have no protection against its inexorable advance, so Pearson asks this very question: what will it take to seriously engage that challenge ahead? Obviously, he makes his case that education is something that can, in a parallel world, be pursued with other elements like constitutional recognition. If I am reading his quarterly essay correctly, he says, 'Never make constitutional recognition something upon which we become utterly reliant but let it be something that we engage in, in parallel.'

Pearson makes two observations about what it takes to be a very, very serious people. The first of those is to live in hard places—the very self-evident observation that, the harder the place, the more serious must be the people. Human societies occupy some of the hardest and most inhospitable and economically irrational corners of the world. They are places on Earth that require serious people to sustain them as homes, and strong rationales are needed to maintain that hearth in hard places. The second element is when people are striving to maintain and transmit to future generations their pre-modern culture in a language of a modern and global world. The more esoteric and the less economically rational that these cultures may be deemed and that languages are to the imperatives of the modern global world, the more serious a challenge these people will face and the more serious they will have to be in order to retain their culture and language.

I think he very, very simply elucidates that the challenge facing elements of traditional and often remote Aboriginal Australia is even more than we can understand as modern people, to use his expression. His notion of seriousness is about orthodoxy—a 'serious person' in the sense that we are concerned with an orthodox person. Pearson makes the interesting observation that one of the great challenges to the traditional life has been alcohol. He notes that in a range of orthodox cultures around the world alcohol is anathema but that that is not the case in traditional Aboriginal Australia where they have faced a range of European vices that are unprecedented and where, he notes, 'Aboriginal Law did not evolve to proscribe these vices according to comparable principles of precedent'—principles that you might find in other cultures. The whole point that he makes about orthodoxy is that in many of the cultures—but not in Aboriginal Australia—elements like alcohol, gambling and illicit drugs have become anathema but that that has not yet occurred in many elements of traditional Australia which have survived to the present but remain 'fatally compromised by the assumption that the Law which underpins this High Culture does not have anything to say about the European vices'.

This is an observation that I was privileged enough to be part of in 1994, when petrol sniffing first arrived at the Central Desert community of Lajamanu in the mid-nineties. These were the first images that senior Aboriginal people on the traditional council had of their
grandchildren: with half-cans of Coke tied around their noses and filled with petrol. They called a community meeting in Lajamanu in the first few weeks that I was there. I had no language to understand the discussion, but in their Warlpiri—they had no words to describe these vices, so they simply borrowed from the English. The only parts that I could understand of the entire communication at this community meeting were the English words for the vices for which they had no traditional response. And so what really started these contradictions that we see between a traditional strong culture based on kinship and the almost impotent powerlessness of dealing with external threats is something that Pearson challenges his own people with. He challenges them to have that conversation and to walk in both worlds, where there is both a traditional and a mainstream response to those challenges.

This brings me to the fifth Closing the gap report, where, in a presentation from the Prime Minister that was just touching on some levels of early data about which we can all be optimistic, she then switched back to very much a focus on the banned drinkers registers, on Alice Springs and on disputes between jurisdictions—something which I think belittled that report. I think we were really there for a distillation of the evidence, to be hopeful for where there is promise and to be rightfully concerned where there is not progress. But, in the end, quoted in that very important—and landmark—fifth anniversary speech was data provided by the then Labor minister from the Northern Territory and released prior to the Northern Territory election which compared the impact of the Banned Drinkers Register to its impact the previous year.

What was not known to anyone—not to those listening to that speech nor even to the Prime Minister who read it out—was that the data attributed to the use of the 'Enough is Enough' Banned Drinkers Register in Alice Springs had actually had lifted out of it all of the alcohol-related antisocial behaviour reports attributed to domestic violence. These reports were not included after the Banned Drinkers Register came into effect, but they of course had all been included prior to the Banned Drinkers Register. This is a comparison of apples and oranges, and a false attribution of the impact of the Banned Drinkers Register when, on any fair and balanced assessment of the data in the Northern Territory, the Banned Drinkers Register had very little impact at all on dysfunctional behaviour or antisocial behaviour in Alice Springs. But that is not what has been carved into stone in the fifth Closing the gap report. That is genuinely unfortunate.

To emerge from these challenges that are fundamentally destructive of any culture, be it traditional or otherwise, the challenge for Aboriginal Australia will be to incorporate into their own belief systems having one foot in mainstream legal systems, and of course to continue also the culture of their people that have for millennia dealt with an enormous number of challenges but are yet to deal with some of the Western vices that I have outlined.

The late Maria Lane, a South Australian Indigenous academic who was mentioned in that quarterly essay, also made an important, though unpublished, contribution which Pearson picks up in his essay. In that paper, Lane observes that, effectively, we have seen a division—which Marcia Langton in her Boyer Lectures this year picked up on again through a slightly different prism. Lane refers to: 'A Welfare-Embedded'—Aboriginal—'Population which is risk- and work-averse, and benefits-, wealth- and security-oriented', and to the other leaf of the dichotomy, 'An Open-Society Population which is opportunity-, effort- and outcome-
oriented'. She described this division very early, long before the Boyer Lectures of this year where Marcia Langton referred to a north and a south: a north economically engaging in the mining opportunities of remote Australia, and then very much a more eastern seaboard, urban Aboriginal debate that is predominantly focused on the rights-based debate. She makes the obvious point: 'Why can't we have both?' or 'Should we even be learning from the activities of the north and making sure that we don't become preoccupied with the former?'

Interestingly though, it was Lane who first described this. She talks about the origins of the open society population being found in the forties and the fifties when Indigenous people first started leaving the settlements to move to urban areas and often picked up very menial and basic work. Their children grew up within that ethos. Secondly, she talks about a number of the settlements where people either chose not to, or were unable to, move from remote Australia, predominantly because the welfare system trapped them there on a pedestal—to move from those communities was, effectively, to walk away from a lot of the welfare supports that one relies on in a community. It is interesting that this has been picked up a long time ago and is still informing debate today.

I think the most important thing that Lane talked about was that this open society population has developed almost independently of many of our Indigenous-specific educational interventions. It occurred simply by movement to opportunity, and that is why it is very important to make sure that we never prohibit, or never make it difficult through government policy, for Aboriginal Australians to move to where opportunities are. We should never say to them, 'Well, you'll lose your publicly funded housing'. We should never say to them, 'If you move to take a job, there go your entitlements'. We have to find a way to transition into grasping opportunities, because through capability of course comes opportunity.

Lane scathingly characterised a lot of the programs as being preoccupied with questions of relevance, cultural sensitivity, language and racist theories such as learning styles, theory-appropriate curriculum, role of elders, parents or community, self-esteem, cooperativeness, need for outdoor activity, focus on sport, love of art and all those Aboriginal exceptionalism arguments, which failed to identify that, at the heart of it, all Australians are just wanting the same thing for their children. As a result of the irrelevance of many of these specific policies, Pearson argues that there will be a predicted shift away from this exceptionalism, and back towards a focus that every opportunity that Australia offers should be available to all Australians.

In that ideal, we are now seeing break-outs right across the country, not just in Cape York. Great work is being done in the Kimberley and great work is being done in parts of outer metropolitan urban Indigenous programming as well—not to mention in Queensland the great work being done by QAIHC and the establishment of a range of Aboriginal-controlled medical centres that are working in this area to run on a mainstream model but deliver Indigenous-tailored and Indigenous-centred and controlled care.

In Cape York there is of course the focus on education. They are initiating this debate that says, 'We can walk in both worlds and enjoy the best of both, and that we can realise that by starting with the children.' Chris Sarra, Noel Pearson and a range of others around the country are working on that.
I have explicitly focused on this, because I think the most important thing of all is not to have a mostly non-Indigenous discussion about our Constitution. We also need to have a discussion with Indigenous Australia about the shape of the next Indigenous studying, training and working population. At the moment we have a great dissonance. We have a falling out of educational opportunities for a whole host of reasons, and an expungement of Indigenous language out of a range of state educational curricula. We have children falling out of the system the minute they drop out of school, and we have no community-wide system to ensure that working-age cohorts all get an opportunity. And ultimately, we have not yet developed a mature welfare system that is prepared to support not just an Aboriginal Australian but any Australian who is willing to move further than the 90-minute Centrelink rule to take up an opportunity. Only when our welfare system can mature to that point can we absolutely grasp the opportunity that every Australian family wants, be they Indigenous or otherwise.

Mr ZAPPIA (Makin) (16:54): I too take this opportunity to speak to the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012. This legislation follows the report titled Recognising. Aboriginal and Torres Strait Islander peoples in the Constitution, which was presented about a year ago. I note that the member for Page, who was a member of the expert panel that put together that report, is in the chamber. I say to her on behalf of all of her colleagues that it is, indeed, an excellent report. I have read through it and I believe it sums up the situation of Indigenous people of this country very well.

When I think about Australia's identity and what distinguishes Australia from other nations, the first thing that comes to my mind is the Australian Indigenous people—the Aboriginal and Torres Strait Islander people of this country: people whose attachment to this land dates back tens of thousands of years; people with a fascinating and, indeed, unique culture. Since 1788, the place of Aboriginal and Torres Strait Islander people in the Australian story has been controversial and at times divisive. Since colonisation, Australia does not have a proud history in its treatment of the Indigenous people. It is a history littered with government policy and decisions based on prejudice and ignorance. One only has to look at the speeches of Prime Ministers Edmund Barton and Alfred Deakin to understand the racist thinking of the time. Nor was the racism directly and solely meant for the Indigenous people of this land. In fact, I suspect that most of it was intended towards other people. Policies which in hindsight have been discriminatory, racist and heartless arose as a result of thoughts in that era.

In recent decades, however, there has been considerable effort to recognise the rights and equality of Indigenous people in Australia. The 1967 referendum, land rights, Mabo and Indigenous political representation have all been commendable examples of changing attitudes throughout this country, yet many other efforts have had only limited success when assessed against the often substantial resources committed. The issue of Indigenous recognition in the Australian Constitution is a prime example of that. Few people expressly opposed the proposition, yet following through with constitutional recognition has proved incredibly difficult. I heard the speech by the member for Wentworth and he made that very point. He quite rightly also made the point that not only has it proven to be very difficult in the past but also it is likely to be very difficult in the future. That may be partly explained by the broader issue about the difficulty of amending the Australian Constitution. Only eight propositions out of 44 put to the Australian people have been successful. I suspect, however,
that it has more been about a lack of commitment by politicians at all levels across Australia. The rhetoric and the platitudes have not always been matched by the necessary commitment and effort required, in a similar way to the lack of commitment that we are seeing on the question of local government recognition.

Indigenous Australians are understandably cautious about the latest proposal. Recognition of Australia's Indigenous people in Australia's Constitution will be more than just a symbolic or patronising gesture. The Australian Constitution sits as the foundation document of Australia's legal framework. It provides a framework for Australian laws and the responsibilities of federal and state governments. It is the founding document of our nation. The absence of any recognition of Indigenous people in the Australian Constitution is a denial of the truth about the origins and history of Australia and perpetuates an injustice that may have been accepted in 1901 but it has no place in Australia today.

Indigenous recognition in the Australian Constitution will recognise the rightful place of Indigenous people in the Australian story, but it will do much more than that. Constitutional recognition, reconciliation and Closing the Gap all intersect. Reconciliation will never be complete without truthful recognition of Indigenous people in Australia's history and its future. Importantly, every act of reconciliation will break down barriers to Closing the Gap strategies. Acknowledging injustice and grievances can be a powerful step in the reconciliation process.

That is why former Prime Minister Kevin Rudd's national apology was so important in unifying Australia. The Prime Minister's Closing the Gap statement on Wednesday, 6 February, only last week, highlighted progress made in overcoming Indigenous disadvantage and hardship. The statement also reaffirms the considerable disadvantage that continues to exist throughout Indigenous communities—the kind of disadvantage that led to the Northern Territory intervention policy. I believe that the Northern Territory intervention policy is well intentioned, but it will be some time before a proper evaluation of it can be made. My expectation is that there will be some initial benefits, and those who support the policy will point to those benefits as evidence that the policy is working. There are concerns, however, that over time there will be ways found to circumvent the policy, and just as prohibition did not stop the consumption of liquor in the US, the intervention may result in corruption and illegal activity in order to get around it.

I am also told that intervention is causing considerable resentment amongst many of the Indigenous people. Addressing core problems through education, awareness and inclusion would very likely have much better long-term benefits than protectionist laws which attempt to control behaviour. Whilst disadvantage continues, many of Australia's Indigenous people will continue to feel resentment, continue to feel discriminated against and continue to focus on past injustices. So Closing the Gap will heal wounds and enable reconciliation, and conversely reconciliation will help close the gap. Both will be enhanced by constitutional recognition of Australia's Indigenous people. This legislation, the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012, is an important step in that process. It follows the work of the expert panel that I referred to in my opening remarks. Cognisant of the track record of constitutional change, the government wants to ensure that any proposal for Indigenous recognition has the best chance of success. With that in mind, this bill establishes a process for consulting with the Australian people, getting the wording of the proposed
constitutional change right and overcoming procedural concerns as obstacle to a successful referendum.

Last year I was asked to address a forum organised by the City of Salisbury on the question of Indigenous recognition in the Australian Constitution. The Hon. Robyn Layton AO, QC, former Supreme Court justice, currently co-chair of Reconciliation South Australia and, in fact, South Australian of the year, Professor Peter Buckskin, Dean of Indigenous Scholarship, Engagement and Research at the University of South Australia, and Khatija Thomas, Commissioner for Aboriginal Engagement, also spoke at the forum and shared their expert perspectives on the constitutional change and the process required. It was an interesting discussion. I came away from the forum with two clear observations. Firstly, whilst the City of Salisbury team had gone to considerable efforts to organise the event, the numbers participating, although as well as expected, reflected the general lack of interest in the matter. The attendance at the forum was consistent with many other forums that I have attended with respect to Indigenous issues. The point I make is that regardless of how much we try it is quite often very difficult to engage the broader Australian community in questions and issues relating to the Indigenous people of this land. That is certainly one of the observations that I came away with.

Secondly, there was, from memory, unanimous agreement from those present that whilst Indigenous constitutional recognition should occur, there was still considerable work to be done to ensure that a referendum on the question would be successful. The concerns expressed on the night were consistent with the concerns that have been expressed in this place and previously in other places and at other times. It is extremely difficult to change our Constitution. It is even more difficult to change our Constitution when we are dealing with a matter relating to the Indigenous people of this land.

Whilst I note that the states of Queensland, New South Wales and Victoria have all acknowledged Australia's Indigenous people in their state constitutions, I am also conscious of the difficulty that we face in changing the Australian Constitution. In fact I understand that attempts in 1944, 1974, 1988 and 1999 to change the Constitution with respect to Australia's Indigenous people all failed. The only successful attempt was in 1967 and I understand that it was overwhelmingly successful, in fact the most successful change to any Constitutional matter in the history of the nation. I suspect there was also a very good reason for that, and the changes made at a time, I think, were quite logical and understood by the Australian people as being changes that should be made without there being any disagreement from any quarters.

Whilst the Mabo High Court decision of 1992 led to the Native Title Act and the establishment of an Indigenous Land Fund and the delivery of a social justice package, I believe that it also raised profound questions about the Australian Constitution and in particular the moral and legal requirements for Indigenous recognition. For example, if Indigenous ownership pre-dates British occupation, are those lands exempt from colonial law, and what other rights therefore pre-date the Australian Constitution? Such questions will continue to remain unresolved and these are questions about the sovereignty of this nation. I note that the expert panel made some comments about that in the report—very good comments, I might add—but questions remain unresolved and in fact they are questions that now arise, in my view, as a result of the Mabo decision. Furthermore, the Australian Constitution cannot continue to remain silent on a matter which the High Court has now ruled
on and which contradicts a critical presumption on which, I understand, the Australian Constitution was framed.

I conclude with a couple of other observations. I note that in many of the recommendations, including some of the propositions put forward by the expert panel, words like 'recognise', 'acknowledge' and 'respect' feature in any proposed wording that may be put to the Australian people as the words that we ought to adopt with our Constitution. I note that the word 'rights' is never mentioned. I do not know how others in the future will interpret words like 'recognise', 'acknowledge' and 'respect' unless you attach specifics to those words. If you do not, then, quite frankly, it will also leave a degree of ambiguity about what the Constitution says about our Indigenous people. It seems to me that if the word 'rights' is not mentioned, and is never going to be mentioned, then the Indigenous people of this land, the Aboriginal and Torres Strait Islanders, will continue to feel aggrieved. Perhaps, as other nations have done, it is time for this nation to also strike a treaty with the Indigenous people of this land. At least that will then enable Indigenous people and the non-Indigenous people to move forward with a degree of certainty about the rights of each party. With those comments I commend the bill to the House and once again extend my thanks to the expert panel for the work that they have put into presenting their report to the House.

Mr McCormack (Riverina) (17:09): I welcome the introduction of the Aboriginal and Torres Strait Islander Peoples Recognition Bill 2012 into the House. This is an important step forward in the recognition of Aboriginal and Torres Strait Islander peoples in our nation's Constitution, something I support. It is important that we maintain a bipartisan approach to their constitutional recognition and I welcome the Leader of the Opposition's proposal that both leaders make statements to the House of Representatives affirming support for constitutional recognition. I also commend the government on the establishment of a parliamentary joint select committee following the recommendation of the coalition. In December 2010 the government announced the formation of an expert panel on constitutional recognition of Aboriginal and Torres Strait Islander peoples to consult throughout 2011.

I join with my coalition colleagues in thanking Professor Patrick Dodson and Mr Mark Leibler AC for their work in consulting with Aboriginal and Torres Strait Islander peoples to deliver a report on possible options for a constitutional change. It is essential that we work together with this expert panel to achieve this necessary change to the Constitution and to take the important step forward in recognising our first Australians. Achieving meaningful change to the Constitution has long been a commitment in this place of the Liberals and Nationals.

It was a coalition government which was responsible for the historic 1967 referendum which removed racially discriminatory provisions from the Constitution. That referendum passed with the overwhelming support of the Australian people—more than 90 per cent of all votes cast and all states carrying it. In 1998 Prime Minister John Howard spoke in favour of a constitutional amendment that recognised the prior occupation of Australia by Indigenous peoples and their place in the Australian community as well as their right to preserve their distinctive identity. At the 2007 election the Liberals and Nationals made a commitment to hold a referendum on this matter, which took the Labor Party 2½ years to match. It is the coalition that has maintained its position on constitutional recognition and our commitment to seeing it pass. But we cannot do this alone.
Wagga Wagga based Wiradjuri elder Aunty Isabel Reid said it is time for the parliament to put politics aside and work together to achieve meaningful reform in this area, so I welcome the government’s bipartisan, in-principle support of the constitutional recognition of Aboriginal and Torres Strait Islander people. I am pleased that this is now a bipartisan endeavour but there is still much work to be done.

Given the fact that we are only months away from the federal election, little progress has been made to ensure there is necessary community consensus for this change at a referendum of the people. We just heard the member for Makin say that there have been only eight of 44 referenda passed. Thankfully, the fifth of those, on 27 May 1967, gave the Commonwealth power to make laws for Aboriginal people resident in the states and to include all Aboriginal people in the national census. But generally referenda fail, so it is absolutely crucial that when this referendum is put to the people it passes, as well as recognition in the Constitution for local government. We must make sure that when we do put it as a referendum it absolutely passes with the majority of the people.

Because of this, it is appropriate that we delay a referendum bill on this important issue until a time when there is wide, long-lasting and bipartisan support for constitutional recognition. The coalition has consistently reassured the government and the community of our strong support for the recognition of Australia’s Aboriginal and Torres Islander peoples in the Constitution and we want to ensure that this happens in the right way, at a time when it has the most chance of succeeding at a referendum.

Ms SAFFIN (Page—Government Whip) (17:13): I rise to speak in strong support of this bill and it pleases me that it has come before the parliament. Having served on the expert panel, and now being a member of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Islander Peoples, I have been deeply involved in this issue for quite some time. The contribution I make tonight is a rather small one because of the continuing work that I will be involved in to advance constitutional recognition of Aboriginal and Torres Strait Islander peoples.

This bill is a landmark piece of legislation. It may be that it is only for two years, and some people have asked me about that. They have said, ‘Why couldn’t it last permanently?’ I have said that the bill is put here. It is an act of faith. It is an act of faith by this parliament to say that we will work together in a spirit of cooperation with the communities, and have full consultation across the community of Australia with Aboriginal and Torres Strait Islander peoples, to advance the question of constitutional recognition. It is an act of faith, but it is a landmark in what it does for recognition.

It is one of our shorter bills. There are not too many short bills that get put through this place. They are usually longer and far more complex. But it is one of the shorter bills. It is one of our most easily read. It is also one that is easily understood, and it gives expression to that recognition.

One of the other issues that I wanted to talk about was everybody involved with the expert panel, my parliamentary colleagues the honourable member for Hasluck, the honourable member for Lyne and the honourable Senator Rachel Siewert from Western Australia. The four of us worked together in a very cooperative way to ensure that we were able to have input into the expert panel with all of the other members and say, ‘We’re putting forward the views of representatives of the parliament and also of the major parties, minor parties and
Independents.’ We were able to do that. The work that came out of the expert panel is a fine piece of work, and it gave the parliament, the government and the opposition something to work with. And it also, for the first time, presented and gave us a way forward with mechanisms for that recognition in the Constitution. It fleshed out all of the legal issues and other issues around it.

In working on the joint select committee on constitutional recognition, chaired by Senator Crossin, we approached our task, our work, in exactly that same way; in the spirit of cooperation and the spirit of working together to advance constitutional recognition. We have had a hearing, we have prepared a report and we have had our meetings and that spirit has prevailed, and that is the spirit that prevailed with the expert panel. The way forward relies on us working to come up with something that is absolutely satisfactory to Aboriginal and Torres Strait Islander people. That is essential. That is fundamental. That is a first and something that the Australian people can vote yes for.

We, the expert panel, had a methodology. The methodology that we used had four planks to it. It was to contribute to a more unified and reconciled nation, to be of benefit to and to accord with the wishes of Aboriginal and Torres Strait Islander peoples, to be capable of being supported by an overwhelming majority of Australians from across the political and social spectrums, and to be technically and legally sound. The work the panel was able to do was across those four planks, including being technically and legally sound. We had the time to do that. I know that that sort of methodology, that approach, will be required to continue to make sure that we get to where we want to be, where I want to be and where I know a lot of people want to be at the end of this process.

As tempted as I am to crow about who did what first and who was better at it, I do not want to impart that into this debate. I just think that we need to put our heads down and get on with the task we have been set. It is one of the most significant tasks that members of parliament and this parliament have been set in terms of an advancement in the relationship among Aboriginal and Torres Strait Islander people and all Australians. With those words, I commend this bill to the House.
either directly or indirectly, I have been working with or for Aboriginal people for at least 35 years.

Over that period many things have changed. I can recall in the eighties the Aboriginal Treaty Committee, which had as its spearheads Dr Nugget Coombs and Judith Wright. I remember the advancing discussion around the issue of a treaty and recognition in those days and the public discussion that took place around it. I recall well the period after 1976 and the introduction of the Land Rights Act in the Northern Territory. I also recall the struggle that took place in this parliament in the mid-eighties around the issue of national land rights. I recall the divisive nature of the debate. I recall the resistance from the mining sector principally; from conservative governments, including Brian Burke and the Labor government in Western Australia; and from other conservative elements within the community. I remember well the division. I remember well the demonstrations and rallies, of which I was a part, on the front steps of Old Parliament House, regaling the then Hawke Labor government about the importance of looking at a land rights model which did not jeopardise the principles of the Northern Territory Land Rights Act, which was seen as a precedent in principle for all land rights across this country recognising the inalienable right of Aboriginal people over their lands. That was not to be the prospect of the national land rights bill. Had the national land rights legislation been passed, we would have seen the erosion of rights previously given by this parliament in the Northern Territory, and that was not seen as acceptable. Ultimately, as we know, the national land rights bill never went anywhere.

Subsequently I remember the discussions that took place around the formation of ATSIC. I remember the public rally and the discussion which took place around the 1988 Barunga Statement, which hangs so proudly in this parliament. The principles of that statement could well fit this bill. It talks about recognition. It talks about justice. It talks about understanding the imperatives of Aboriginal people, in this case from the Northern Territory. We can go back even further to the sixties and the bark petitions. This year is a significant anniversary of the bark petitions, which of course were a precursor to the discussion around land rights in this place, as well as the issues that arose at around a similar time—the treatment of Aboriginal people in the pastoral industry and the people who walked off Wave Hill et cetera. There is a whole combination of elements which go together to hear the voice of Aboriginal people screaming out for the recognition of rights and the recognition of justice over many years.

I was either a very close observer or a participant in some of these things. The key element for me, though, was the way in which Aboriginal people so proudly and so justly argued their own case, and they did it with such great dignity, until finally this parliament was forced as a result of an action by a Torres Strait Islander in the High Court to once and for all get rid of the concept of terra nullius in the early 90s. We then had native title being recognised. Again, I remember the divisive nature of the debates here in this parliament, of which I was part. I remember vividly the entrenched opposition from vested interests outside this place who claimed the world was going to end. I remember the disgusting maps used by conservatives to advertise what the impact would be of native title if native title legislation was ever passed. Thank God it is now history. I remember well the eloquence of Paul Keating in his Redfern speech in 1992, and I will come to that a little later.
For me, this is a really important piece of legislation for the people I represent. Over 40 per cent of my constituents are Aboriginal people in the Northern Territory—by far the largest proportion in any seat in this parliament. I am proud to represent them in this place and—let there be no doubt—I am here because of them in so many different ways. I have seen old men and old women who argued, for nearly four decades now, the justice of what we are now accepting as a principle in this parliament.

Many of those old advocates, those people of great wisdom, have sadly passed and are no longer with us. But if they were here they would applaud the way in which this parliament has now come together around these issues. They would say, I am certain: 'This is the place we need to be to have our rights properly recognised, to see that we are getting recognition at last for who we are and for how important we are as a people, as part of the national community, as part of the national conversation and as part of our national narrative.' That, to me, is ultimately what this is about: to say to these old men and women, 'The sacrifices you have made in the past and the sacrifices which are being made now have been to some avail.' We now have in front of us this Aboriginal and Torres Strait Islander Peoples Recognition Bill. I could not have imagined this a decade ago; in fact, quite possibly not even five or six years ago. But here we are in this place, people of goodwill, coming together to support this legislation.

I thought I should refer more directly to that wonderful speech by Paul Keating. Whilst I will not read it all I do want to refer to a couple of elements of it. This is surely one of the great speeches made by any great leader in this country since federation, and certainly in terms of the cause of recognition of Aboriginal and Torres Strait Islander peoples and their rights this is first among them. He said:

And, as I say, the starting point might be to recognise that the problem starts with us non-Aboriginal Australians.

It begins, I think, with the act of recognition.

How right he was and how right he remains in the context of this piece of legislation. He referred to the Mabo judgement:

By doing away with the bizarre conceit that this continent had no owners prior to the settlement of Europeans, Mabo establishes a fundamental truth and lays the basis for justice.

I agree and I think we now all agree. There is little division over this issue anymore.

He described Mabo as 'an historic decision'. Then he said:

The message should be that there is nothing to fear or to lose in the recognition of historical truth, or the extension of social justice, or the deepening of Australian social democracy to include indigenous Australians.

There is everything to gain.

How we know that now. Ultimately, later in this parliament we joined together in the Apology, which was so finely given by the former Prime Minister, Kevin Rudd. The Apology again addressed this issue of our history and justice, the understanding of the sacrifice and the hurt of the stolen generations. Former Prime Minister Paul Keating in his speech:

Where Aboriginal Australians have been included in the life of Australia they have made remarkable contributions.
He also said in this speech:

Ever so gradually we are learning how to see Australia through Aboriginal eyes, beginning to recognise the wisdom contained in their epic story.

This is now a fundamental truth—something which is now beyond debate in this country.

I want to conclude my contribution by reading the last 30 or 40 words from Paul Keating's speech:

I said we non-indigenous Australians should try to imagine the Aboriginal view.

It can't be too hard.

Someone imagined this event today, and it is now a marvellous reality and a great reason for hope.

There is one thing today we cannot imagine.

We cannot imagine that the descendants of people whose genius and resilience maintained a culture here through fifty thousand years or more, through cataclysmic changes to the climate and environment, and who then survived two centuries of dispossession and abuse, will be denied their place in the modern Australian nation.

We cannot imagine that.

We cannot imagine that we will fail.

And with the spirit that is here today I am confident that we won't.

I am confident that we will succeed in this decade.

We did not succeed in that decade but we will succeed in this decade. I think it is a tribute to this parliament that we have come across the aisle to support this very important piece of legislation that will, I hope, lead us to a referendum which will finally and once and for all give Aboriginal and Torres Strait Islander people the recognition, which is their just deserts.

Debate adjourned.

**Courts and Tribunals Legislation Amendment (Administration) Bill 2012**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Mr KEENAN (Stirling) (17:34): The Courts and Tribunals Legislation Amendment (Administration) Bill 2012 will change the administrative structures of the National Native Title Tribunal, the Federal Court, the Family Court and the Federal Magistrates Court. The specific structural changes proposed by the bill are the transfer of the National Native Title Tribunal's appropriation, staff and some of its administrative functions to the Federal Court; amendment to the Native Title Act 1993 to reflect the fact that the National Native Title Tribunal is no longer a statutory agency for the purposes of the Financial Management and Accountability Act 1997—it being subsumed into the Federal Court—and the formalisation of the merger of the administrative functions of the Family Court and the Federal Magistrates Court.

The bill implements recommendations of the Strategic Review of Small and Medium Agencies in the Attorney-General's portfolio, known as the Skehill review, which was publicly released in June 2012. The changes which affect the National Native Title Tribunal are probably inevitable as a result of the passage of the Native Title Amendment Bill 2009, which noted the primary adjudicative role of the Federal Court and sought to integrate the
tribunal's alternative dispute resolution code with the court process. That bill had the coalition's support. As to the amendments affecting the Family Court and the Federal Magistrates Court, which has been changed to the Federal Circuit Court, the administrative merger occurred de facto in 2008 and 2009 in preparation for the government's planned abolition of the Federal Magistrates Court, which has now been abandoned.

The purpose to merge the administration of the Federal Magistrates Court with that of the Family Court had its genesis back in the days of the Rudd government, which sought to abolish the Federal Magistrates Court altogether and merge it into the Family Court. As we know, the initiative failed and the coalition policy was ultimately adopted by the immediate past Attorney-General, Ms Roxon. As the shadow Attorney-General, Senator Brandis announced during the 2010 election campaign:

One of the issues that has dogged this portfolio over the life of the Rudd-Gillard government is the fate of the Federal Magistrates Court. The Federal Magistrates Court was truly one of the success stories of the Howard government. It was established 1999 as a measure to enhance access to justice in the federal jurisdiction. Although it has jurisdiction over most matters arising under federal law, most of its work is in the family jurisdiction. The Labor government made a grave error of judgment when it sought to dismantle the Federal Magistrates Court. To deal with smaller cases quickly it is vital that there be a lower tier Commonwealth trial court. The coalition government will restore a second tier Commonwealth trial court to deal with smaller family, trade practices, industrial bankruptcy, tax and administrative law matters. It will be called the Federal Circuit Court. We expect it to become the principal trial court within the federal jurisdiction. Federal magistrates will be offered positions as judges of the Federal Circuit Court. The Federal Court of Australia and the Family Court will deal with the most complex trials.

That is a direct quote from the coalition policy.

The Federal Magistrates Court was established by the Howard government in 1999 in order to provide for timely, efficient and less formal adjudication of disputes in the federal jurisdiction. Since its establishment it has been very successful. In 2011-12 it finalised over 92,000 matters, which included family law, industrial, migration, admiralty, bankruptcy, administrative law and consumer protection. The court now deals with 85 per cent of all family law matters, up from 60 per cent in 2004. Eighty-three per cent of all applications filed are completed within six months, and 95 per cent within 12 months. It is a testament to the court's efficiency.

Despite this, the Rudd and Gillard governments have sought since 2008 to abolish the court. One of the first acts of the Rudd-Gillard government in the Attorney-General's portfolio was to commission the Semple review of the federal courts, which recommended that the Federal Magistrates Court be abolished and reconstituted as a separate lower division of the Family Court and the Federal Court. This plan, disclosure of which the government resisted throughout 2008, and most colourfully justified by reference to a dispute over biscuits in a tea room shared with the Family Court, was finally released in December of that year. The government accepted its recommendations in February 2009. However, these proposals received almost no support from any arm of the federal judiciary and none at all from federal magistrates, who themselves rightly feared that the culture of innovation and efficiency that it had built up to the benefit of all its stakeholders since its establishment would be lost in the more procedurally focused Family Court. The alternative proposal, the one represented by this
bill, which the coalition announced in 2010, was widely reported to have the endorsement of the federal judiciary.

Last year the then Attorney-General conceded defeat and instead proposed that the court be maintained under a new name to reflect its expanded workload and jurisdiction. In doing so she has accepted the policy announced by the coalition in the 2010 election, including the very nomenclature the shadow Attorney-General proposed. The change of name which the coalition proposed and which the government has adopted is appropriate for two reasons. First, the Federal Magistrates Court is already a circuit court in the true sense of the word. It has 13 principal locations and 35 circuit locations throughout Australia. Circuit settings are regularly conducted in such locations as Broken Hill, Dubbo, Coffs Harbour, Alice Springs, Bundaberg, Ipswich, Maroochydore, Mount Gambier, Burnie, Ballarat, Mildura and Shepparton. In 2011-12 the court allocated approximately 145 weeks to its circuit program. This is an extremely valuable service allowing parties to have their matters heard and determined without the need to travel to major centres.

Second, having regard to the breadth and complexity and monetary limit of its jurisdiction, it now seems misleading to describe this body as a Magistrates Court. At its establishment it seemed an appropriate descriptor, inviting comparison with the quick and less formal state and territory magistrates. However the success of the model and the consequent expansion of its jurisdiction required a proper recognition of the work of its 61 judicial officers.

However—and this has always been the way for this government—there is a gap between rhetoric and reality. For 2011-12 the court reported an operating deficit of more than $3½ million. The court has reported ongoing pressure on its operational budget despite what it describes as 'significant initiatives' to reduce costs and generate efficiencies. It has been unable to manage its work on the funds that the government has provided to it without spasmodic emergency injections. On 14 December last year the Australian newspaper quoted the court's CEO, Mr Foster, as saying:

Over the past several years, the courts have been operating at a loss ... Despite implementing many cost-cutting initiatives, the point had been reached where in order to balance the budget in 2012-13, it would no longer be possible to continue the provision of many existing services, such as maintenance of regional registries, circuits and the use of family reports in parenting cases.

Replacement of judicial officers could not be afforded without further impinging on other services.

In other words, what the government now recognises as the reason for the court's existence, its circuit program, was at risk as a result of the attrition of four years of a government seemingly hostile to its very existence.

Thankfully, the emergency funding has now been allocated, but this is no way to fund the judicial arm of government. The courts cannot be treated as a mere program to be funded or defunded depending on the way the political and budgetary whims are blowing. Senator Brandis wrote about this back in June 2012 when he said:

... all the federal courts have been running at a deficit and are projected to do so for the next four years. The chief executives of the Family Court and the Federal Magistrates Court disclosed to the Senate Legal Affairs Estimates Committee last week that, in order to comply with Department of Finance stipulations that the courts bring their budgets back into balance, the already stressed services the courts provide will be cut back even further.
And in a move that will only make a bad situation worse, the budget announced increases in court filing fees—the very threshold of access to justice—by a total of $76.9 million over four years. Incidentally, the description in the budget papers of this measure was penned in language of which Sir Humphrey would have been proud: ‘The government will reform court fees to better reflect the capacity of different types of litigants to pay. The reforms will send more appropriate price signals to court users.’

And I believe that my distinguished colleague, the former Attorney-General, will be saying something more broadly about the use of the word ‘reform’ for such measures as these, and I would agree with him that that is a much overused word when you are talking about something that is just blatantly a price increase.

When you are increasing the price of the access to justice, then clearly that is not about enhancing that access to justice. To do this is really to proclaim to the world the Gillard government's deep indifference to freedom of information. Government senators used every procedural trick in the book to suppress production of the Skehill report, written by a former secretary of the Attorney-General's Department, which reads like a vivisector's guide to the future of the federal judiciary.

The Gillard government's attitude to accessible justice is to charge more and provide less. Not only does this make a mockery of the government's self-serving rhetoric; it reflects a more disturbing approach and a fundamental disrespect to the separation of powers. The courts are not an agency of the executive government and they should not be treated as such. They are a separate institution of government and they must be sufficiently resourced to perform their constitutional functions and preserve their constitutional integrity.

The coalition is deeply supportive of the work of the federal courts and their place within the Constitution of Australia. The work of the federal magistrates—or, as they shall soon be known, the judges of the Federal Circuit Court of Australia—has shown the value of the Howard government's vision of a court to provide the greatest possible access to justice in the federal jurisdiction.

As I have previously said, the CEO of the Family Court has also been the acting CEO of the Federal Magistrates Court since November 2008. Mr Foster has been examined in Senate estimates about the potential for conflict in the concurrent performance of these two roles, and he maintains that it has been working satisfactorily. However, both courts are operating in deficit and have been the recipients of urgent supplementary funding this year so that essential operations such as the circuit sittings that I mentioned previously can continue. In any environment where Mr Foster must consider when to rob Peter to pay Paul, a Senate committee inquiry will take the opportunity for more detailed consideration of the effectiveness of the joint administration and whether there is a sustainable funding model for these courts. That committee reports later on this month, and at that time the coalition will consider whether amendments are necessary. In the meantime, the coalition does not oppose the bill that we are discussing here today.

This bill has been referred, as I said, to the Senate Legal and Constitutional Affairs Legislation Committee. When that committee reports on 23 February, the coalition reserves the right to move amendments in the Senate based on what the committee findings might be. But, in the absence of that committee reporting at this stage, the opposition does support the passage of this bill through this chamber.
Mr NEUMANN (Blair) (17:46): I speak in support of the Courts and Tribunals Legislation Amendment (Administration) Bill 2012. The genesis of this bill lies in the folly of the Howard coalition government and their difficulties in terms of their challenges and travails with the then Chief Justice of the Family Court, Alastair Nicholson, in response to efforts made by the Family Court in relation to making procedures simpler in terms of rules and regulations, the establishment of judicial registrars and a greater emphasis on mediation, conciliation conferences and the like. From an ideological point of view, the coalition government established a Federal Magistrates Court which involved duplication of many services and a duplication of jurisdiction. I remember sitting down at a family law conference over in New Zealand, explaining to some family lawyers in Christchurch over a cup of coffee the idiocies of our jurisdiction with respect to the Family Court. They were just bewildered about it.

So let's not get this idea that somehow we had a sort of legal nirvana under the Howard coalition government. They established a real problem in the overlapping jurisdiction of the Federal Magistrates Court and the Family Court. Anyone that practised in that jurisdiction and any litigant that went in there knew that you got moved from pillar to post. There was a duplication of administration, there was a different culture and there were different rules, and that was a real problem. So we said we would look at a review of it.

So the then Attorney-General, Robert McClelland, announced that there would be a review into this. That review came back. It was done by the Attorney-General's Department in conjunction with Mr Des Semple, and they said that the current situation was financially unsustainable. That was announced back in 2009, not long after we got in. There were inefficiencies in administration. There were problems that were found in the delivery of family law services to Australians. There were challenges in terms of culture. There were a whole host of problems that were created by the Howard coalition government in terms of what they did with the establishment of the Federal Magistrates Court.

So there were further reviews in relation to this. There were some other challenges that we faced in terms of knowing where to go on this. So the Skehill report was established and undertaken to look at a strategic view overall about what should happen in terms of the performance of government programs against policy and examination of the federal court system in this country—the Federal Court, the Family Court and the Federal Magistrates Court. It was found by Skehill that in fact there were predicted deficits in relation to these courts. The report was projecting a deficit of about $19.5 million, or around eight per cent of the combined forward estimates appropriations to 2014-15. What was the response? The response was that we decided to go down a different path. The previous speaker talked about a circuit court—to rename the Federal Magistrates Court to reflect what is reality and to recognise that federal magistrates are in fact judges.

There were other challenges in this jurisdiction, but we know that if you were a litigant and you went to, say, the Commonwealth Law Courts Building in Brisbane, at North Quay, in order to lodge your application and you were not sure what to do—you had different forms for different courts and different registries—there were real problems. Fortunately, to a certain extent this was overcome by practical application. My experience was that there were real problems of imperialism in administration: one administration taking others. There were problems in terms of which part of the building they were in: who had jurisdiction? I saw
judges referring matters to federal magistrates who said that they were the fount of all wisdom. There was real hostility in this area. So we had to have a change of culture. I think the practical merging of administration solved that problem to a large extent.

What we have seen with respect to this legislation is a change in the shared administration from a legal point of view. They have had a single chief executive officer since 2009, which I think has gone some way. Lawyers who practise in this jurisdiction tell me that there have been improvements in relation to this, but I am telling you that there were real problems before that. Let's not get into the idea that somehow there was a new Jerusalem when the Federal Magistrates Court was established by the Howard coalition government, because that is not the experience for litigants and the lawyers who practise in the jurisdiction.

This particular piece of legislation was referred to the House of Representatives Standing Committee on Social Policy and Legal Affairs. The report was tabled by the member for Moreton today as chair of the committee. It recommended that this particular piece of legislation be passed by the House and that the Attorney-General, in accordance with native title legislation and the Aboriginal and Torres Strait Islander Social Justice Commission, include a yearly report on the operation of the Native Title Act 1993, particularly concerning the functioning of the Native Title Tribunal, in relation to adequacy, expertise and, certainly, human rights.

I want to make this point: last Friday, at the National Centre of Indigenous Excellence in Redfern, we had a roundtable with the National Farmers Federation; the Native Title Tribunal; Fortescue Metals; BHP Billiton; the Attorney-General's Department; FaHCSIA; the Social Justice Commissioner, Mick Gooda; lawyers who practise in this jurisdiction; people from the left, the right and the centre; and Callithumpians—we had the whole lot. We had so many people at the roundtable. The member for Moreton was also there. The general consensus was that there was need for reform with respect to native title in this country—that since the Mabo native title legislation has been in operation, there has been a need for comprehensive review of the legislation. It has been in operation for about 20 years. That was the consensus. It did not matter whether you were a representative from a mining company or an Indigenous person, that was the case. The recommendation of the Standing Committee on Social Policy and Legal Affairs, of which the member for Moreton and I happen to be members—he is chair of that one and I am chair of the Standing Committee on Aboriginal and Torres Strait Islander Affairs—was that we do a comprehensive review of native title. That is what the Standing Committee on Social Policy and Legal Affairs recommended when examining the legislation before the chamber today.

As a member of that committee, I strongly recommend that the government look at the native title legislation. We have had looked at bits and pieces. At the moment, the ATSIA standing committee are looking at the good-faith provision, the reversal of the onus of proof, the resurrection of extinguishment of native title and also Indigenous land use agreements. So we are looking at bits and pieces, but we are not looking at it in a comprehensive way. The Standing Committee on Social Policy and Legal Affairs recommended that the government take an opportunity. I use the opportunity in making this speech on this legislation to recommend to the government that we do so.

There are changes made by this bill facilitating the transfer of the National Native Title Tribunal's appropriation, staff and some administrative functions to the Federal Court of
Australia, reflecting that the NNTT is no longer a statutory agency for the purposes of the Financial Management and Accountability Act. Skehill recommended some ways to improve the value for money for the government in terms of the discharge of functions. I think this is a sensible measure in that regard. You are never going to get a perfect legal system. You are never going to get a system which solves every inefficiency. You can do what you can do to improve access to justice. I think the proposed amendments do that in this regard. I think they put in place, from a legal point of view, that which was so clear such a long time ago.

On the National Native Title Tribunal, there were submissions made to the social policy and legal affairs committee by the registrar and CEO of the Federal Court of Australia and a number of other entities to address concerns particularly in terms of the amendments and the difficulties in terms of native title processing in this country. We have a situation where it takes an inordinate amount of time for native title claims to be dealt with. We have improved that by transferring some of the mediation processes to the Federal Court and improving the streamlining of that, and the former Attorney-General mentioned that. The issue of processing this in a more expeditious way was raised in detail last Friday in Redfern. It is something the government really needs to have a look at.

There have been concerns in the past in terms of the cultures of the NNTC, the Federal Magistrates Court and the Family Court. I think we have addressed that through the merging of certain entities but also in terms of making sure that those entities are staffed with appropriate people. Not every appointment is as good as we would like, but certainly there are appointments in the last couple of years which have been better appointments. It has now been over 20 years since Mabo. We heard in our legal and constitutional affairs advisory report inquiry that there were 211 native title claims on the Native Title Register and about 166 determinations that native title exists, but it would take decades, we found, for all of these claims to be dealt with. We have to look at how we do this better in this country. We cannot have people who feel they have a native title claim being held up for that time. We have got to make improvements.

According to what we have seen, I think there will be some savings. We had some evidence from the Chief Executive Officer of the Family Court, who is also the Acting Chief Executive Officer of the Federal Magistrates Court, that about $7.8 million has been saved by removing the duplication of structures and making changes. They are worthy improvements. But, as said before, there were initial cultural differences and obviously there was some inevitability in those challenges. But they will have improved, I am told. That is certainly the evidence we got from those people who made submissions to the inquiry and it is the evidence that I have received anecdotally from friends and acquaintances who practise in this jurisdiction and continue to do so.

I support the legislation. I think it is worthy of support and will make an improvement. There are things we can do in the future that will benefit both native title and family law, and we should always be vigilant about improving access to justice because that is what we should do in our role as parliamentarians.

Mr RUDDOCK (Berowra) (17:59): I do not speak often in relation to these bills but I do intend to make some observations about the proposals before us. I note that the member who is on our side, the shadow minister who spoke before me, prefaced my concern about the use of the word 'reform' for what are often changes. I note that the word 'reform' is very loosely
used. When I looked at some of the statements as to what was being intended in this legislation, that was brought home to me. I saw some observations before the Senate committee summarising what is being done on this occasion.

Schedule 1 of the bill formalises the implementation of native title institutional reforms—I would say 'changes'—which commenced with amendments to the Financial Management and Accountability Regulations 1997 from July last year. It folds the tribunal into the Federal Court as a statutory agency and makes consequential amendments to the government's financial and annual reporting frameworks. The amendments remove the legal risk and provide clarity for agencies and stakeholders. The amendments not only generate savings but result in a better alignment and allocation of functions and a clearer focus of increasing the rate of claims resolution. These legitimate legislative amendments are supported by administrative arrangements such as a memorandum of understanding between the agencies to enable the tribunal to continue performance functions in a way that is consistent with its status in the independent statutory authority.

I make mention of that because I do have enormous respect for Graham Neate, who was the President of the Native Title Tribunal. I saw the role that the body carried out over a long period as being positive. I saw it as being the specialised body. I must say I was troubled, when I was attorney, at the way in which in the Federal Court there was often a desire by judges who bring themselves to these matters—sometimes frequently but sometimes not so often—to want to appoint people that they thought might mediate, and they would not always go to the Native Title Tribunal, the specialist body. I do not know why that was always sought in that way. I tried to have an inquiry into the better way forward, and the advice that was given to me at that time, which I acted upon, was to require the courts to use the Native Title Tribunal. Graham Neate is reported as saying that the tribunal had several Indigenous staff members and had built up extensive experience in resolving native title claims and that he hoped that this knowledge would not be lost. I thought they were very appropriate observations and comments. I suspect there is a degree of trying to reinvent the wheel under the guise of reform, which can, I think, jeopardise the ability to get the full value that you can out of a body with that experience.

I noted what my colleague the member for Blair had to say about the difficulties in getting resolution of native title claims. My experience was with people who were involved in this area. The present High Court Chief Justice was involved with me, when he was a Federal Court judge, in looking at ways and means in which we could expedite consideration of these matters. One of the major problems with the large number of claims that had to be dealt with was the inadequate number of people with anthropological experience able to give advice to the states and to give advice to the applicants to enable matters to be progressed quickly. I do not know whether that has changed. I understand there were very few universities that were actually training anthropologists and producing that expertise. I know the desire to get these matters resolved and resolved quickly, but I do not think it is always the institutional arrangements which we are fiddling with. Often it is matters that we do not even give attention to. The need for anthropological expertise is something that I attach a great deal of importance to.

I note that the departmental officials commenting on these matters spoke of schedule 2 as amending the Family Law Act and the Magistrates Act:
… to ensure that these acts are compatible with the courts operating under shared administration with a single chief executive officer. The Family Court and the Federal Magistrates Court have been operating under shared administration, including a single chief executive officer, since 2009. The move to a shared administration was a joint decision taken by the two courts. Mr Skehill found that the shared administration arrangements have been a genuine success. As a result, he recommended that the previously proposed restructure of the Family Court and the Federal Magistrates Court should not proceed but that the shared administration arrangements be formalised.

That is what we are dealing with in relation to this legislation. The legislation, as the shadow minister said, is not opposed at this stage but there are Senate committee deliberations; there may be amendments that suggest themselves out of that which we are not foreclosing at this time.

I turn to the comments of the member for Blair because he is an experienced family law practitioner but he seemed to have a fond view of the Family Court under former Chief Justice Nicholson. He said that as a practitioner, but there are mixed views about the performance of the court involving practitioners. I think it has a lot to do with the way in which the court was first established.

I am going to tell you a little story about a former judge from Sydney, Ray Watson. My father taught him at Penrith High School. He was an adviser to Murphy as the Attorney-General in relation to the Family Court Act, and Ray Watson, I think, saw himself as the real architect. He has been unwell in recent times and is very fragile in a nursing home in my electorate. I fondly remember him giving some advice when I chaired a select committee reviewing the Family Law Act. He said I should go and see what happened in Alberta, Canada. There, I would find a Family Court that had court counsellors, and I would understand the model he had developed for our Family Court with court counsellors. He argued very strongly the case for the Family Court to be managing the process of trying to get independent advice on family circumstances through the court counselling model.

There was a magistrate in Sydney called Reg Bartley who ran the Children's Court, often dealing with family issues before they would become real issues before the Family Court. He would say to me: 'I can never get a counsellor from the Family Court because they hang onto them; they are their own. They have all the time to be able to use them and they'll use them fully, and we can't get access.'

I went to Canada and met Judge Marjorie Bowker of the Family Court of Alberta, and I discovered something: the Family Court of Alberta was the equivalent of our Children's Court of New South Wales. Divorce was not dealt with before the Family Court of Alberta: it was dealt with in the Court of Queen's Bench. I was surprised Ray Watson did not know all of this. When I came back it struck me: here is the most junior court, the Magistrates Court, dealing at a grassroots level with these issues that needed the help, and the Family Court was building up a bureaucracy of its own.

As a practitioner I was never one who would want to argue a case if it were possible to settle it. I regret that not all practitioners see it the same way. Some see these issues as matters that you should pursue until you have spent the last dollar that your client has. I do not think it does the profession much for its reputation.

For me, I wanted to see more practitioners who were trying to find alternative dispute mechanisms. I very strongly supported the setting up of the separate bodies to advise people
on family issues and requiring people to get counselling before they even got into the court. In my view, if you were going to try and resolve an issue you needed to do it before people became entrenched. I think we do have some cultural problems in our family law system and I am not sure that the Family Court of Australia, which deals with a very small proportion of the case loads now, fully understands that. I think the complexity that has developed, the legalism that has been brought into family law disputes, is very troubling.

I very much disagree with the member for Blair in relation to the observations he made about the way in which the Magistrates Court has worked. I think it has been extraordinarily successful. You only need to look at the numbers of cases that are resolved before the Magistrates Court to understand that it has played a very significant role. It may well be that the Family Court has been so structured that it is only receiving the most complex of all the issues that the courts might have to deal with; it may be that those are the only ones that are getting before it. But, actually, when you look at the workloads you would be surprised: if you go into Sydney most of the matters are dealt with before the Family Court; if you get out into the suburbs they are being dealt with by the magistrates.

I think we have been greatly served and I think the magistrates do feel a little aggrieved that this tremendous load that they have assumed, which they have dealt with very successfully, has not been fully recognised. I think the renaming of the court as the Federal Circuit Court will help in maintaining that degree of commitment that the magistrates have brought to the process of dealing with family law issues.

I hope, in the way in which these issues are being dealt with, we are not seeing our institutions attacked for the purposes of delivering administrative savings because the government's priorities for expenditure are elsewhere. I saw some news reports today suggesting, for instance, that there has been a very significant reduction in numbers of Federal Court judges. It seems to me that the reduction in Federal Court judges is occurring in order to produce savings. It was interesting to me that the Chief Judge of the Federal Court—about to retire and be appointed as a member of the High Court of Australia—was simply drawing attention to the potential, if it continues, for the court and its standards to be diminished. I think that would be very unfortunate.

There have been some issues of conflict between the magistracy and the Family Court. I would like to commend all of our courts because I think the separation of powers and the quality of our justice are particularly outstanding. But I do not think the way in which the government is pursuing reforms simply for the sake of change, if it impacts adversely on these institutions, is in our national interest. I do not speak often in these matters, but I have enormous respect for the people that I dealt with when I was Attorney and I am troubled about some of the pressures that they have been placed under as the government is seeking to get reductions of expenditure through some of the mechanisms that we have seen, even introduced in this legislation, which we are not opposing.

Mr PERRETT (Moreton): I also rise to support the Courts and Tribunals Legislation Amendment (Administration) Bill 2012 and to thank the Father of the House, the member for Berowra, for his contribution—particularly in touching on the native title implications but also that history of the Family Court. I know, as someone who was here pre
Mabo and looking at it from today, that it has been an incredible journey for the parliament and the nation, so I thank him for his contribution.

I am less inclined to thank the member for Stirling for his contribution—certainly not when he started moving on to what the opposition spokesperson Senator Brandis had to contribute on this piece of legislation. For me, Senator Brandis is to appropriate commentary on sub judice matters what Mal Meninga was to celebrity political careers: he did not have a lot to contribute—although as a member from New South Wales, Mr Deputy Speaker Windsor, you would appreciate that Mal Meninga, having given up his political career, then moved to Queensland and coached us to seven State of Origin wins in a row. I am sure you would appreciate that he did have something to contribute. Politics' loss was Queensland's gain. But I wonder about the role of the opposition spokesperson Senator Brandis. It is a bit of a scary proposition, the idea of him being the nation's first law officer—big shoes to fill for those opposite. I am not sure that he would be able to. At least he would not have to give advice to himself; he would have a department to give him advice, rather than that Brandis on Brandis stuff which he is often keen to quote.

The bill before the chamber proposes reforms to the administrative structures and processes of the National Native Title Tribunal, the Federal Court of Australia, the Family Court of Australia and the Federal Magistrates Court of Australia. These reforms have been presented as a means to improve the operations of the affected bodies and achieve savings. Both the Senate Legal and Constitutional Affairs Committee and the Social Policy and Legal Affairs Committee that I chair have supported—unanimously, I understand—the legislation's intent. The bill implements recommendations of the Skehill review of small and medium agencies in the Attorney-General's portfolio. The bill will make significant improvements to the administrative structures and processes of the Family Court, the Federal Magistrates Court, the Federal Court and the National Native Title Tribunal and will allow these agencies to realise significant savings through reduced duplication and more efficient administration. In particular, the bill makes legislative amendments to facilitate the merger of the administrative functions of the Family Court of Australia and the Federal Magistrates Court of Australia—which I understand is already happening—including by recognising a single chief executive officer position for the two courts. It will facilitate the transfer of the National Native Title Tribunal's administrative functions, appropriations and staff to the Federal Court of Australia and reflect that the National Native Title Tribunal is no longer a proscribed agency for the purposes of the Financial Management and Accountability Act 1997. This transfer is widely supported by stakeholders, as I saw both in my capacity as chair of the Social Policy and Legal Affairs Committee and its engagement and in other research. It is widely supported as a means to speed up native title consent orders and determinations, which would be a good thing for this nation. It has also been the subject of extensive transition planning to ensure no current matters are delayed. The Skehill review commented that the continuing existence of the NNTT could be seen by stakeholders as being very important, and abolishing it without being able to demonstrate a better substantive outcome could jeopardise the functioning of the native title system as a whole; therefore, the report recommended that the NNTT remain as a separate entity although its mediation function resources should be transferred to the Federal Court.
This bill is predominantly finalised in providing the legislative authority for a number of arrangements already in place or well advanced. As I said, the courts, the tribunal and the Attorney-General's Department have been working together over some time to implement the reforms. I would particularly like to commend them on their consultation with their employees. It was a very well-managed change process. I know it can be quite stressful when the cultures of different organisations come together but it appears to have been managed very well with a lot of consultation with employees—although I am also hopeful of a later external review to be undertaken by the Australian National Audit Office at an appropriate point in time. This would provide reassurance that the anticipated benefits in terms of efficiency and effectiveness of the affected courts and tribunals have been achieved, something touched on by the Father of the House in his speech as well. Obviously, this is in addition to the annual reports and Senate estimates. My committee also asked the Attorney-General to direct the Aboriginal and Torres Strait Islander Social Justice Commissioner, Mick Gooda, and his team to report on the adequacy of the services being provided by the National Native Title Tribunal. I could talk about this in a lot more detail, but I see the member for Braddon and the parliamentary secretary in his capacity of representing the Attorney-General is here—the man more suited than anyone else in this parliament to speak like Rumpole of the Bailey. I look forward to hearing from him and I commend the legislation to the chamber.

Mr SIDEBOTTOM (Braddon—Parliamentary Secretary for Agriculture, Fisheries and Forestry) (18:20): I speak on behalf of the new Attorney-General, the Hon. Mark Dreyfus, whom I would like to congratulate. I thank the four honourable members for their contribution to this debate. While changes to the administrative structures of the federal judicial and tribunal may not capture the imagination in the way some other bills do, it is nevertheless an important piece of legislation—as other speakers have already outlined—to ensure our courts and tribunals function as efficiently as possible. The Family Court, the Federal Magistrates Court—soon to be called the Federal Circuit Court—the Federal Court and the National Native Title Tribunal all play a vital role in Australia's decision-making system. These amendments streamline their administrative processes while ensuring they retain their distinctive identities, and these reforms implement recommendations made by Mr Stephen Skehill in his recent review of all the Attorney-General portfolio's small and medium agencies.

By facilitating the transfer of the Native Title Tribunal's appropriations, staff and some of its administrative functions to the Federal Court and by formalising the merger of the administrations of the Family Court and the Federal Magistrates Court, the government's aim is to ensure the focus of these organisations is on court and tribunal users. In combination with the additional funding of $38 million going to our courts—which the former Attorney-General announced in September—these changes will put our federal courts on a much sounder fiscal footing. Our courts and tribunals will be able to focus much more closely on maintaining and improving services—whether that be regional circuit work, native title mediations, claims determinations and future act activities, finalisation times and registry services.

On behalf of the Attorney-General, I thank the Chief Justices of the Federal and Family Courts, the Chief Federal Magistrate and the President of the NNTT for their assistance and cooperation throughout this process. The Family Court and the Federal Magistrates Court
have worked cooperatively since 2009 to combine their administrations, an initiative recognised and supported by Mr Skehill in his report. As the courts' initiative has been successful, the bill's purpose is to clarify and formalise this arrangement, rather than to fundamentally change the way the courts operate. The bill will allow the courts to make significant improvements to their administrative arrangements, while ensuring that courts retain their separate and distinct identities. During the consultation for this particular bill, the Family Court Chief Justice and the Chief Federal Magistrate raised some further potential improvements to the structure and processes of their courts. The government is maintaining an open dialogue with the courts about possible future reforms. It is clear that such reform is an iterative process, and we need to ensure that courts keep pace with the community they serve.

But the government's immediate priority is on reforms that directly benefit court users through efficient, swift and responsive courts. The NNTT changes, which this legislation supports, are more recent but have been conducted in a similarly positive and expeditious manner. Amendments to the Financial Management and Accountability Regulations 1997 that commenced on 1 July 2012 consolidated the NNTT with the Federal Court as a single prescribed agency. At the same time the NNTT's budget appropriation and its corporate services staff were also transferred to the Federal Court. This bill will finalise this implementation process.

These changes are expected to generate $19 million in savings over the next four years by reducing unnecessary duplication across the courts and the NNTT. In the case of the NNTT, the changes enable it to work more closely with the Federal Court, with respect to priorities, reporting and the performance of the complementary and independent functions, ultimately achieving better native title outcomes for all native title stakeholders. The amendments also complement the government's 2009 reforms to the Native Title Act, which gave the Federal Court a central role in managing native title claims. Since those reforms the rate of consent determinations has increased almost fourfold. In discussions on the bill, the heads of jurisdiction and the president of the NNTT recognise the need to progress structural change quickly. This is an important reform, but they understand that it is a means to an end, not an end in itself. The government's and the courts' joint focus is on how to improve functionality and users' experiences when they interact with the courts and the tribunal.

This bill represents an important part of the government's court reform package which includes, amongst other things: implementing the name change from the Federal Magistrates Court to the Federal Circuit Court and retitling magistrates as judges to better reflect the court's role in the federal judicial system; bedding down the judicial complaints framework which was recently passed by parliament to provide a more transparent and understandable way to raise complaints about judicial officers; ensuring the additional $38 million in court funding goes directly to maintaining and improving court services; implementing new court fee levels to better reflect capacity of different litigants to pay, such as higher fees for large corporations and government departments, balanced by the reintroduction of fee waivers and exemptions for disadvantaged litigants; and, to complete, passing legislation to establish the new Military Court of Australia to deal with serious service charges against ADF personnel. 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.

PRIVATE MEMBERS' BUSINESS

Yousafzai, Miss Malala

Debate resumed on the motion by Mr Tony Smith:

That this House:

(1) condemns the contemptible act of attempted murder committed on 9 October 2012 by Taliban terrorists who boarded a school bus in the Pakistani town of Mingora, sought out 14 year old schoolgirl Malala Yousafzai by name and shot her point blank in the head and neck;

(2) applauds Ms Yousafzai's advocacy on behalf of gender equality in Pakistan;

(3) expresses particular admiration for Ms Yousafzai's public speaking debut in September 2008 when, at the tender age of 11 years, she declared in a speech to the media in Peshawar, Pakistan: 'How dare the Taliban take away my basic right to education?';

(4) notes media reports that the Taliban have openly claimed responsibility for this despicable attack on Ms Yousafzai and have threatened to try again to assassinate her at the first available opportunity; and

(5) wishes Ms Yousafzai a speedy and complete recovery from her injuries.

Mr TONY SMITH (Casey) (18:27): Wrongful acts in English Common Law can be subdivided into two general categories known by Latin terms: malum prohibitum and malum in se. The Oxford English Dictionary defines 'malum prohibitum' as:

Something which is not intrinsically wicked but which is regarded as wrong because it contravenes a law or regulation.

Tossing an orange peel out of your car window, for example, is littering and illegal, but we all agree it is not an act so vile as to incite a rebellion of our moral sensibilities. By contrast, 'malum in se' translates into English as 'evil in and of itself', an action so inherently depraved that no law is required to deem it or tell us it is an abomination.

This motion calls upon the House to condemn the mother of all mala in se. It calls upon this House to denounce the attack on Malala Yousafzai as a crime so incontestably heinous, so irreducibly vicious, that its perpetrators are consigned to the dark netherworld of barbarism. As we grapple with our detestation of this atrocity, we might wonder how anyone might become so warped as to commit it. We might ponder what foul fires of fanaticism could so incinerate the human soul as to mark a helpless teenage girl out for death. The answer to that question is found within a tragic truth of our time. It is found within the medieval doctrines of Talibanism that seek to bludgeon the world into the heart of a gothic darkness. Central to this totalitarian mindset is the belief that women must be kept subservient, subordinate and illiterate.

But it was an outright refusal to accept the subjugation of her gender that caused Malala to fall afoul of the Taliban. She has been a wonderful advocate for female equality, growing up in the Swat Valley, ground zero of Pakistan's jihadi insurgency. She saw firsthand the violent campaign to terrorise girls schools into closure. But Malala refused to submit to Taliban thuggery. In a televised address before the Peshawar Press Club, she issued a defiant challenge to the barbarians who sought to rob her of the future simply because of who she was. She said:
How dare the Taliban take away my basic right to education?

Her audience of hard-bitten journalists was awed by the appearance of a young girl, at that point not even in her teens, who combined courage and eloquence in equal measure. The BBC was impressed enough to offer her a column on the network’s Urdu website. In January 2009, Malala penned her first piece, describing her intention to defy a Taliban edict that forbade girls from attending school. Relating how her principal advised students to refrain from coming to school in uniform or colourful clothes, she wrote:

I decided to wear my favourite pink dress.

Through that small act of rebellion, Malala placed another stone in that palisade of ideas that defends liberty from the encroachments of tyranny. Needless to say, the Taliban took extreme exception to this adolescent advocate for female freedom. These jihadi barbarians responded through the only language they understand: they placed Malala in the crosshairs of their hit list. In October last year, Taliban assassins finally caught up with Malala as she was doing what she does best—furthering her education. They waylaid her school bus as she was coming home from class and forced their way aboard at gunpoint. Malala was armed with schoolbooks and they, of course, were armed with guns. After identifying her by name, they shot her without mercy, leaving her for dead. But die she did not.

It was touch and go for a while and Malala was flown to the UK for surgery. Happily, as we all know in this place, she is well on the road to recovery. In fact, just last week Malala gave her first televised interview since being attacked last October. She described the myriad notes of benediction received from people across the world, saying:

Because of these prayers, God has given me this new life and this is a second life. I want to serve the people and I want every girl, every child, to be educated …

A fortnight ago, Malala was nominated for the 2013 Nobel Peace Prize by three members of the Norwegian parliament. I cannot think of a more worthy recipient. I applaud this initiative by our Scandinavian colleagues, and I believe the House does well tonight by expressing its words of admiration for Malala Yousafzai. Malala's father, Zia Yousafzai, himself a school principal and advocate for female education, is also worthy of our greatest respect. We should all be humbled by the example of this young hero's bravery and integrity. I know I am, and I know that those speaking on this motion are as well.

Ms SAFFIN (Page—Government Whip) (18:35): I would like to thank the honourable member for Casey for bringing this motion before the parliament so that all members, representing everyone, can speak in this House in a way that gives support to Malala Yousafzai, to this one girl, but also supports the rights of girls and women to education and to equality across the world. The honourable member for Casey just thanked the Norwegian parliamentarians for nominating Malala for the Nobel Peace Prize, and we can also do that as well as members of parliament, so that might be something that we can have a conversation about later. She would be a most worthy recipient.

It was on 9 October that Malala was shot by the Pakistani Taliban, or the Tehrik-i-Taliban—the TTP, as they are called—while climbing onto a school bus. Can you imagine sending your daughter or your child off to school on a school bus and they are shot by some very, very extreme people? Pakistani media reported that two of Malala's classmates were
also injured in the shooting, and I am not sure what happened to them but it would be good to find out.

Malala grew to prominence by writing an online diary on BBC Urdu about her time in the Swat Valley during Taliban rule in the area, which was late 2007 to mid-2009. I note that her father had also been involved in education activism as well, so obviously education was something that her family was committed to. Following the Taliban's displacement from the area, Malala continued to be an activist for education and youth rights in the Swat Valley and in Pakistan. As a result of her efforts, she was one of five nominees for the International Children's Peace Prize in 2011 and she also won the inaugural Pakistan National Peace Award in December 2011. After she was shot, she was medically evacuated to the United Kingdom for specialist treatment in Birmingham and her prognosis looked very grave indeed. I think that everybody has been heartened by and is so pleased to see her remarkable recovery.

On 2 February this year Malala successfully underwent major surgery, including a cranial reconstruction aimed at mending parts of her skull with a titanium plate as well as the placement of a cochlear implant designed to restore hearing on her left side. Her injuries were horrific. She will continue her rehabilitation at the family's new temporary home in Birmingham. I understand that her father is now working there and working in their consulate, and they have relocated there. He is education attaché at the Pakistan consulate in Birmingham for a period of three years. That means that all of the family are together and they are able to look after each other.

The Pakistan Taliban, or the TTP, have claimed responsibility for the attack, with the spokesperson, Ehsanullah Ehsan, saying that Malala was pro-West, she was speaking against the Taliban and she was calling President Obama her idol. She was young, but she was promoting Western culture in Pashtun areas. Ehsan went on to say that the attack served as a warning to all youngsters involved in similar activities, and noted that Malala would be targeted again if she survived. The Pakistan Taliban have vowed to target her again. I did notice, in reading some of the commentary on the internet, that it seemed as though they had started to change what they were saying, but the fact is that they took responsibility—they did it. It is just unbelievable.

In a speech to mark the inaugural International Day of the Girl Child on Wednesday, 10 October last year, Prime Minister Julia Gillard expressed her shock at the attack and her admiration for Malala's activism and commitment to girls' rights in education. As I have said, we all expressed our shock. I have never seen anything draw such widespread condemnation so quickly and right across the globe. President Zardari has been reported in Pakistan media as saying that such attacks would not shape the resolve of Pakistan and that the nation would continue to fight against the militants, and that was welcome too. Also, the Interior Minister, Rehman Malik, has vowed to bring to justice the Taliban attackers behind Malala's shooting, saying, 'No matter where the terrorists may escape, we will bring them to justice.' But, despite reports of several arrests being made in connection with the attack, there is no evidence yet of those who actually committed the attack being brought to justice, and I know that is something that people will be watching quite closely.

Among the comments that were made worldwide was a statement by the White House on behalf of the President. There were also comments by the EU and the UK—already quoted here. The UN Secretary-General's United Nations Special Envoy for Global Education,
former British Prime Minister Gordon Brown, called for a global day of action on 10 November 2012 to support the goal of education for all children, and that became known as Malala Day. That was commemorated in over 100 countries. That was a way that all of us in the international community could join hands and give an expression of support for her and support for the right of girls, particularly, to have access to education freely and in a framework of not being seen as somehow deviant. For God's sake, it is unbelievable to think that someone would get shot for it in this day and age.

Malala has been the recipient of several international awards and accolades since the attack, including the Simone de Beauvoir Prize for Women's Freedom and the Rome Prize for Peace and Humanitarian Action. Malala's plight is now regularly evoked in major international meetings, such as the recent World Economic Forum in Davos and meetings of the United Nations and specialised agencies. Indeed, at the moment we are talking in this place about Malala and what happened to her.

I will speak a little on how our government responded at the time. They obviously responded strongly and were appalled at what I call an attempted assassination of child activist Malala in western Pakistan. The government said at the time that they commended the Pakistan government for the financial support and assistance that they provided. I am sure that when she was taken to the UK they would have done everything they possibly could to provide care—and I am sure that they are doing that—and it was good to see that happened immediately.

The right to an education is something that we take for granted here, so it is something on which we can all join together and say, 'That has to be the right worldwide.' Indeed, the Universal Declaration of Human Rights enshrines the right to education. We have to make sure that we can support that, as we do here, everywhere else.

I conclude by saying that Australia has long supported these rights and has provided education assistance for female students in some of Pakistan's most remote and marginalised communities. One of the important things that we can do with our ODA is to make sure that we spend it in a way that is going to provide those girls who are students with educational support. I would just like to say to Malala: good on her for what she has done for girls and for education. We wish her a speedy and wonderful recovery.

Ms O'DWYER (Higgins) (18:45): I rise today to speak in support of this excellent motion proposed by my good friend and colleague the member for Casey. I join with my colleagues opposite in universal acclamation for the commitment that we are expressing in this House today to girls' education and the tribute to Malala Yousafzai.

On 9 October 2012, in the Swat Valley in Pakistan, three cowardly Taliban terrorists boarded Malala's school bus, sought her out by name and deliberately shot her point blank in the head and in the neck in an attempt to kill her and silence her forever. Happily for the world, they were not successful. Their violent act of misogyny left Malala in a critical condition, unresponsive for three days as doctors fought to save her life. In less than five weeks, Malala went from an intensive care unit in Pakistan, showing no signs of consciousness, to walking, writing and reading again in a hospital in Birmingham, Britain. Only in the last weeks has she been discharged from hospital. As an advocate for girls' education in her native Swat Valley, Malala's life had been at risk from the Taliban for a
number of years for simply wanting to have an education like her brothers. Her father said of her that she:

… got influenced by what was going on and gradually she joined me in our struggle against extremism. She was then 11 years of age.

The Taliban has had a long history of trying to prevent girls from attending schools through violence, even going to the extent of physically destroying schools, with some estimating that the Taliban destroyed over 150 schools in Pakistan in 2008 alone. As they sought to impose their austere interpretation of sharia law, the Pakistani Taliban threatened girls, their families and their teachers, despite the fact that at the time there was a pledge by the Pakistani government to safeguard girls' education and their schools from such extremists. The Taliban's efforts to disrupt and prevent girls' education continue to this day. Amazingly, given the violent threats they have been faced with, there are brave girls throughout Pakistan willing to risk their welfare so that they can attend school and improve their chances in life for themselves and for their families.

In 2009, Malala began blogging for the BBC's online Urdu news service under a pseudonym, describing the Taliban's repression of girls' education. Malala wrote, 'I was afraid going to school because the Taliban had issued an edict banning all girls from attending schools,' before describing how a number of her friends had moved out of the Swat Valley to Peshawar, Lahore and Rawalpindi to be able to continue their education in a safer environment. For those that stayed, the very real and present Taliban threats of reprisals on families meant that many did not send their daughters to school. In late 2009, Malala took up a position as chair of the District Child Assembly of Swat, leading discussions between young people as to what they wanted their future in the Swat Valley to look like. Over the next few years, Malala continued to agitate for girls' education in her blogs, on television and radio and in social media. When in October 2011 she was nominated by Desmond Tutu for the International Children's Peace Prize, and in December of 2011 she received Pakistan's National Youth Peace Prize, the risk to Malala and her family was brought into the open, with death threats published in newspapers and slipped under the family's door. Yet, despite this, Malala continued to campaign for girls' education, describing it as 'our basic right'.

I commend those in Pakistan and throughout the world who have joined with her. The newly formed Malala Fund will help girls just like Malala. One of the instigators of this fund, Alyse Nelson, said:

We stand with Malala and girls around the globe who are boldly speaking out as advocates for education and equality. When girls move forward, they take their communities forward too.

This is so true. Malala has said when speaking of her recovery:

… because of these prayers God has given me this new life … and this is a second life. And I want to serve. I want to serve the people. I want every girl, every child, to be educated.

Malala Yousafzai is a brave young woman, a true feminist, a warrior against the evils of real misogyny. She is an inspiration to me and an example to us all. On 8 March, which is International Women's Day, we must focus on the issues facing women right around the world. This is one of the critical issues facing our sisters throughout the world: to have an education, to have a right to education and to have that education in a safe environment. Malala, you are a true inspiration.
Ms BRODTMANN (Canberra) (18:50): It is a great pleasure and honour to speak on this motion tonight and I commend and congratulate the member for Casey for bringing it forward. Malala Yousafzai, the Pakistani schoolgirl the Taliban tried to assassinate, is thankfully recovering albeit slowly and is in relatively good health.

On 9 October 2012 when this young activist living in the Swat district of Pakistan was attacked by the Pakistani Taliban on her way to school, Malala grabbed worldwide attention when she began to tell her story online, a story of the Taliban’s repressive regime. In the period following the dislodgement of the Taliban, Malala persisted in informing the world about the situation and in particular the difficulties confronting young girls striving for an education.

Malala was one of five nominees for the International Children’s Peace Prize in 2011 and she was awarded the inaugural Pakistan National Peace Award in December 2011. After the attack on her bus, Malala was evacuated to Birmingham where she underwent major surgery. After being discharged, Malala is reported as saying that she will be an advocate for the right for ‘every girl, every child, to be educated’. Malala is an inspiration to us all because she has taken a very brave and public stance against repression by the Taliban of women and the rights of women to be educated.

When the mujahideen and later the Taliban took control of regions of Afghanistan in the 1980s and early 1990s, they set about burning thousands of schools. The Taliban and their allies murdered thousands of teachers. They destroyed the education system and created a fear of learning in the areas they controlled. From the mid-1990s the Taliban began a campaign of violent repression aimed at preventing school-age girls and boys from obtaining an education.

In some quarters it is fashionable to oppose the work that we are doing in Afghanistan. Yet over the past decade there has been a recognised increase in children attending schools and getting a much-valued education. There are media reports highlighting how parents in Afghanistan and Pakistan are desperately trying to get their children into education. Parents in these countries quite understandably want their children to be taught to read and write and learn science and maths so that they can get good jobs and support their families. I read one account from an Afghani woman who said of the Taliban:

We supported them for 10 years … And what have we got in return? They’re not letting us send our children to school or to the provincial hospital. I guess their next idea will be to bury our daughters alive to make sure they never go to school, work in an office, or walk around without a veil.

It is not just Afghanistan where the Taliban’s repression is suppressing young people seeking an education. According to data from UNICEF, only about one-third Pakistani children aged between five and nine are enrolled in primary education and UNICEF reports that two-thirds of girls and almost half of the boys in Pakistan do not complete primary school.

In Pakistan there exists a thriving market for private education because there are parts of that country where it is almost impossible for young girls and boys to attend school. Both the Pakistani government and opposition leaders widely condemn the attack on Malala and they have vowed to continue to fight against extremism. Yet it has taken the bravery of Malala to bring to the fore the situation that exists in her country and also in Afghanistan. The Taliban’s education policy is pretty straightforward: they oppose reading, they oppose books, they oppose kites, they oppose public education and, most of all, they oppose girls being educated.
The situation in Afghanistan and Pakistan is improving—and I saw it firsthand on my visit to Afghanistan two years ago—but it is only happening in certain areas. The Australian government has provided education assistance for female students in some of Pakistan's most remote and marginalised communities. In Afghanistan, I understand that a million girls are now going to school, which is an extraordinary and dramatic achievement in such a short period of time. When I was there I enjoyed seeing these girls skipping along in their uniforms with their little friends, heading off to school or coming home from school at the end of the day, having had a wonderful experience of learning and being educated and working to build their nation.

Prime Minister Gillard has stated on the record our resolve to continue supporting Malala's work and to pursue measures so that young girls like Malala can be free to go to school to learn and to have the opportunity to be educated in a safe environment. I wish Malala a full and speedy recovery and I wish her and her family a safe, happy and educated life.

Mr CRAIG KELLY (Hughes) (18:55): I rise to support the motion moved by my colleague the member for Casey and I congratulate him for putting forward such an important motion on such a powerful issue. The story of Malala Yousafzai is an inspiring one. It is the story of a young woman wise beyond her years and possessing a grasp of the way things in her homeland should be, not just how they are. It is the story of a young woman's steady determination to stand up and make a difference, to stand up for what is right and to stare down evil. At just 11 years of age, Malala was reported to have said in a speech to local journalists: 'How dare the Taliban take away my right to basic education?' This was after a Taliban edict banning education for girls as they sought to impose their austere interpretation of sharia law and as they went about destroying over 150 schools in the region.

Malala caught the Taliban's attention in 2009 when she began writing a blog for the BBC about her life growing up in Pakistan's Swat Valley. That led the New York Times to release a documentary about Malala and she became a sought-after international spokesperson for her struggles against the Taliban's sadistic medieval rule. Despite threats from the Taliban, Malala rarely showed fear and she did not hide her face. She said in an interview in 2011: 'I have the right to an education, I have the right to play, I have the right to sing, I have the right to talk, I have the right to go to a market and I have the right to speak up.' A reporter then asked her, 'Why do you risk your life to raise your voice?' And she answered: 'I shall raise my voice. If I didn't do it, who would?'

The Taliban reacted in the way they often do when faced with the forces of freedom of speech. They sent their assassins to murder the 15-year-old girl. On 9 October last year two Taliban gunmen walked onto her school bus, asked for her by name and, from point-blank range, fired two bullets into her head and neck. But they were not able to kill her. And, as often happens with acts of evil, it had the exact opposite effect: they turned her into an even bigger international heroine. They created worldwide publicity for her cause and they captured global attention for the struggle for women's rights in Pakistan. In their failure they sent a timely reminder to the world of the sick and perverted thinking and barbaric evil ways of Taliban extremists. They are little more than cowardly savages.

Several weeks after Malala was struck in the head and neck by the bullets she was airlifted to the UK where, after months of surgery, just a few days ago the 15-year-old walked down the hall of the British hospital under her own power and gave a videotaped interview. Despite
being the victim of such a horrific attack, this passionate young woman has not altered her views. She said after recovering, 'I want every girl, every child, to be educated,' in direct defiance of the criminals that have vowed to kill her.

Young Malala's story is remarkable in so many ways. She has rallied the world in a fight to educate young girls, but her greatest gift has been to demonstrate to the world, including the Pakistani people, that it is possible to stand up to the Taliban. Her courage is infectious. But perhaps her greatest gift is to remind the world that our freedoms must be fought for and protected and that we should not cower in the darkness when faced with evil. She reminds us, as that old quotation goes, that all that is necessary for evil to flourish is for good men to do nothing. And, as her case shows, those 'good men' even include 15-year-old schoolgirls. She is a hero in every sense of the word. There could not be a more worthy nominee for the Nobel Peace Prize.

Ms VAMVAKINOU (Calwell) (19:00): Last October, a 15-year-old schoolgirl in Pakistan, Malala Yousafzai, was singled out and shot in the head on board a school bus by a member of the Taliban. She miraculously survived after life-saving surgery and was recently discharged from a UK hospital. I want to wish Malala well, as I am sure all colleagues in this chamber do. The Taliban stated that they shot Malala, who is a campaigner for girls' education, for promoting secularism. These hardliners consider the education of females to be an abomination rather than a human right, and not surprisingly this shooting sparked domestic and international outrage. On 1 February Malala gave her first public interview since her recovery. In a courageous display of vision this teenage girl made a vow to continue to serve her people and fight for the right of every girl and child in her home region of the Swat Valley to be educated. Malala has come to represent one of the many females who are the contemporary face of activism in the Muslim world. They speak up for justice where girls and women face a continuing tirade of misogyny embedded in the cultural mores of their communities.

One of these women is Miss Tasneem Chopra, Chairperson of the Australian Muslim Women's Centre for Human Rights. I would like to quote Tasneem:

It is no coincidence that Malala was targeted in this attack. Evidence shows that Muslim women and girls who stand at the front line of activism frequently find themselves at the front line of attacks, often facing dire circumstances. Radicals do not target women activists by accident. This is a deliberate strategy to undermine their pathways to sovereignty through education and equality.

Miss Chopra explained that the Taliban in their extraordinary feudal interpretation of Islam enact brutal acts of misogyny. The attempted murder of Malala is by no means an isolated event. Young girls wanting to go to school in areas like Pakistan's Swat valley and neighbouring Afghanistan have come to typify a growing resistance against the Taliban, which seeks to subjugate them completely. In recent years in Afghanistan, they have carried out multiple atrocities aimed at schoolgirls, some of which include the November 2008 attack on 16 schoolgirls with acid while they were walking to school, a poisonous gas attack on a girls school in May 2009, and in August 2010 seven Kabul schoolgirls were hospitalised after another poisonous gas attack on their classroom. In April 2012, 150 Afghan school girls were hospitalised after drinking poisoned water in their school.

These are despicable acts of evil. But, unfortunately, they are done often in the name of Islam, so it is crucial to highlight that the Islamic faith strongly encourages the education of
Muslim males and females. In fact, countries such as Indonesia and Egypt, for example, boast amongst the highest rates of Muslim female literacy and tertiary qualifications in the world. It is the Taliban’s selective view of Islam that favours a patriarchal interpretation. Theirs is premised on a belief that in order to control society they must control their women. Because of these tactics, the Taliban ensure that, if you are a female, Afghanistan is recognised as one of the most dangerous countries on earth.

In our quest to right these wrongs that are committed against women and children in the region, we must be very mindful and note that as long as men continue to define what makes a woman's role in society acceptable the parameters of her life chances will never be her choice. That is why strides must be made for women's sovereignty both at home and abroad, and they must continue to be a matter of global significance. From the rights of the girl child to eliminating violence against women, we all have a stake in the protection of females in order that we progress into healthier societies. It will always be women who remain best placed to articulate their lives, their lived realities, to speak of their disadvantage, their burden, their glass ceiling and how these injuries must end. So I want to join with all my colleagues and recognise that this Thursday, 14 February, marks the celebration of a global movement known as One Billion Rising, an international movement where for one day women, men and children stand together in solidarity to end abuse against women. This is an event that was put together by One Billion Rising founder Eve Ensler, who has said that the reality is that one in three women on the planet will be raped or beaten in her lifetime, and that is one billion violated, and that is an atrocity.

Debate adjourned.

National Disability Insurance Scheme

Debate resumed on the motion by Ms O'Neill:

That this House:

(1) acknowledges the inequity that exists within our communities in the provision of services to people with disability;

(2) notes the high level of community engagement with the Every Australian Counts campaign for the National Disability Insurance Scheme (NDIS) and the DisabiliTEA events held around the nation;

(3) supports the Government’s focus on improving the standard of living for people with disability and their families through the introduction of a NDIS;

(4) commends the Government for introducing the draft legislation that sets out a framework for the NDIS; and

(5) notes that the first stage rollout will benefit more than 20,000 people with disability, their families and carers in the Hunter in NSW, the Barwon area of Victoria, and South Australia, Tasmania, and the ACT.

Ms O'NEILL (Robertson) (19:05): The motion really is related to a debate that has been extended in the House throughout this day. When I put up this notice of motion I was unaware that there would be such a symmetry. I moved:

That this House:

(1) acknowledges the inequity that exists within our communities in the provision of services to people with disability;

FEDERATION CHAMBER
It is an inequity that has existed for far, far too long. What we have happening in this parliament at this time is a very graphic exposure on a number of pieces of legislation right across the field, from superannuation through to disability, about what this Labor government believe in and what we are committed to doing. It is very important that for all of the talk that has been going on for many, many years, for the whole of the 12 years of a Liberal-National party government, there was nothing as visionary, as enabling, as engaging to the community as what is being proposed in this term of this Gillard Labor government.

I want to note in my speech this afternoon the high level of community engagement with the Every Australian Counts campaign for the NDIS. Particularly, I would like to mention two disabiliTEAs which were held in my electorate. The first one I attended was at Kariong. It was organised by a wonderful woman by the name of Jean Lawrie. She dipped into our community. It did not take her very long to find a very passionate advocate for fairness—which is what we really stand for in this party of mine, the Labor Party—for her son, who was disabled. Dorothea Marler gave a wonderful speech and read a poem that she wrote six years ago about the challenge and the joy of having a profoundly disabled son. Our recently elected mayor at the time, Lawrie McKinna, spoke in response to that.

We cannot but have our hearts touched by this issue. What we have to measure our politicians by is whether, when their heart is touched, they are willing to actually do the work and provide the funding to enable an appropriate response. Many platitudes can be spoken, but you have got to actually make decisions about what sort of party you are by what you actually do. This is why I am very pleased to have this motion put before the parliament this afternoon, because we absolutely on this side of the House support the notion that fairness for people who have a disability and support for families and communities caring for people with disability are things that are very much worthy of our attention and worthy of the investment of money, time and energy to bring about better outcomes.

At Kariong there were about 50 people in attendance—families, carers, disability enterprises. I want to acknowledge the great work in the community done by Derek Crawford, who emceed the event that day and is a member of our local Masonic Lodge, which gives out hundreds of thousands of dollars in our community every year. Also, of course, I acknowledge the CWA. Those great ladies were there, and they provided an outstanding morning tea.

I followed that with a visit out to Pearl Beach, a great little community with the most wonderful arboretum. Opera in the Arboretum is a great community event that happens out there. On this occasion it was to the home of Karen and Bruce Donaldson, who had 40 people in attendance to raise the issues around the National Disability Insurance Scheme and to show that community, and to show me as the federal representative, that it is time for something real and practical to happen in this space.

There has been enough time for talking. It is time now for action. The government supports the focus to improve the standard of living for people with disability in their families through the introduction of this National Disability Insurance Scheme. My community visit to a wonderful young man by the name of Samson, who lives in Narara, revealed to me just how much care there is and how much need there is for a response. Samson's father is quite a gifted man with technology and was able to create a computer program that allows his son to communicate. There were no commercial programs available that enabled him to do that.
That flexibility to be able to invest in the things that are going to improve people's lives and the unique responses that are required to liberate people's ability and to diminish the disability in their ability and give them the opportunity to participate fully, are, critically, at the heart of the motion I have put through. I commend the government for introducing this legislation and I commend them for committing to 20,000 people from 1 July and enabling this visionary project to come to life. It is the end of talking and the beginning of action under a Labor government. Thank you.

Mr McCormack (Riverina) (19:10): I commend the member for Robertson for putting forward this motion about the National Disability Insurance Scheme. I agree with her that it is enabling legislation. It will provide great opportunities for those families with somebody who has a disability.

I do not like the tone arising out of the fact that the government is trying to politicise the National Disability Insurance Scheme by always making out as if the coalition does not care and does not support this particular piece of legislation. We do not like, on this side of the House, this particular piece of legislation being politicised. It is something which has bipartisan support. The time for a National Disability Insurance Scheme has well and truly arrived, as the member for Robertson quite correctly pointed out.

People living with a disability, their families and carers have struggled to receive the support services they desperately require. An NDIS will give them the fair, efficient and equitable system they deserve. I was the first federal parliamentarian to sign up to the Every Australian Counts campaign in New South Wales, a campaign which highlights the need for an NDIS, something of which I needed no convincing. If ever something required bipartisan support, this is it. The coalition believes that full implementation of the NDIS will be nothing short of a new deal for people with disabilities and for their carers—those absolutely selfless, important people who do so much to improve the lives and wellbeing of close family members with a disability. The coalition is committed to working with the government and has called for the establishment of a joint parliamentary committee, to be chaired by both sides of politics, to oversee the establishment and implementation of the NDIS—a call reiterated by the Leader of the Opposition in his speech to the National Press Club on 31 January 2013.

The number of people with a disability will increase significantly over the next 20 years. As this number rises, the number of people willing and able to care for these disabled people will, sadly, decline. The NDIS will help to ensure that there will be support for those who desperately require it, even if they do not have family to assist them. It is important that the NDIS focuses on early intervention and identifying support services which are most effective and efficient and will maximise the potential in those with a disability and help to facilitate their independence. Providing disabled people with what they need, when they need it, will help to reduce pressure on families and allow easier participation for the disabled in work, life, and the community. It will offer their families much needed respite.

The NDIS will also provide for a person no matter how their disability was acquired and it will ensure assistance for those who may require it in the future, as well as those who already do. The creation of the NDIS is a complete reform of current disability provisions. It will ensure the new system is fairer than what is currently in place. Principal beneficiaries will be those whose disability has an impact on their daily life. This is our opportunity to get things
right and bring in a safety net for those with a disability in the same way Medicare and compulsory superannuation have reformed society in the past and are now something we all take for granted.

The NDIS is an investment in Australia's future and, particularly for those whose lives will depend on the scheme, it is important that a long-term funding commitment is made to the scheme to ensure it is established properly and can go the distance. If funded correctly and adequately, the NDIS will ensure that Australia can meet the current and future needs of those with disability, no matter what the current economic climate may be.

I know the importance of an NDIS to so many people throughout Australia, but especially the people in the Riverina who have come to me to outline their situation, such as Carol and Chris Harmer of Wagga Wagga, who know all too well the need for an NDIS. Two of their three children, Emily who is 20 and Tom who is 16, have Phelan McDermid syndrome, a rare condition with approximately only 600 people affected worldwide. The Harmers have high hopes for the support and services the NDIS would offer them and their children, as well as others in similar circumstances. Mrs Pat Thomas of Temora cares for her son Richard who has a disability. She established the Special Persons and Carers Group of Temora to provide support for those with a disability and their carers. To see her lifelong work supported by an initiative such as the NDIS means so much to her, knowing there will be the necessary support for those with disabilities once their elderly parents can no longer look after them.

Every Australian has the right to know there will be support for them or their loved ones if a disability is acquired. We have the opportunity to work together as the parliament to get this system right for those who have waited so patiently for it. We owe it to them to give them a system which is fair, equitable and efficient. I commend the bill.

Mr MITCHELL (McEwen) (19:15): I rise to speak wholeheartedly in support of the member for Robertson who put forward this motion. I have spent the last two years actively campaigning to raise awareness for the NDIS, which is essentially a once-in-a-lifetime reform. I understand why a national disability insurance scheme is so important, because I have taken a lot of time to listen to local members of my community. I have worked closely with James O'Brien, who is a tireless advocate for people with disabilities. I have been listening to families right across the electorate and have hosted many discussions and morning and afternoon teas in my electorate, in places like Gisborne, Doreen, Sunbury and Seymour. I have attended DisabiliTEAs and met with countless individuals, families and local organisations and I know how anxious they are to see a scheme implemented.

To me, an NDIS means dignity, freedom and choice for people and their families—not just for those in my electorate but Australia-wide. Having a family member who has disabilities, I know just how hard it can be from day to day, whether it is arranging carers, getting access to respite or just wanting to give your child every opportunity to lead a fulfilling life. Can you imagine what it is like to sit around the family table and have to grapple with the daily decision about what help you can afford to provide for your child and having to repeatedly dip into your mortgage or savings to help provide basic care? Can you imagine having to travel weekly for many hours each way just to access speech therapy and physiotherapy? Catherine has to do this with her gorgeous six-year-old daughter, Kristen. Catherine had this to say:
For our family, NDIS will mean that Kristen can be supported to actively participate in as many spheres of community life as she chooses. I want my daughter to be able to be supported in the choices that she
wants to make; whether it be living independently when she's an adult or having the ability to continue her education and have a career to make a contribution to society.

NDIS can work both ways because it means people can be part of the economy if the right investment is made to support them at crucial stages of their lives.

Those are very powerful words indeed. Can you imagine hoping to outlive your child because you do not know what help there will be for them once you are gone? As Janice told me regarding her 21-year-old son Jake:

Your involvement has been very welcomed and I can't thank you … enough for taking seriously how important … funding will be for Jake. It will allow us to build a good life for him, full of opportunity, life experiences, and independent living skills and help him live a full and meaningful life. This will all take time, but I feel confident with the right supports in place he will grow and mature.

Those are the day-to-day struggles that families face trying to do what any parent would do: give their child every opportunity that they can.

I am extremely proud to be part of a government that gets what an NDIS means. With its needs based approach, it changes the concept from a charity approach to one centred on the individual, allowing people to choose the services that they need and want. You would hope that the NDIS would receive bipartisan support, but it comes with mixed messages from the coalition. The opposition leader, Tony Abbott, when he attended an NDIS rally in Perth, said:

When it comes to the NDIS, I am Dr Yes.

And, no, he did not actually write that down! We then had the shadow Treasurer telling the National Press Club that, while he supports an NDIS in principle, he will not promise to fund it. So those opposite are happy to pose for photos, they are happy to tell people what they want to hear, but they always add the traditional LNP out clause.

It is also time the Victorian Premier got off his hands and signed up to this. From leading the states in disability services, in only two years Victoria has gone to having a waiting list of 3,600 people seeking urgent support. It is not good enough. A lot of the work that went into building support for people with disabilities has now gone, and it is not fair for those who live with disability every day of their life. This situation, as with that of Catherine, who has to travel from one side of the city to the other to get access to speech therapy, is not fair. It is not right that she has to do this in her day-to-day life.

Without true bipartisan support from all levels of government, this once-in-a-lifetime reform will not get the support it deserves, which is to have all of us working together for the best outcomes for people with disabilities.

Ms GAMBARO (Brisbane) (19:21): I rise tonight to contribute to this private member's motion on the NDIS. I support the motion. As I discussed last week when I spoke in the House on the National Disability Insurance Scheme Bill 2012, the NDIS is not a partisan political issue. Both sides of this chamber have committed to the implementation of the NDIS.

No matter who wins the election later on this year, an NDIS will be implemented.

Unfortunately, I think the Labor Party desperately want to turn this issue into a political football, and we have seen the games being played with coalition state governments in recent times. However, their politicking will not work, because the coalition is absolutely committed to an NDIS. I passionately believe in a National Disability Insurance Scheme because as a Liberal I really believe that the core of government is to help those who cannot help
themselves. I think both sides of this house would agree that there are people with a disability and parents and carers of people with a disability who do not have the same opportunities and freedoms that many others enjoy. This motion acknowledges that inequality that exists within our communities in the provision of services to people with a disability, and that is a very important point.

On 30 January, I and the shadow minister for seniors, the Hon. Bronwyn Bishop, hosted a seniors forum. One of the attendees told a very heartfelt story of being the carer for her elderly and disabled mother. She said that as a full-time carer she does not get a holiday, she does not get a break—all she gets is a carers pension. On the very rare occasion when she can get away, she has to put her mother in respite care. She said that because she has been out of the workforce for so long looking after her mother she will have trouble finding a job back in the private sector. She said that, not because she is not capable but because she has not worked for a while, employers will be reluctant to hire her. So this motion is absolutely correct when it recognises the inequality that exists in the provision of disability services.

I am also very glad that this motion notes the Every Australian Counts campaign. I want to acknowledge the fantastic work that is being done in Queensland by Fiona Anderson. They run an absolutely superb public advocacy campaign for NDIS. They have done it in a nonpartisan, genuine way, and I congratulate them for that. As I mentioned in the House last week, I had the privilege of addressing the Every Australian Counts rally in King George Square in the Brisbane CBD on 30 April. I addressed the rally, along with Senator Jan McLucas and Ipswich Mayor Paul Pisasale, and reaffirmed the coalition’s commitment to an NDIS. I was privileged to meet some remarkable individuals there. I want to acknowledge the advocacy of Fiona Anderson, who has worked day and night to raise awareness in the community of the need for an NDIS and lobbied politicians of all persuasions to support it. I also want to acknowledge the Every Australian Counts campaign's Queensland NDIS Steering Group, which consists of people like David Barbagallo, Debra Cottrell, Angela Tillmanns, Francis Vicary, Bruce Milligan, Len Airey, Jane Geltch, Judy Dickson, Valmae Rose, Frank Martin, Anna Cox, Evan Munroe and, of course, the most energetic leader of them all, Fiona Anderson. I want to thank them for their service and dedication. I also want to thank Every Australian Counts for organising all of the DisabiliTEA events in Brisbane that I was fortunate enough to attend, particularly the group who met at New Farm. I got to hear firsthand many heartbreaking stories about how difficult it is to access the myriad services available and how hard parents have to fight to get services at all.

In conclusion, I want to thank the Queensland government for their commitment to increase disability funding to help fund an NDIS. The Labor government should stop trying to politicise the NDIS. It is an initiative that the coalition supports. The NDIS is something I passionately believe in. I will fight for my constituents in Brisbane and I will make sure that it is a reality. I thank the chamber.

Mr PERRETT (Moreton) (19:26): I too rise to speak on the motion moved by the member for Robertson on the National Disability Insurance Scheme. Before I do so I would like to return to some of the comments made by the member for Brisbane because she sits in this chamber as a member from Queensland. I am here with the member for Blair, who is also a member from Queensland. We heard that speech. It was a classic example of the political football that is being played here, but it was more of an effort by a magician. The reality is
that people with disabilities in Queensland get $7 spent on them. Compare that to those in Victoria who get $10 spent on them. We are starting behind the eight ball already before the NDIS kicks off. We have seen hard-hearted Premier Campbell Newman commit not one dollar. When we had a chance to have a trial scheme in Queensland, which would not have cost anything—certainly, significantly less than the cost of the new racetrack at the Gold Coast.

Mr Neumann: Five million dollars.

Mr PERRETT: It would have cost $5 million. They have money for new offices in the middle of Brisbane—we all know that the state politicians are in dire circumstances—but there is not enough for a trial scheme. I am sick and tired of hearing those opposite say that we are trying to make political capital out of the NDIS when the reality is that we in the Labor Party are committed to putting dollars forward, not just supporting it in principle. It is like their comments on education. The reality is we need to do a lot more. I am glad the member for Blair is here because he sat alongside me as a member of the House of Representatives Standing Committee on Legal and Constitutional Affairs when we did the Access all areas report. That made the scales fall from my eyes about some of the challenges—

Mr Neumann interjecting—

Mr PERRETT: Yes. I thought I was reasonably sympathetic but, until I actually heard the day-to-day horrors and about how something as simple as accessing buildings can interfere with your life, I had not fully understood some of the challenges that people with disabilities have.

It is easy to say you support the NDIS and be photographed with Everybody Counts etcetera, but the reality is it is what you do. We have seen the Premier and the Liberal-National Party in Queensland do absolutely nothing. To be lectured by the member for Brisbane and told that it is all one happy family and this is bipartisan is ridiculous and totally misleading.

I mentioned the Access all areas report because that was when I first had a lot to do with Minister Shorten, who was Parliamentary Secretary Shorten at the time. He is to be commended for having so much to do with making the NDIS a national program and a national goal. He has done so much to raise awareness. It could be said that, when he received that portfolio, he was also not fully aware of the challenges that people with disabilities have but, once he was aware, he became incredibly passionate about it.

Then we move forward to when the Productivity Commission reported and showed the areas of unmet need for families and carers. We hear stories in our electorate offices all the time. Obviously, the way to respond is by working with the state governments. That is the reality: we have a federation and we must work with state governments when it comes to implementing these improvements to people's lives.

Whilst state governments do not actually provide a significant number of services, it is the NGOs that roll out most of the programs with federal money. That is the reality. It is going to be a process where we work with the NGOs to make sure that we can improve people's lives. I have already seen it, and I am proud to be able to say that one of my organisations—Multicap at Eight Mile Plains—has already stepped up, whilst the state government has not stepped up, in terms of the NDIS trial sites. I am glad to say that some NGOs in Queensland have seen the opportunities that are there and have stepped up to make sure that they can...
participate. I have had meetings with so many of my peak disability bodies or those who interact with people with disabilities, such as Westside Community Services at Kyabra, MontroseAccess, Contact Incorporated, the Spinal Injuries Association—there are so many of them—and they are looking forward to the changes that will take place in the months and weeks ahead as real money goes into this scheme.

Mr NEUMANN (Blair) (19:31): The NDIS is a Labor initiative. It is a Labor program, a Labor policy and Labor will get it done. On 26 October I was proud to hold a DisabiliTEA event in the Ipswich community at the Brassall Shopping Centre to make sure that we raised awareness amongst the Ipswich and West Moreton region about the need for the National Disability Insurance Scheme. I spoke on 10 October 2012 at the Care Aware fair, run by Carers Queensland as part of their 2012 Carers Week to recognise the 4,300 carers in the Ipswich and Somerset region of Blair. We know that one in eight Australians provide care to family members and friends who have a disability—a mental or terminal illness or a chronic condition—or who are simply frail. By mid-2013 we will see more than 20,000 Australians with a disability and their carers and family friends really benefitting from the first stage of the National Disability Insurance Scheme.

Every year I hold a Blair Disability Links expo in the Brassall Shopping Centre in Ipswich. This year we had 30 storeholders and at least 500 visitors. I thank the many people who supported that event. Every year I relaunch the Blair Disability Links information kit, which gets bigger every year, with local organisations such as CATS, Focal Extended, ALARA and others. Contributors to that vied for local people to get access to help, information, guidance and funding.

There are a couple of people who were present, particularly, at the Blair Disability Links event that we had in December. Apart from Peter and Linda Tully, whom I have talked about before, and Debbie Chilton, there was a fellow by the name of Neil Moorhead. Mr Moorhead had given up full-time work after being diagnosed with a kidney disorder and found it difficult to adjust to his changed lifestyle. He spoke at that event passionately and movingly about how he managed to handle his disability and study full time. He had spoken to Centrelink and was surprised by the number of support options and services available. He spoke in support of a national disability insurance scheme, as did other people who were there. It was a great day and there was great enthusiasm for this scheme.

The tragedy and the shame of all of this is that how we spend our money at a state and federal level shows our values, our ethics and our priorities. During the nearly 12 years of the Howard coalition government, despite the words of those opposite, there was inaction. The support for disability services during the time of the Howard coalition government grew by less than the rate of inflation—1.8 per cent. In reality, we could have a National Disability Insurance Scheme launch site in Queensland but for the wrong choices, wrong values and wrong priorities of Campbell Newman and the LNP state government. They did not even have the grace and humility to come with a proper proposal to the Council of Australian Governments when even the Liberal governments of New South Wales and Victoria came with detailed proposals for a launch site. A ½ page scribbled note about Gympie being a possibility for a launch site is not a genuine proposal.

The reality is that for Queenslanders it would mean simply $62.50 for every person with a disability in Queensland if Campbell Newman and LNP government contributed to a launch
site. Eighty thousand Queenslanders are missing out, and, sadly, the current rate of funding per capita in Queensland is much lower than every other state, particularly Victoria. In Queensland the current rate is $5,830 per capita compared to Victoria's $8,378 per capita. This is not just a matter of social justice; it is also a matter of economic responsibility. It is just simply important that we support a National Disability Insurance Scheme.

The truth is that those opposite mouth words but have not put up one dollar towards a National Disability Insurance Scheme, and even now cannot say how they would fund it. The thing is that those opposite can talk the talk but have never walked the walk. I believe that when it comes to a National Disability Insurance Scheme, the Liberals, who have had different views on this, no matter which particular spokesman, are disingenuous, deceptive and disheartening to those who are really facing the challenges of disability. The truth is those opposite oppose the National Disability Insurance Scheme, despite the words they offer.

Debate adjourned.

Primary Language Disorder

Debate resumed on the motion by Mrs Prentice:

That this House:

(1) notes that:

(a) Primary Language Disorder (PLD) is a lifelong disability which affects many children in Australia;

(b) families of children with PLD face great uncertainties and vagaries due to the obscure nature of PLD and therefore the difficulty of reaching a diagnosis of their child's disability;

(c) children with PLD have the best chance in life if they receive treatment for their condition as early as possible;

(d) without intervention, there are profound long term implications for affected individuals in terms of gaining an education and employment, leaving them feeling isolated and despondent and at a high risk of developing depressive and anxiety disorders; and

(e) an April 2012 report by the Australian Institute of Criminology highlights the high incidence (50 per cent) of oral language dysfunction in youth offenders;

(2) recognises that:

(a) the CH.I.L.D. Association's Glenleighden School is the only school in the southern hemisphere which caters specifically to the needs of children with PLD and other language disorders;

(b) for over 30 years, this school has achieved significant results for thousands of children;

(c) the CH.I.L.D. Association:

(i) through both its outreach program and direct clinical services, provides support for children with PLD and their families and schools across Queensland; and

(ii) provides quality specialised early intervention services through its clinic, but is limited to those families who can pay for services as PLD does not fulfil the criteria for funding under the Better Start for Children with Disability Initiative; and

(d) there are currently no consistent eligibility criteria across Australian States and Territories for children with PLD to access specialised educational resources; and

(3) calls on the Government to consider PLD as part of a review of the Better Start for Children with Disability Program.
Mrs PRENTICE (Ryan) (19:36): I thank my colleagues who are speaking in support of this motion. I have moved this motion because this is such an important issue for the parents and children of Ryan, and across the country. As we see a concerted push to secure support for the most vulnerable in our community with the National Disability Insurance Scheme, I want to ensure that the children with communication difficulties, and particularly primary language disorder, are not ignored. Primary language disorder is a lifelong disability which affects children of all races and backgrounds across the country. Some studies indicate that communication disorders can affect up to one in 14 children. In Sydney, McLeod and McKinnon conducted a study of 14½ thousand primary and secondary school students and found that the incidence of communication disorders was in the order of 12 to 13 per cent.

To explain this speech and language impairment, primary language disorder is primary in the sense of being the most significant impairment contributing to activity limitations and participation restrictions on the individual's current wellbeing, as defined in the World Health Organization's International Classification of Functioning, Disability and Health. Because there has been a lack of clear evidence of specific neurological structural or functional differences to define the disorder, the medical and allied health community have had much difficulty agreeing on a consistent classification and definition of primary language disorder, let alone achieving full recognition in the community of its debilitating effects.

What we do know is that children with PLD will have difficulty understanding what others are saying and in using words to respond. Such a child may not respond to their name and may be reluctant to take part in conversation. They may struggle with reading because of difficulties sounding out words and understanding what is being read. They may struggle with writing when forming letters, words and sentences. And they may struggle with numeracy arising from the inability to appreciate sequences as well as abstract concepts. Children can also be easily distracted, readily given to frustration and therefore reluctant to learn new skills. These realities mean a child with PLD may not be able to communicate their wants and needs to parents and siblings and others, and may not be able to handle simple classroom tasks or respond adequately to instructions. In turn, these issues may lead to serious frustration and outbursts of temper and tantrums, which usually means normal schooling for such a child is quite problematic and social acceptance more broadly is particularly limited.

It is important to note that these children are not necessarily intellectually impaired. Their hearing and vision are usually excellent, they may have the same physical potential of others of their age and their appearance almost always provides no clue. Therefore, families and children face great uncertainties and vagaries due to the obscure nature of PLD, and that can cause great difficulty in reaching a diagnosis of the child's disability. Without intervention there can be profound long-term problems for students to gain a full education and employment. Sufferers can feel isolated, despondent and anti-social, leaving them at high risk of developing depressive and anxiety disorders. This can lead them down the slippery slope of serious antisocial behaviour and brushes with the law. They then become part of the offender cycle, where the frustration of suffering and isolation from untreated speech and language impairments can lead to multiple incarcerations. Worst of all, because of their condition, sufferers have enormous difficulty explaining or even defending themselves against accusations of illegality.
However, there is some hope for these children and their families—hope that this spiral can be broken. Since 1976, the CH.I.L.D. Association has catered for children and adolescents with severe speech and language impairments through both the Glenleighden School and its Let’s Talk Development Hub. The team at CH.I.L.D. Association has been successful in treating thousands of children who have the most severe forms of primary language disorder. I would like to take this opportunity to thank the countless numbers of volunteers and staff who have been involved with CH.I.L.D since its founding, including—but not limited to—their current executive principal, Ms Vikki Rose Graydon, who has been with the association for 20 years. I would also like to thank head of school Cae Ashton, tireless fundraisers such as Bruce Grundy and of course the staff and allied health staff, including teachers, physiotherapists, speech pathologists, psychologists and others involved in all the projects.

Children who attend the Glenleighden School enter with between zero and two per cent of the speech language capacity of their peers. Clearly, we are talking about the most severe cases of PLD, but at the Glenleighden School they have developed an approach that successfully helps these children achieve their educational and personal potential—so successful that a child may only need to attend the school for one year or a couple of years before they can enter the mainstream schooling program. Some students attend the school through to senior school, continuing to work on their disorder. Unfortunately, the Glenleighden School is the only one of its type in the southern hemisphere which caters specifically for children with PLD. Parents come from all over the country to bring their child to Queensland at a huge financial cost to their family, uprooting themselves for a better life for their child. Similarly, the association's Let’s Talk program provides outreach services for more than 300 children a year, not just in Brisbane but at schools across Queensland. They help children with PLD and also intellectual disabilities, autism spectrum disorder, dyspraxia and other conditions. The important work that these people do for what are some of the most vulnerable children in our community cannot be underestimated.

I mentioned in my maiden speech that some issues are simply too important to resort to partisan attacks. We must all support the CH.I.L.D. Association’s work in a bipartisan manner. I would like to thank my Queensland colleague Senator Claire Moore for the support she has given, as well as the shadow minister for disabilities, Senator Mitch Fifield, who has visited the school with me. There are two main issues which Australian governments must address. Operational definitions of disability are inconsistent across states. In Queensland PLD is listed under a category of speech language impairment and funding is allocated on that basis. In some states direct funding for teaching children with PLD does not occur. In the final report of the Gonski review, no recommendations were made for disability loading on the basis that the panel perceived 'significant obstacles' preventing them from doing this. Therefore, there remain significant concerns in the community about whether implementation of the Gonski review will address concerns about disability loading. Australians still do not know what support will be provided to all Australian students, including those with a disability, despite the government having received the Gonski review in 2011.

The issue of inconsistent recognition across the states affects the ability to treat children equitably. At present, although research is clear about the incidence and impact of PLD on children, there is no direct early intervention for children affected by PLD because it is not recognised as a condition with respect to the Better Start initiative. As a result children will...
often be diagnosed and treated as having PDDNOS—pervasive development disorder not otherwise specified, which falls under the umbrella term of the autism spectrum disorder. This can be a huge problem because often treatment will then be focused on the social and emotional problems of a child rather than on the linguistic problems, which secondarily cause social and emotional problems.

In 2010 the Australian government announced new funding to improve access to early intervention services for eligible children of up to $12,000 with a maximum of $6,000 per financial year. Funding is available for cerebral palsy, Down syndrome, fragile X syndrome and some vision or hearing impairments. The list of currently eligible conditions means that some disabilities make the grade while other families with children whose needs are just as great miss out on assistance. I have written on numerous occasions, as has the organisation, to members of the government, who have assured me and CH.I.L.D. that work is underway for a more consistent definition of disabilities at the national level. So it is incredibly disappointing that progress has been very limited to date and the government has indicated that they will not assist children with PLD.

Furthermore, because there is no consistent definition, the school must classify their students as having either a physical disability or an intellectual disability in order to gain access to federal funding. The school therefore believes it is an important ethical issue because, as previously mentioned, a child who suffers from PLD does not necessarily have a diagnosable physical or intellectual disability. As I have said, it is imperative for the prognosis of children affected by PLD that they receive intervention as early as possible prior to entering the education system. Therefore, there is the potential to benefit these children by including the most severe forms of PLD as a treatable condition in Better Start for Children with Disability. Including primary language disorder on the list of eligible conditions will provide certainty and assurance to parents across Australia that their child will have access to early intervention treatment directly related to their speech-language impairment. I commend the motion to the House.

Mr RIPOLL (Oxley—Parliamentary Secretary to the Treasurer) (19:46): I commend this motion to the House and want to add my support for people who have primary language disorder and their families. I recently met with a constituent of mine, Deborah Heller, a mother whose son lives with primary language disorder. I would like to publicly commend Deborah and her husband, Justin, for bringing their story to my attention and for their persistence and strength. They are truly remarkable parents. I would like to begin by telling you a little bit about their story. Deborah and Justin's son Cooper was born in 2007 and they realised early on in Cooper's life that something was not quite right. He could not speak at all and was becoming isolated from family and other children. Cooper became anxious and frustrated and was completely incapable of communicating the simplest of messages. The family also faced prejudice in the community, as you can probably imagine. Deborah said to me, 'Please take a moment to really think about how you would feel if other people watching your child grunting, squealing or being generally inappropriate for their age said to you, "If he was mine I'd kill myself."

Deborah and Justin faced an uphill battle in getting help for Cooper as waiting lists for speech therapy were extensive in both the private and public sectors. They happened to live in Townsville at the time. After travelling from Townsville to Brisbane to see a neurologist,
Cooper was diagnosed with severe speech-language disorder. Language disorders and impairments are very much a hidden disability in the community. Few people understand the disorder and we rarely speak about it. I would, therefore, like to bring this important issue to the attention of the House. Children like Cooper are often misdiagnosed, sometimes with autism or intellectual impairment. Primary language disorder children can have autistic traits, sensory issues, major behavioural challenges, delays in developmental domains and problems with gross and fine motor skills. These traits often combine to pose severe barriers to their ability to learn.

After approaching numerous schools in Townsville and finding none that could help, the family decided to move to Brisbane and attend the Glenleighden School in Figtree Pocket. This is a world-leading school, particularly in this field, and provides world-class PLD education through a combination of methods. Deborah told me that Cooper is very happy at the school and is getting a great education—although the family have had to make some financial sacrifices, as you can imagine, in uprooting their family from Townsville to Brisbane and taking care of all the special needs that their son Cooper has. Deborah wants her sons to have the same opportunities as the rest of us want for our children. Deborah and Justin tell me that people with PLD are more likely to enter the justice system, are at risk of long-term unemployment, have a higher incidence of mental health issues and are at risk of poverty and homelessness.

There is a lot more that we could do, and I think there are many things that we are actually doing now. Because this is a complex issue and not well understood in the community, there are often myths about what is happening. Unfortunately, it does come down to levels of funding and who provides what, where and how.

This government has a number of programs. One in particular is the More Support for Students with a Disability funding program, which provides $200 million in additional government funding to government and independent schools over last year and this year. As part of this funding $2.7 million was provided to the Queensland Association of Independent Schools and the Queensland Association of Independent Schools provided part of these funds to Glenleighden School specifically for this type of special benefit and training. The federal government also provides recurrent funding to Glenleighden School. In 2010 that funding totalled $853,000, or a bit over $12,000 per student. This has increased since then.

There is more good news. The Gonski review provided some very specific measures. Other people have spoken about this in different areas. Gonski identified that there was no consistent approach, there was a real mismatch between what happens at different levels. There is a better way and Gonski provides that mechanism. There is also limited and inconsistent data on the number and location of students with disabilities. It is important that we actually know this so that we can fund it properly. On 7 December last year all school education ministers gave provisional endorsement to a model for a nationally consistent collection of data on school students with a disability. This model moves away from an approach based on identification and support of students according to particular types of disabilities, and instead the model encompasses all disabilities and is focused on the level of adjustment provided for a student to access and participate in schooling on the same basis as those without a disability. It takes away that problem of whether one particular condition is in or out as part of this debate. Students will be included in the data if they have a condition,
including a language disorder, which results in the person having a learning difficulty. This is an important part of the change that this government is bringing forward.

Unfortunately school funding from the state has been cut to this school. I know that has been acknowledged from the other side. I do not want to make a political issue of it but just state the fact that it has been cut. There was a promise from the previous government to increase funding from 22 to 40 per cent. It reached 29 per cent but that has now been a cut. I do not accept that school funding should be cut, but if there is one area where it definitely should not it is particularly in the provision of education for students with disabilities.

There are questions about what we are doing about this and I think they are fair questions. But there are answers. It is not as if this government is sitting on its hands on this very important issue. This government is committed to improving the lives of Australians with disabilities and under Australia’s fragmented disability services system, which is highly complex, many people cannot get the sort of support that they need. This should not continue and we want to change it.

In recognition of this the Gillard government have already significantly expanded the support services we provide for children with a disability. In 2008 we assisted more than 25,000 children with a disability to access early intervention services throughout our Better Start for Children with Disability and Helping Children with Autism programs specifically. This debate tonight gives me the opportunity to provide a little more information about this particular program and how it relates to primary language disorder. It is claimed that perhaps the government made an administrative change in regard to PLD in terms of access to Better Start and that this was somehow removed. The Department of Families, Housing, Community Services and Indigenous Affairs, which administers the Better Start program, has confirmed to me that PLD was never included as an eligible condition under Better Start. We cannot have changed because it was never in. Individual children with multiple diagnoses including PLD may have been included under Better Start but not on the basis of having PLD alone. It is important to get these things clear because that has an impact in terms of where funding is understood to have come from. It is also claimed that the government classified a condition known as pervasive developmental disorder not otherwise specified as an autism spectrum condition. This is not correct. The department has confirmed that the government do not set the definition the definition of autism in Australia; in fact, we use a diagnostic tool developed in the United States.

We know that despite progress we have had through these programs like Better Start there are still gaps and still inconsistencies. We need to continue to bridge those gaps and to rectify those inconsistencies because it is the right thing to do regardless of funding levels and models and whatever else may be out there.

These gaps and inconsistencies do affect people with primary language disorder. We know there is a better way to identify them—which is what we did, beginning last year—and to meet the needs of children and other people with significant disabilities. That is why we are leading the way to reform Australia’s disability system through the National Disability Insurance Scheme, widely known as the NDIS—a massive undertaking by Australia, by this government, for a fair, constructive and progressive way forward to deal with the issues and take a more holistic approach.
A person's eligibility for the NDIS is not based solely on a diagnosis of their disability, because we recognise that that does not meet everyone's needs—just as, when it comes to issues such as autism, primary language disorder or other things, it is not the government that sets what is in or out; we work to frameworks and models, and that is obviously done at other levels by experts. The government's role is to make sure that people are not disadvantaged by the system—that the system actually helps, aids and supports them and provides the funding to the right people. I believe support should go to young people, particularly those with primary language disorder. It should help those parents who are doing everything they can in their struggle to make sure that their children have the same opportunities that everyone else's children have.

That is why I am very much in support of the motion put forward by the member for Ryan, because I think she raises a really good issue, and I know she is very genuine about bringing this forward. It is a school in her electorate, but I am very supportive and I think she will find that she has lots of support on the government's side and that, if we work together on this, and try to find where the problems sit, we can find solutions. So I am very supportive of the motion—that is why I wanted to speak on it—and also very encouraging of the parents who work so hard to make sure that their children get a fair go.

Mr TUDGE (Aston) (19:57): It is with great pleasure that I second the motion put forward by the member for Ryan which highlights the issue of primary language disorder and, most importantly, calls for a review of the Better Start for Children with Disability initiative to potentially include primary language disorder in the list of categories which that initiative funds. I also commend the member for Oxley on his fine words just before me in providing very strong support for this motion.

Primary language disorder is in many ways a hidden condition that can have a significant impact on a child's ability to learn and engage. It is not easy to detect and therefore can sometimes go unnoticed. However, it is widespread and is said to affect a very high proportion of Australian school children. Some studies have suggested that as many as one in 14 Australian school children are affected by primary language disorder in some capacity. Clearly, there is a spectrum—from those who have very severe primary language disorder and struggle to communicate at all to those who just have difficulties communicating but can still, nevertheless, communicate some language to others. So the proportion of people who are potentially suffering obviously means that this disorder is having a significant impact on a large part of Australian society.

The disorder itself causes speech and language skills to be impaired. Therefore, children with this condition have trouble expressing themselves—what they are thinking and how they are feeling. They also have difficulty in understanding when others are communicating with them. While this can seem fairly innocuous, it can actually have a severe impact on a child's growth and development, both academically and socially.

What assistance is there to support these children who suffer from this disorder? Sadly, there is no consistent assistance which applies across Australia to help such children but, as the member for Ryan highlighted, there is at least one school in Australia, the Glenleighden School, which does amazing work in this area. It caters for people who have severe primary language disorder. It does, as the member for Ryan pointed out, amazing things and ensures that those kids, after a couple of years, can move into a mainstream school and adequately
cope there, socialise and develop fully just as any other kid can do. I commend the school on their fine work and on their commitment to raising awareness of this disorder around the nation.

However, I also believe that we must look at other ways of providing support to parents and schools catering for students who suffer from this condition. I strongly believe that the government must, where it can, provide assistance to those suffering generally from a disability including from the disability at question here. I understand there are so many needs which compete for funding. I generally think we need to provide more money overall for kids who have learning difficulties or disabilities generally. I think that funding needs to not only go to kids at government schools but equally go to kids at Catholic and independent schools; it should not matter which school you attend.

The Better Start for Children with Disability initiative is a good program which does provide funding for kids who do have disabilities. However, there is only a short list of disabilities which make the grade for this program such as Down's syndrome, cerebral palsy, and hearing and vision impairment. I by no means would like to see the funding for those disabilities reduced but I would like to see a review of this program with a view to expanding it and potentially incorporating primary language disorder in the list which it may be able to fund in the future. That is in essence the nature of the motion in front of us. The motion calls for a review to take a proper look at this particular initiative, assesses its adequacy and also determine whether or not primary language disorder should be incorporated in the list of disabilities which should be funded under that program.

I congratulate the member for Ryan for moving this motion this evening. Again, I congratulate the member for Oxley, the speakers on the other side of the chamber and also those who have brought this issue to our attention. (Time expired)

Ms LIVERMORE (Capricornia) (20:02): Like my fellow speakers in this debate, I am very pleased to be speaking to this motion tonight. I join with them in thanking the member for Ryan for bringing this motion before the House and for giving members the opportunity to learn more about primary language disorder. It gives us a chance to develop a better understanding of how children and adults with this disorder—and it is a lifelong disorder—and the people who love and care for them can be helped and supported. It is not unusual for private members' motions in the House to discuss various diseases and disorders that our constituents are struggling with and to call attention to their plight and the need for more research or more funding to save or improve lives.

The subject of tonight's debate, primary language disorder, is particularly deserving of our attention because it is otherwise so hidden from mainstream view, adding to the hardship of families who are trying to make sense of it and do the best for their child. The Sunday Mail in Queensland published an excellent article on primary language disorder a couple of years ago. It described primary language disorder as being insidious. It is hidden because primary language disorder children look no different to any other child. It is not well understood and is often difficult to diagnose or is misdiagnosed altogether, adding to the frustration and heartache of parents who are dealing with children with this disorder. It is also one of those things that can take a long time for parents to pick up on themselves and to start that journey of trying to find a diagnosis. So it can be some time before children receive any kind of treatment or intervention for PLD. It is often mistaken for developmental delay, autism or...
some form of intellectual or physical disability. In fact it is none of those things; it is a language disorder pure and simple.

People with primary language disorder have a serious disability with speech and language but this is not accompanied by other sensory disorders like deafness. As was explained by the parent of a child with primary language disorder in the feature article in Queensland's Sunday Mail, it is like the person with PLD is in a foreign country where they cannot understand what is being said and do not have the ability to speak or communicate in a way that can be understood by others. To add to the puzzle facing sufferers and their parents and carers, the disorder manifests itself in a wide range of different ways, leading to the difficulty of pinpointing the diagnosis. It affects talking and comprehension, and how people make sense of the words that they hear. It affects concentration, writing, even balance and coordination, motor skills, problem solving, and, in some cases, people's senses are heightened. Whatever form it takes, it is very easy for us to comprehend how profound the consequences are for a child's social and educational development, behaviour, happiness and the ability to function at school or in society.

What parents are looking for first, is an answer—a correct diagnosis, so that they can understand what their child is going through. Then, they can work towards finding the treatment and intervention that will make a difference. I am pleased to say—and it is actually highlighted in the member for Ryan's motion—that many parents in Queensland have been able to find an answer and do have their children on the right path to engagement, to learning and to finding a way to make sense of the world even while they are suffering from primary language disorder. That is because those children are enrolled at the Glenleighden School, in the western suburbs of Brisbane. It has a unique and, in fact, world recognised methodology of looking at students in a very holistic way. It has different experts, including experts in physiotherapy, psychology, occupational therapy, speech pathology et cetera. They are looking at how to unlock the key to language and comprehension for these students. Parents at the school have described the miracles being performed for their children.

I want to quickly pick up on the point that the member for Ryan makes in her motion, and that other speakers have talked to, about how to get more help for sufferers of primary language disorder. I would like to point out that two of the initiatives that we are debating in the House this week—the Gonski reforms of education funding, and also the NDIS—really do look at new ways of dealing with these things. They are not looking at the definition of a disability, but, in fact, what treatment or what support is required to overcome the disability. (Time expired)

Ms O'DWYER (Higgins) (20:07): I am very pleased to stand in support of this motion put forward by my good friend and colleague the member for Ryan and seconded by my other good friend and colleague the member for Aston, and I join with those across the chamber here tonight to commend the member for Ryan for bringing forward this motion to the House.

Primary language disorder is a developmental disorder that affects many children across Australia. Children with PLD, as it is known, do not develop the ability to use or understand spoken or written language at the same rate as their peers. By 12 months of age, a child without PLD would be saying their first words such as 'mama' and 'dada'. However, sufferers of PLD may not be able to say their first words until they are three years of age. This has several negative implications on the child's development, and children with PLD often
experience learning difficulties, social isolation, and behavioural problems. In some cases, PLD can affect the child's coordination and fine motor movements.

While there is no cure for PLD, it has been shown that early intervention greatly improves the child's ability to communicate and interact with others. If sufferers of PLD do not receive the early attention they require, their speech or language disability impairment may become more profound and have a serious impact on their ability to learn and interact with others in the years to come.

This often makes mainstream schooling difficult, and very frustrating not only for the child but also for their family, as adequate assistance is not always available. Despite the impact that PLD has on a child's ability to learn and interact with others, sufferers are not eligible for additional funding under the government's Better Start for Children with a Disability program. The Better Start initiative provides funding to children who have been diagnosed with one of 13 specific disability types prior to their sixth birthday, and this is not one of them.

As the member for Ryan has pointed out, in her electorate there is some hope for parents who have children suffering with PLD: the Glenleighden School in Brisbane, which has been teaching children with PLD for the past 30 years. In my own electorate of Higgins, for more than 39 years the Currajong School has offered specialist support for students with spectrum disorder associated with social and behavioural problems. Currajong has a specialist support staff that includes a psychologist, a speech pathologist and an occupational therapist, all of whom work closely with teaching staff to ensure the best outcomes for each student. Every student has learning or behavioural goals that the staff and family work toward achieving. I have visited the school and seen the very dramatic impact that a specialist learning environment can have on children with behavioural and social issues and with such learning difficulties as PLD. I have sat with parents who have told me how these schools have helped their children to achieve their educational and personal potential.

There are significant problems, as we all know, with disability funding. We know that disability funding is different in each and every state. The hope that somehow disability funding will be solved by the Gonski recommendations is just that—a hope. We have no detail currently as to how it might apply. The coalition's policy at the last election was to have an education card that would not discriminate between children who went to a government school and those who went to an independent school. The funding would follow the student so that parents could have choice as to where they sent their child to school to ensure that it was the best possible environment for them. We on this side want a learning environment where it is possible for children with PLD and other issues to receive targeted assistance for their conditions not only at school but in the years beyond that and for parents to receive the right and appropriate support. I commend the motion that the member for Ryan has brought before this House. It is a critically important issue.

Mr Lyons (Bass) (20:12): I am pleased to rise in the House today to speak on the motion proposed by the member for Ryan on primary language disorder. This is an important issue, and I wish to share with the House some recent findings. Tasmanian researcher Belinda Jessup of the Tasmanian Department of Education last year completed her PhD on primary language disorder. She found that 41.2 per cent of Bass prep pupils have some form of the disorder; that 18.2 per cent of the general school population in Bass have this disorder; that primary language disorder has no obvious genetic cause, nor is it socioeconomic; and that it is
Belinda also found that primary language disorder leads to low self-confidence, low self-esteem, bad behaviour issues, antisocial issues and trouble with the law. It is more frequent in boys. It is clear that this is a problem, and I commend Belinda for her efforts and interest in this important area. Other research shows that early intervention through speech pathology is critical.

The St Giles society is Tasmania's largest provider of public speech pathology and it is a fantastic organisation. St Giles was founded in 1937 as a response to the polio epidemic. The organisation has since truly flourished through two polio outbreaks and the deinstitutionalisation of children's disability services, and it is evolving to meet the current disability reforms towards the provision of the National Disability Insurance Scheme. St Giles, just on Friday night, celebrated 75 years of service to the Tasmanian community. I thank each and every one of its staff and volunteers for the great work they do. St Giles was founded by the community for the community and this underpins everything it does.

This government is committed to improving the lives of Australians with disability, and this is demonstrated by our actions since 2007. St Giles, in Launceston, has certainly been the beneficiary of this commitment, with the federal government providing it with $6.8 million in the 2012-13 budget for paediatric services in Tasmania.

Under Australia's fragmented disability service systems many people cannot get the support that their families need. The people missing out include children with disability, many of whom can benefit greatly when they get early help in their lives. Supporting kids with disability through early intervention can make a huge difference to their development and gives them the best chance to make the most of their lives. This is particularly the case for children with primary language disorder. My wife's nephew, in fact, had early intervention and now he is a carpenter working in business and making his way in life.

Since 2008 we have assisted more than 25,000 children with a disability to access early intervention services through the Better Start for Children with Disability program and the Helping Children with Autism Program. So our extra support for children with disability is already making a difference and I am very pleased about that. But we know there are still gaps and there are still inconsistencies. I know this from my time as the business manager at Launceston General Hospital and before that as the manager of Beaconsfield Hospital. We are leading the way to reform Australia's disability system through the National Disability Insurance Scheme, a true Labor reform in the tradition of Medicare. The coalition had 12 years to act on services for people with a disability and they sat on their hands. They stood by while demand grew for disability services, and disability pensioners struggled with the cost of living. They failed to invest in disability services and they failed to support students with disability. The NDIS is a fundamental change to how we will deliver disability care and support.

Late in November last year I received an email from the mother of girl in my electorate, Mrs Ruth Symons. Ruth's daughter Katherine has a disability and she shared with me her struggles. Ruth wants the very best for her daughter. She said:

The chance to have consistency of care for Katherine. To be able to take some control of the care that she receives and the care she will need. To not feel threatened by agencies or Service providers for
questioning their services or their lack of outcomes. To have a choice and a voice! BUT above all the chance for her to reach her full potential.

Our $1 billion investment in launch sites shows how serious we are about the NDIS. How people acquire their disability should not determine their support. I support this motion.

Debate adjourned.

Reform Agenda for Older Australians

Debate resumed on the motion by Ms Hall:

That this House:

(1) acknowledges that the Government has a positive reform agenda for older Australians and is delivering enormous commitment and investment in aged care and promoting positive aged care issues by:

(a) increasing the aged pension;
(b) reforming the aged care system; and
(c) helping older Australians stay at work longer; and

(2) calls on all Members to support the reforms and guarantee support for older Australians.

Ms HALL (Shortland) (20:17): I moved this motion that stands in my name on the Notice Paper. Australia has an ageing population; therefore, as a nation it is imperative that we have a positive approach to ageing, one which respects older people, provides them with opportunity and financial security plus a strong aged-care framework to provide care and support to frail aged Australians—people that look to government to make sure that they are taken care of when they are in need. This is a wide-ranging motion. It covers the age pension, the age-care system and helping older people stay in work longer. This government has a very proud record when it comes to financial support for older Australians. We have delivered the most significant reforms to the pension system in its 100-year history. Since 2009 Labor reforms have delivered increases to the maximum pension of $172 a fortnight for a single and $182 a fortnight for a couple. The single rate pensioner now is $4,300 better off a year. The maximum rate pensioner couple will now be $4,500 a year better off.

Key aged-care reforms have taken place. The government has invested $59.5 billion in aged care over the next four years. That is our commitment: $40 billion funding for residential care over the next four years from 2012-13, and more than $13.4 billion estimated revenue for the residential care industry this year. Believe me, the industry is very pleased with being able to expect this additional funding, because they have struggled in the past. That will be $78,500 estimated average total revenue per resident, and $53,200 estimated average funding per resident from the Australian government this year. That is a big increase. There is a 26.7 per cent increase in income per resident. There is an 8.2 per cent annual increase in funding per resident and an 8.5 per cent increase in funding per resident. That is looking at a CPI increase of 2.7 per cent over three years. So they are big increases in funding. That will make a real difference to the lives of older people. It will provide additional support and care to help them remain in their home longer; provide additional help for carers to access respite and other support; deliver better residential care; strengthen the aged-care workforce; support consumers and research; make better health connections; tackle the nation's dementia epidemic; support older Australians from diverse backgrounds; and build a system for the future.
The government has made a big commitment to dementia. It recognises the importance of having a healthcare system that responds to the challenges. It is estimated that almost a million people will have some form of dementia by 2050. The Standing Committee on Health and Ageing is currently undertaking an inquiry into early diagnosis and early intervention. I believe—and I know that all members on this side of the parliament believe—that is absolutely imperative. The funding of $123 million is now available for people with dementia for home care packages.

The other aspect of this legislation refers to mature age workers. There are 3.8 million mature age workers in Australia, and many want to work. Actually, my husband is well over the retirement age, and he is still at work. Last year over-55s were around 16 per cent of the labour force, and that is compared to 10 per cent in 1980. There have been numerous government incentives to encourage workers to stay in the workforce. The appointment of Australia's first Age Discrimination Commissioner is also a commitment to older Australians. This government recognises that older people can make enormous contributions to our society both in the workforce and in the community generally. And as such we are committed to the future for older people. (Time expired)

Mr VAN MANEN (Forde) (20:23): I would like to thank the member for Shortland for her motion. It gives me the opportunity to reflect on what wonderful contributions our older or senior Australians have made to our community over the years. I note that the member makes reference in her motion to the positive reform agenda for older Australians and claims to have delivered enormous commitments and investment to aged care by increasing the age pension, reforming the aged-care system and helping older Australians work longer. There are a few little bits and pieces there. We have had the change in superannuation so that people still working can get super between 70 and 74, and I think that is a positive move. Certainly in my previous life in the financial services sector that was a frustration for a lot of my clients that were still working in that age bracket.

This is a sector that is absolutely buried underneath layers of regulation and red tape and is possibly one of the most regulated sectors in our country. I think it is instructive to note that since 2007 there have been more than 20 reviews and inquiries relating to ageing and aged-care issues, including three by the Productivity Commission. It took over 250 days for this government to respond to just one of these reports, the 2011 landmark Productivity Commission report.

Of all of these reports, only a few recommendations have been picked out by this government. They have increased the age pension and they support older Australians staying in the workforce longer, which, as I have said, we on our side have supported. But at the end of the day a total of $1.6 billion has been cut out of the aged-care sector, resulting in local aged-care providers finding it really difficult to cope. Aged-care nurses are spending a third of their shifts doing paperwork to keep up with the excessive regulations placed on this sector. By all means this is a sector that needs regulation, but not in this current form. Imagine your elderly parent or grandparent missing out on essential care because a nurse is too busy working on paperwork to attend to their needs. Our older Australians deserve better. They have contributed so much to our country and have made it the great place that it is for us to enjoy today, and we need to ensure that they get the care they deserve.
It is interesting looking at this motion and I think it is worthwhile separating out the issues, because quality aged care is a separate issue to pension increases and having older Australians in the workforce. If we are talking about a positive reform agenda for aged care, then we are not quite there under the current government. Since the last federal election, the coalition has continued to listen to the aged-care sector. We confirm that we are committed to supporting older Australians with better and more sustainable aged-care services. Our agreement will deliver better and more affordable aged care by reducing red tape and enabling nurses to get back to nursing and taking care of residents; by providing certainty for aged care for older Australians, underpinned by a high-quality framework; by delivering value for money through revised subsidy arrangements; by ensuring certainty for the aged-care workforce, by establishing a more flexible and viable aged-care provider network to meet the care needs now and into the future; and by ensuring that the comfort and safety of older Australians is maximised.

The coalition wants reform in partnership with the aged-care sector; it does not believe that fundamental reforms should be imposed from above. If successful at the next federal election, we will immediately commence consultation with stakeholders in the ageing and aged-care sector on the framework of the aged-care provider agreement, including consideration of the recommendations of the Productivity Commission. We in the coalition will always support measures to assist the senior members of our community. (Time expired)

Dr LEIGH (Fraser) (20:28): On Saturday, 1 December it was my great pleasure to attend the Belconnen Senior Citizens Club's 30th anniversary party. I went along with my two older boys—my five-year-old Sebastian and my three-year-old Theodore—who I must say were wonderfully feted by the members of the Belconnen Senior Citizens Club. This is a club which is focused on sports and recreation. There are older Australians in the Belconnen area who are engaged in dancing clubs, walking clubs and sports of all kinds. Mal, Noelene and Marj were particularly generous in looking after Sebastian and Theodore, and I also enjoyed seeing new ACT MLA Yvette Berry and her father, Wayne, at the event. It was a great reminder, if one were needed, of the vigour and energy of older Australians in my electorate of Fraser.

Over the last 40 years, life expectancy in Australia has increased by around a decade. One of the great thought experiments is: which would you prefer—an extra decade of life or the economic growth that has come over that period, with approximately a doubling in real per capita incomes? I have barely met a person who says that, if they had to choose between the two, they would take the money over the years. Most of us value that extra decade of life far more than even a doubling in income. It is a reminder of the great advantages of Australia and of the health and lifestyle reforms that have increased longevity. When I hear commentators talk about the 'problem' of ageing, I am tempted to reply—as Minister Shorten sometimes does—'It beats the alternative.' Certainly there are challenges that Australia faces in an ageing population but they are great challenges to have.

On 19 November last year Minister Butler came to my electorate and held with me an aged care forum to speak with Canberrans about the aged care changes that the government is putting through in its Living Longer Living Better aged care package. The package is improving the wages in the aged care sector and making sure that people have greater access to choice and information. Older Australians and their loved ones often have to make quick
decisions and it is important that people have access to all of the information in front of them. It is important that people looking at retirement home options realise that they do not just have to pay bonds but that they can pay daily payments. It is important that people have support if they want to stay in their own homes, as so many do.

The forum was the most popular event I have run in my electorate. I held another on 7 December, which again packed out the room in the Griffin Centre. It was a real reminder of the interest that Canberrans have in understanding the government's aged care reforms. This is a government that is committed to improving dignity in retirement. When we increased the single age pension for someone on the full rate by $1,600 a year, it decreased the poverty rate. The University of New South Wales's Peter Whiteford estimated that it reduced by about a fifth the number of people living in poverty in Australia, a massive reduction.

Now the government's increase in universal superannuation from nine to 12 per cent is again going to see more Australians enjoying dignity in retirement. By bringing down the tax rate on superannuation contributions of lower-income Australians to zero, we are encouraging low-income Australians to save for their retirement. Recognising that low-income earners are disproportionately women, who have lower superannuation balances, this is a measure that particularly advantages women, which is why taking it away would so disadvantage low-income Australians and women. This government is proud of its reforms, of its assistance to people in the aged care sector and of increased longevity in Australia.

Mr McCormack (Riverina) (20:33): I agree with the member for Fraser when he says that we should never complain about being old. Certainly, Nationals New South Wales Senator John Williams said to me only recently that none of us should complain about getting old because some Australians, indeed many people in the world, do not get that choice and unfortunately die far too young. This motion is about aged care and Australia's ageing population. For many, it is Australia's most challenging social issue. Present projections have it that over-85-year-olds, who currently make up 1.7 per cent of the population, will represent 5.7 per cent of the population in Australia by the year 2047. How we deal with this as a nation and how we meet the growing costs of aged care will be critical for future Commonwealth governments.

While Labor's living better package claims to, as the motion states, deliver enormous commitment and investment in aged care, there are significant gaps. This is probably because the government brought the announcement of this package forward a few weeks and the same old Labor spin doctors were at it again, unfortunately. The government claimed this was part of its positive aged care plan, which this motion seeks to acknowledge, but it was, I believe, just an idle attempt by Labor to give the impression it was doing something in aged care when it was really years away. Sure, a headline figure of an additional $3.7 billion over five years sounds impressive but, like most of Labor's ideas and promises, the devil is indeed in the detail. This so-called new spending initiative is a combination of the government's means testing as well as the reallocation of funding from other existing projects. The actual amount of new money being spent on aged care is only $577 million, a far cry from the $3.7 billion headline.

The coalition's response to this plan was cautious. We wanted to wait and see what the actual detail of this plan was. It is fortunate that we did, because there are some significant oversights. In Labor's usual style, it has missed an opportunity to reduce red tape. The aged-
The care sector has been crying out for somebody who can go in and fully cost a plan which will be positive for them. This was evident when the shadow minister for aged care, Senator Concetta Fierravanti-Wells, and I toured aged-care centres in Griffith, in my electorate, last November. Labor could have made the system much better. But it did not. So many people in my electorate are complaining about this very fact. Labor had the opportunity to increase productivity in this crucial system, but it chose not to. In an industry where aged-care centres are wallowing in red tape, the government's Living Longer Living Better package will, unfortunately, place additional demands on an already crowded system. In fact, the coalition has been advised that at present some aged-care nurses can spend up to one-third of their time on bureaucratic paperwork. There were reviews and consultations, as there always are with this government, but the government has ignored this advice and cherry-picked from the Productivity Commission's report, taking only a few of its recommendations.

The sector has some significant concerns about Labor's new plan, which this motion fails to acknowledge. Chief among these is the government's decision to rip $1.6 billion out of the aged-care funding instrument over the next four years. These cuts, according to the government, have been made because of assertions of rorting within the sector and for which there has been no substantive evidence produced to date. These are not cuts in places where they are needed, such as unnecessary bureaucracy. These cuts are coming out of funding for essential services such as reclassified patients who are high care to medium care. This will lead to staff cuts in aged-care homes and place an even greater demand on an already ailing system. It is no wonder we saw headlines in the *Sydney Morning Herald* 'Minister defends cash cut for aged' and in the *Australian Financial Review* 'Nursing homes face subsidy growth limit', because this government and the minister have a problem of their own making.

According to many, aged care is the single most challenging social issue that governments will face in the future. The coalition has a plan to restore investment in the industry so that it can cope with increasing demands into the future. The coalition has spent a lot of time talking, as Senator Fierravanti-Wells and I did in Griffith in November, with the grassroots sectors of the aged-care industry to ensure that we get the plan right.

At the last federal election the coalition set out its commitment to the delivery of a high-quality, affordable and accessible aged-care scheme which meets the needs and preferences of older Australians. For the next election we the coalition are committed to reducing the inhibiting red tape this government has placed on the industry and restoring a real and sustainable plan which meets the needs of an ageing population. We will negotiate an aged-care provider agreement with the aged-care sector. The first ever aged-care provider agreement will set the framework for aged care and ageing in Australia over the next four years. We will bolster Medicare by reinstating the private health insurance rebate as soon as we responsibly can. So while this motion seeks to acknowledge the government's positive plan, we must remember that, as with all of Labor's promises, this is more smoke and mirrors.
is an integral part of the life cycle where nothing is quite as complicated because of cultural and linguistic sensitivities as caring for elderly people and their very complex needs. Increasing the age pension, reforming the aged-care system and helping older Australians stay at work longer are all part and parcel of addressing those needs and they are being implemented by the Gillard Labor government.

Caring for the aged is an issue that affects all communities and all sectors. I find this is continuously reiterated to me through my personal work with my constituents and also in my dealings with community groups, both in my electorate and elsewhere, particularly given the ageing of Australia's post-Second World War migration, otherwise known as the ageing of Arthur Calwell's new Australians. Of the ageing new Australians—they once were new Australians—the Greek and Italian communities have the largest number of ageing people, and they are followed by the Chinese, Indians, Turks and many others who came to Australia during that period.

I have spoken many times to those communities and almost all of them advocate—and these are alarm bells that we need to heed—that what is now paramount is the proper care of the elderly and in particular the care of the elderly from migrant communities, because the quality of that care is a hallmark of any civilised society. The ageing of migrant communities brings special challenges that we are all very familiar with. Just as newly arrived migrants need special services to assist their settlement into this country in the first five years of their arrival, so too, at the other end of the spectrum, elderly migrants require culturally and linguistically sensitive services to cater for their needs as they age. This is the case no matter how long they have lived here. Many of them have been here for many decades. The date 29 August marks 50 years since my father and his young family, including me, first disembarked at Station Pier at Port Melbourne. It is for those reasons that I am very pleased to say that the government has made important headway on reforming the aged-care system when it comes to caring for our ageing people and in particular our ageing migrant population.

In December last year I welcomed the release of the National Ageing and Aged Care Strategy for People from Culturally and Linguistically Diverse Backgrounds. The strategy will help inform the delivery of Living Longer Living Better, which is part of the government's $3.7 billion aged-care reform package. As we all know, ageing brings with it a returning emphasis and reliance on the mother tongue. Older people, no matter how fluently they have acquired a second language—in this case, English—or subsequent language during their lifetime, tend to feel most comfortable in their original language as they grow older. Taking into account that about 20 per cent of people aged 65 years and over were born outside Australia and by 2021 that number will rise to 30 per cent, it is vital that we are sensitive to this fact when planning and providing services to older Australians of non-English-speaking background.

The migrant elderly—many of them in my electorate—often have very different cultural, linguistic and spiritual needs, and that can affect the type of care and services they require and are provided for. I congratulate the Minister for Mental Health and Ageing, Mark Butler, because he has recognised that this community sector has very important needs and unique challenges that are faced by the elderly, their families and their aged-care providers. He has responded to those needs through the National Ageing and Aged Care Strategy for People
from Culturally and Linguistically Diverse Backgrounds. That is the basis upon which the government will assist in helping this sector develop highly specialised needs. (Time expired)

Mrs PRENTICE (Ryan) (20:43): I rise to speak on the motion moved by the member for Shortland, as the ageing population is a major issue for this and future governments. I agree that we must guarantee support for older Australians and, in particular, that reform of the aged-care sector is particularly important for our ageing population. The motion does not admit that this government was forced to increase the age pension as a result of its own economic incompetence and its failure to rein in the real cost-of-living pressures that affect older Australians. Governments do not support older Australians by implementing the world's biggest carbon tax economy-wide without giving one cent to almost 300,000 self-funded retirees. Governments do not support older Australians by increasing the cost of private health insurance and governments do not support older Australians by increasing taxes on superannuation and reducing the amount that Australians can contribute to their own superannuation.

We cannot support our senior Australians if we fail to implement real reform for the aged-care system, particularly at a time when Australians are expecting more and more from aged care. Yet this is exactly what the Labor government has been doing since it took office in 2007. I continue to meet with many aged-care providers in my electorate who are disappointed with the government's response to the Productivity Commission's *Caring for older Australians* report of 2011. The government missed the opportunity at that time to implement real supply-side reform in what many see as a wasteful, unfair and inefficient Aged-Care Approvals Round process, where providers applied for packages from the government. It has been conveyed to me by people who operate in the aged-care sector that resources are continuing to be wasted and taxpayer funds are not being efficiently allocated because clients have no, or very limited, input into choosing a provider.

They are also rightly concerned about the government cutting $1.6 billion from the Aged Care Funding Instrument. Cutting $1.6 billion is not a sign of a government acting in the long-term interests of the industry. As we move from the baby boomer generation to the next, users of aged-care services will no longer meekly accept what they are given, as many Australians had to do during tough economic times earlier last century. It is therefore integral to the future care of older Australians that we implement policies that give clients and their families the ability to choose their own provider to deliver government funded services which they have been assessed as needing.

Secondly, the Labor government is making it more difficult for older Australians to support themselves by increasing taxes on superannuation. The Treasurer has run out of taxpayers' money and is now resorting to attacking the hard-earned money and savings in Australian superannuation funds. It is likely that the quality of life and living conditions for older Australians will worsen in the future because we have a government which is ripping the heart out of the superannuation system. Despite having already increased taxes on super by $8 billion, the government has not ruled out further attacks on super. This has created enormous uncertainty for retirees and those approaching retirement. The government promised in 2007 that they would not change super taxes, but that is exactly what they have been doing ever since. By their actions, they will continue to increase taxes on super in the future. They have
cut the government's co-contribution scheme—aimed directly at assisting the lowest paid in this country—by $1,000, a cut worth $3.2 billion to their bottom line.

Lastly, the motion claims that the government is helping older Australians stay at work longer. They have recently announced that they are going to legislate flexibility. You do not help older Australians stay at work longer by simply legislating that someone has the right to a part-time job, as if that right somehow compels a local small business owner to employ someone that they cannot afford. At the end of the day, governments do not create jobs; businesses do. With jobs, governments can go two ways. They can stifle business, overregulating them and controlling them with so many regulations that the likelihood that businesses will employ any Australians, particularly older Australians, is reduced. Alternatively, governments can get out of the way and ease conditions and regulations on small business so that businesses can grow and there may actually be jobs for older Australians to be employed in in the future.

I would also like to take this opportunity to commend Val French and the work she does with the Older People Speak Out, OPSO, organisation. They are great advocates for the aged in our community, not only for having older people working but also for their rights going forward.

Debate adjourned.

**GRIEVANCE DEBATE**

**Cyclone Oswald**

**Insurance Industry**

**Mr NEVILLE** (Hinkler—The Nationals Deputy Whip) (20:48): It gives me great pleasure to speak in the grievance debate. There are two matters I wish to grieve about. My electorate of Hinkler and, to a lesser extent, the seats of Flynn, Wide Bay and Capricornia were the focus of the Australia Day tornadoes, followed by the floods that ensued as Cyclone Oswald turned into a rain depression. That rain depression was quite hard to predict. It moved inland into the headwaters of many of many of our rivers and caused a flood circumstance of a magnitude we have not seen before. Just to give the Federation Chamber some scale, in 1890 we had 9.05 metres, in 1942 we had 8.5 and in 2011 we had 7.9. But this time we went up to 5.4 metres—in other words, 1.6 metres over the last flood circumstance and half a metre from the all-time high. It was uncharted territory.

What I want to grieve about is this: we saw in the last floods in 2011, especially at Grantham, the first murmurings of 'We have to do something different.' We do this in parts of Australia endlessly over and over again. We race to the aid of our fellow Australians, as well we should. We go through the torture of evacuating people, of cleaning out houses, of mourning the dead and of rebuilding, but we do not do a heck of a lot about reconstruction and relocation. We should. You really have to ask yourself when you go back over nearly 100 years of well-documented floods, what are we really doing to stop this happening? There are always plenty of us around, including our ministers and shadow ministers, and again it is appropriate that they should be there and they should support people. We certainly go through the traumas of the flood, the evacuation centres, the people who work endless hours in emergency services, the people who shift rubbish, the mud armies—all this kind of thing. They are all appropriate and I am not in any way detracting from them one iota. But you
really have to ask yourself, after every one of these floods what is the way up between what we spent and what we achieved the next time?

I think we should have a commission of inquiry into that and that we should have some sort of restoration commission and that both sides of politics perhaps should come together and have a bipartisan horizon of 10 years in which we take a totally new look at this thing. I do not know what the right figure is and that is what the commission could find out, but it could be perhaps $200 million a year for 10 years, $2 billion over 10 years, to start a whole series of things. One is to put certain houses on high stumps, the old Queenslander, quite common in Queensland and northern New South Wales. Providing the house is sound and aesthetically pleasing, why wouldn't you? If you do get a flood and it washes through the bottom, it is not the end of the world. Another is that all councils have land banks of one sort or another. Why not develop some of those, create a new suburb and start moving houses. Again, the house has got to have aesthetic and construction integrity. We are not suggesting that you put all the run-down houses in all the run-down suburbs that get wet and put them all into one estate to create some sort of slum. I am not suggesting that for a minute. But where they are aesthetically pleasing and can be restored you put them there. You would have an incentive program for people to move to those places. Finally, with the ones that are just not worth moving but need to be knocked down, you have some program with a public housing component to it where a person could get a nice three-bedroom cottage on condition they moved to this new site. If we did this over a 10-year period, we would not solve all of them and some people would be slow to move and there would be lots of problems, but we will not solve it by standing back and pretending it is not happening. It is happening and if we are moving into a period of more extreme weather conditions—I am not going into the pros and cons of climate change, I am talking broadly—we are going into a period of more violent weather conditions then perhaps we should be looking at it fairly soon.

The other thing I want to grieve about is insurance. I am just not convinced that we are getting a good deal from our insurance companies. I am going to be radical tonight—it is not like me, a member of the coalition and a member of the National Party, to say this—because I think we have come to a point where we should reconsider the State Government Insurance Offices. You might say 'shock, horror, it has all got to be done by free enterprise'. Well, yes and no. With communications, if we cannot get telecommunications providers to go to a certain area, the provider of last resort is Telstra. We accept that; all Australians accept that. I think that if we had an SGIO in each state that took responsibility for a certain area of insurance—and we have very good SGIOs in Queensland and New South Wales, and I am sure in other states, and I am told the SGIO in the Northern Territory which is still in practice is effective—that would provide us with an insurer of last resort. I am not suggesting for a minute that this insurer would take unreasonable risks.

Equally, we would not have situations like the case of one of our members here in this parliament—who shall remain nameless but is from a western Queensland town—whose insurance was $1,500 a year and after the recent floods it was put up to $10,000 a year. He objected to that and had it changed but the point was that he lived at one end of the street which was up high and the flood area was down low, yet the insurance company just said that he was in such-and-such a street and would have to pay the higher premium. It did not accord with what the real flood risk was. As if that is not bad enough, there are people in high-rises
that are paying incredible figures now. People who are buying units for their retirement just
cannot afford to live in them. Something is radically wrong.

At other times, insurance companies work on the basis of postcodes—postcode! For God's
sake, in any town there are hills, there are valleys and there are low-lying areas, and there are
some places that have not experienced a flood since Australia was settled. And, yet, that
postcode cops this insurance rates premium. This has happened to me personally. I am
nowhere near a flood area in Bundaberg, and yet my premium was—until I objected very
strongly—to go up radically. I think we have got to get to a new point. All councils today
have contour lines on the maps. In fact, most councils now can deliver that information for
every house in a town or suburb. It is not beyond the capacity of insurance companies to come
to terms with that, and to set their premiums on what the basis of insurance used to be—
controlling risk. It is a matter of assessing risk, looking over a broad horizon of so many
years, looking at what it might cost in a bad eventuality and taking into account other things,
and then setting the premium. We have to get back to that. (Time expired)

Iraqi Refugees

Ms VAMVAKINOU (Calwell) (20:59): My grievance this evening is about the under-
utilisation of skilled and highly qualified Australians who have come here to live in this
country under the refugee and humanitarian program, and, in some cases, also those people—
especially partners of principal applicants—who have come to Australia under other
categories. My grievance is about the difficult process of degree and qualifications
recognition, as well as the lack of recognition of prior work experience by local Australian
employers as told to me by many of my constituents.

My seat of Calwell probably has the largest constituency of Iraqi refugees in the country,
and they are predominantly Christians of Chaldean extraction, and also of Assyrian and
Syriac extraction, who have been settling in the northern suburbs of Melbourne: Campbellfield, Broadmeadows, Roxburgh Park and Craigieburn—all, of course, significant
established growth suburbs in my electorate of Calwell. Such is the growth in the settlement
of Iraqi Christians in Calwell that each month at our local citizenship ceremonies this
emerging largely refugee community is very heavily represented in taking up Australian
citizenship. They are characterised by many things, but one in particular is their devotion to
their Christian faith. They are indeed devoted parishioners, and as a result the federal seat of
Calwell is home to the Chaldean cathedral of Our Lady Guardian of Plants in Campbellfield,
the Ancient Church of the East St Mary's in Coolaroo, the Holy Apostolic Catholic Assyrian
Church of the East in Coolaroo and the Holy Spirit Syriac Catholic Church in Dallas—where
I had the honour of attending the weekly Sunday mass service last night, which on this
occasion involved the ordination of five deacons by the pope of the Syriac Catholic Church,
Pope Joseph, who was visiting Melbourne from Lebanon for the occasion.

These emerging communities—the Chaldeans, Assyrians and Syriacs from Iraq—have
many needs as they work their way through the settlement process. Paramount, of course, is
establishing a home, and more important to them than anything is the education of their
children. But, of course, very important to them is the gaining of employment, and this is
essential to their ability to achieve the establishment of a home and the education of their
children. Employment, however, often means trying to find similar or comparable work to
what they were doing when they were in Iraq, and the problem for a large number is that they
cannot. This is a major source of their frustration and angst as they work their way through the settlement process here in Australia.

The Iraqi community can be best described as a relatively highly educated community with skills and qualifications across a range of academic professions, particularly, I have found, in the fields of maths and sciences. They are, in addition to that, linguistically competent, and many are able to speak, in addition to their native language or dialect—which is based on ancient Aramaic—Arabic and English. Many of them are very proficient in English. They are people who come here as refugees, as I have noted, having left successful careers and lives behind in Iraq. By virtue of their age when they come here, they have built expertise and experience in the professions that they have worked in. To illustrate this, I can say that I recently met a constituent from Iraq in my electorate who was the first female graduate as a dentist in Iraq. She had a successful practice there until she was forced to flee during the first Iraq war. She was the first female dentist in Iraq, and she is living in Broadmeadows in my electorate—incredible. She is one of the many Iraqis who have much to offer the Australian community, and I can tell you that they are very keen to make a contribution to this new homeland. I fear and they fear that they are being underutilised and undervalued for a number of reasons, one of which, of course, is the complexities of the qualification recognition regime in this country.

I would like to share with the chamber a couple more local stories, because I think it is very important that we tell these stories so that maybe we can begin to focus on this issue as a parliament so that we can understand it and address it if possible. I believe that we have much to gain from facilitating the employment of people such as my constituents in this country. One of my other constituents who came to see me sometime last year was an academic while living in Iraq, and his expertise was in agriculture. He had written many books, and in fact he had even advised the Iraqi government. His greatest frustration was that he could not get a job in academia here in Australia. In fact, he said to me that he felt deeply hurt at what he felt was a refusal to acknowledge the value of his academic achievements. He basically just could not understand why he could not get a job given the standard of his expertise.

There is another constituent who I have become very fond of and very close to, Mr Louis Joseph. He graduated with a bachelor's degree in science, majoring in chemistry, from Iraq in 1990. Following the Gulf War, Louis had to migrate to Turkey and applied to come to Australia under the Humanitarian Program. Upon arriving, Louis was informed that his qualification was not fully recognised as a degree, but rather a diploma. His experience in Iraq as a scientist in the field of chemistry was similarly not recognised, and he was told to restudy his degree in Australia. Louis did complete a bachelor degree in science and chemistry here in Australia. He found that he had completed in his own course in Iraq far more advanced subjects and that here in Australia he was merely repeating subjects he had already completed in Iraq. Furthermore, his Australian degree cost him $10,000 and, in his words:

Even if your degree gets recognised, prospective employers see an overseas graduate. There is a question mark over you.

As I said, I have come to know him personally. He is making an impossible contribution to the local community. I think that he, along with many of my other constituents, has a very significant contribution to make to this country. We owe it to ourselves and we owe it to the people who are being brought here under the refugee Humanitarian Program to do the best we
can to take advantage of the skills and the expertise that they bring with them. Many of them, in order to make ends meet, have to do menial jobs because they have to work—jobs that are far removed from the areas in which they have been trained and they have studied in. Colloquially, this is called the ‘overqualified taxidriver syndrome’. I think it is a syndrome that many of my colleagues in this place would be familiar with, especially those who have constituencies similar to mine.

The extent of the overqualified taxidriver syndrome is not known, nor its existence conclusively proven. It remains largely anecdotal, but it persists enough through anecdotes and through direct storytelling and contact with members of the community to suggest that there is an issue that we need to examine and research more thoroughly in order to avail ourselves of a much needed understanding of this. Because whether the community is of Iraqi or African or European background, the narrative about, in this instance, recognising overseas qualifications and acceptance or value of overseas work experience for people who come to Australia under the refugee Humanitarian Program is largely the same wherever you go and whoever you talk to in this country.

I am pleased to say that there has been some response, or an attempt to respond, to this from the government. We have already taken steps to try to address some of these issues. I want to commend the recently funded Melbourne Employment Forum as $20,000 has been allocated to work with migrant communities on some important job initiatives, including bringing together existing expertise to establish an independent network of migrant communities and using the forum as a hub for research and strengthening of employment opportunities. This is a beginning; by all means it is not the perfect solution, but it is a beginning. I look forward to this work continuing for the benefit of my constituents and everyone else in this country.

Africa: Aircraft Accident

Mrs MOYLAN (Pearce) (21:09): I appreciate the opportunity to raise a grievance in this debate this evening on behalf of one of my constituents. It has been almost 8½ years since South African registered plane ZS-KOX crashed while returning from a flight to Victoria Falls in Zambia. On board were Justine Watters, her husband, Matt Watters, Matt's mother, Shirley Watters, and their friends from United Kingdom, Justin and Rebecca Ward. All, including the Canadian pilot, Mike Channer, perished.

The Watters family were constituents in my seat of Pearce, as is Justine Watters' father, Mr Sam Morton, who I understand is in the parliament this evening. Mr Morton is an extraordinary person who, in the midst of his own considerable grief, was one of the first people to get to the crash site, where he began the gruelling process of recovering the bodies of his much loved family, their friends and indeed the pilot. Sam Morton has been a constant source of comfort to the other families affected by this disaster and has pressed tirelessly for action from the South African government, both to have the matter properly investigated and to ensure that such an event could not happen again.

Shortly after the return flight began, the propeller of ZS KOX fell off at 8,000 feet and six minutes later the plane crashed. Mr Morton has been very grateful for the cooperation and assistance of Mr Joseph Katoboto, Mr Chitalu Kabalika—then the director of the Zambian Department of Civil Aviation—and Ms Karen Van Boxtel, stationed with the British FCO in Lusaka, for the kindness and help they rendered the bereaved families following the tragedy.
The Zambian Department of Civil Aviation, along with the Australian Transport Safety Bureau and its American counterpart, conducted an investigation into the reasons for the crash. The findings were disturbing as the causes were found to be:

...in-flight detachment of the propeller assembly attachment studs, improper torque of the propeller studs (failure to lock the studs allowed the studs to back out of the propeller hub assembly in the separation of the propeller from the aircraft), failure to follow correct propeller installation procedure; and failure to use identifiable manufacturers' approved parts.

There were suitable landing sites available to the pilot but he had no power source and visibility was extremely reduced due to engine oil covering the cockpit windows.

As the plane was registered in South Africa the maintenance had to be carried out by a South African registered maintenance company approved by the South African Civil Aviation Authority, or SACAA. Following the accident, Mr Pine Pienaar, then chief executive officer of Nelair Engineering, confirmed in writing that the propeller of ZS KOX was removed by Nelair 130 operating hours before the crash and inspected 30 operating hours before the crash. Nelair carried out the last three mandatory periodic inspections, which included removal and refitting of the propeller, in January 2004. The final mandatory periodic inspection and other maintenance was carried out by Nelair only 19 days before the crash. In 2006, the late Dr Ian Phillips of the South African Department of Transport assisted SACAA in examining the details of the crash. Dr Phillips informed the Australian Department of Foreign Affairs and Trade that SACAA had audited Nelair and as a result revoked their aircraft maintenance organisation licence, called an AMO. Dr Phillips stated that the cancellation was permanent and that the Department of Transport would vigorously resist any effort by Nelair to obtain their AMO licence again. Since the crash of ZS KOX, Nelair has been involved in two additional incidents involving poor maintenance, of which one was a propeller separation.

If you do a Google search you will find Nelair still advertising as one of the largest privately owned companies in South Africa concentrating on aircraft maintenance and servicing. Since 2006 the matter has been vigorously pursued by Sam Morton—through three prime ministers in Australia, four successive Australian foreign ministers including Alexander Downer, the member for Griffith, the member for Perth, the current Minister for Foreign Affairs, Senator Bob Carr, and the British and Canadian governments who have been actively engaged, and all have been extremely helpful. In 2006 I was in South Africa with the assistance of the then Australian High Commissioner Philip Green, who made an extraordinary effort to assist. We tried to set up a meeting with the director-general of the Department of Transport, Ms Mpumi Mpofu. Ms Mpofu was not available for a meeting. A phone hook-up was arranged with her and she subsequently undertook to inform the minister of these events. I also addressed the relevant South African Senate committee, whose members expressed much sympathy and distress over the terrible loss of life.

Mr Levers Mapaso from the South African Department of Transport referred the matter to the National Prosecution Authority for review and it has been with that authority since April 2009. The parts sent to America by the Zambian Department of Civil Aviation for investigation have gone missing. The South African CAA claimed key files were lost, and a board of inquiry was cancelled at the last minute without any clear reasons being given. Time delays and the failure of the relevant South African authorities to notify the South African Police Service within a reasonable period of time that a criminal investigation is called for has
resulted in crucial evidence being lost and or unaccounted for. Mr Morton has not given up and continues to press for a just outcome. He has the support of many in this place, including my colleague the member for Brand, who has been very helpful in bringing the matter to the attention of the current government. Mr Morton and the other families are entitled to answers to so many unanswered questions.

Tonight I would again respectfully ask the South African authorities to take all necessary action to properly investigate this matter. I wish also to record my appreciation, as I said, for the member for Brand, who has provided assistance in continuing to pursue this matter in recent years. I extend again my sincere sympathy to Mr Morton and his family and to families of the other people who lost their lives in what should have been an avoidable disaster.

Most importantly, the member for Brand and I had hoped that the South African High Commissioner would be here this evening. Perhaps the high commissioner is somewhere in the parliamentary building. There are questions that need to be answered and issues that need to be investigated. Why wasn't this matter referred by the relevant South African authorities to the South African Police Service in a timely manner? Why was the board of inquiry cancelled without any reasonable explanation? What has happened to the failed parts of ZS-KOX which were examined by investigators and have now gone missing? Finally, what has happened to the key files that are also, we have been told, now missing or unaccounted for?

Mr Deputy Speaker, I put it to you and to others in this parliament: these are very serious matters. They must be investigated and the questions must be answered. Once again, I would like to thank the Department of Foreign Affairs and Trade and all those who have assisted us over the years to try to get this matter properly investigated and to make sure that this kind of event does not cause such grief to other families as it has caused to the Morton and Watters families and the other families from the UK and Canada.

Werriwa Electorate: Coal Seam Gas

Mr LAURIE FERGUSON (Werriwa) (21:18): This evening I want to join with local residents in the Werriwa electorate in relation to the proposal for coal seam gas exploration and fracking in my electorate. Werriwa is on the urban fringe of Sydney. It has some rural aspects. Last week AGL suspended an application for exploration in that area. At first residents greeted this with great joy, thinking that it was a victory for residents. However, one must be cynical that perhaps there are other reasons for this withdrawal. It has been claimed that the initial application was really lacking in substance—there was the company's attempt to justify it on economic and employment grounds. Another possibility is that they wish to see this go off the agenda for some time and a downturn in activity by the community and then perhaps relaunch it when it gets a bit quieter. Thirdly, of course, there could be the fact of the federal election.

Last week Minister Burke made the following comments:

He is talking about this particular industry:

One, about that principal itself but secondly, I've got concerns about what does that say about the New South Wales Government's attitude to this issue? We are not only talking about the sort of land that, for example, with the Darling Downs in Queensland with all the controversy that that involved, we're not just talking about land like that.
We have acreage that goes right into residential areas and I know the attention has been on the New England area but this goes all the way up the north coast of New South Wales, this goes to the Hunter and this goes in Western Sydney and I am deeply concerned …

As I say, that could be one of the reasons for the suspension of the application.

I have to say I have grave concerns. A few local Liberal MPs are saying they are against this proposal. They have joined with Campbelltown and Liverpool councils. However, the state minister seems to be a major booster for the industry. Perhaps this is where he is going to parachute to after his political career. Because in response to one of his Liberal colleagues some months ago—and that colleague was writing on behalf of Campbelltown council—Minister Hartcher said:

Council's proposal for provision to be made to 'appeal determinations made for all coal seam gas extraction activity proposals' is a matter that would be best put to the Minister for Planning ... I do not support such a position in relation to exploration as I believe it would add an unnecessary burden on industry and prevent exploration.

In the aftermath of the withdrawal of the application last week he was again up in the media circle with further comments on this issue. This is a man that is part of the state government, supposed be giving some rights to residents with regard to these developments. He said: (Coal seam gas) is no good to us still in the ground … You have to take it where it is, you can't say you don't want to develop it here.

So Minister Hartcher is certainly making his views clear from a government position, which might be in contrast to a few state MPs running around the place seemingly against it. We have a situation, as I said, in New South Wales where there must be grave concerns about the government's attitudes.

I notice the daughter of the former minister for immigration, Phillip Ruddock, has certainly been very active around this issue. What was interesting was the state government's decision to de-fund the organisation which she heads, the Environmental Defender's Office. People in that state might be aware that this withdrawal of funding to the organisation came after complaints from the coal industry to the Premier that they were causing too much trouble for the industry, that they were actually representing residents, giving them information, providing expertise et cetera. So what we have seen in New South Wales is the closure of that organisation.

I have a quote here from the Sydney Morning Herald:
The mining industry urged the Premier, Barry O'Farrell, to scrap funding to the Environmental Defenders Office—and months later the state government did just that.

I have to say that this organisation is valuable. It has produced booklets that have certainly been circulated widely in the state. I have urged the federal minister—I am not putting too many dollars on this at the TAB—to try and give some funding to make sure this organisation does continue to do its work.

This industry, of course, is widely discredited. A year ago they tried to allege in the public domain that the CSIRO had endorsed their analysis of the industry and its problems. In contrast, the CSIRO, in the Sydney Morning Herald of 11 January this year, was forced to actually go on the public record. A reputable, respected government organisation had to actually repudiate the industry in public because of misleading claims. This article in the
Herald states the CSIRO rejects claims made by APPEA regarding groundwater and coal seam gas. The CSIRO rejects the claim made in a television commercial aired on 2 September that:

CSIRO [and government studies] have shown that groundwater is safe with coal seam gas.

Those are the kinds of lengths to which this industry will go.

I referred earlier to local opposition. I put out 22,000 cards in my electorate in the last two to three weeks, and I am pleased to say that in excess of 800 of them have been returned to the office, which is indicative of a very strong groundswell of opposition to this proposal. This proposal is in a pristine, long-treasured area called the Scenic Hills. It is in close proximity to residential areas. There is grave concern about property values in the area and of course about issues such as groundwater and seismic movements. We know that in the United Kingdom internal documents from one of the companies indicated their own concerns about their responsibility for possible seismic movements.

It is interesting to note that there has been firm opposition by the industry to regulation and controls. The Chief Operating Officer of the Australian Petroleum Production and Exploration Association, Rick Wilkinson, said the industry in New South Wales and Queensland 'is arguably the most heavily regulated in Australia and any proposal from Canberra to duplicate strict state-based regulation is wasteful and inefficient'. So there you go, the industry is very concerned with the federal government's attempts to give the community some rights to join with local councils—Liberal and independent controlled—in opposing these measures.

There are grave concerns about this internationally. Bill McKibben's article in the New York Review of Books on 8 March 2012 was the first article that alerted me to developments in the United States, particularly in the state of Pennsylvania. He said:

December, then, was a tough month for the fracking industry, and it ended on a particularly low note—on New Year's Eve a magnitude 4.0 earthquake in Youngstown, Ohio, was blamed on the injection of high-pressure fracking water along a seismic fault, a phenomenon also documented in Arkansas and Oklahoma.

A second concern has to do with the damage being done to rivers and streams—and the water supply for homes and industries—by the briny soup that pours out of the fracking wells in large volume. Most of the chemical-laced slick water injected down the well will stay belowground, but for every million gallons, 200,000 to 400,000 gallons will be regurgitated back to the surface, bringing with it, McGraw writes, not only the chemicals it included in the first place, but traces of the oil-laced drilling mud, and all the other noxious stuff that was already trapped down there in the rock: iron and chromium, radium and salt—lots of salt.

In September 2009, however, pretty much everything died in the course of a few days—everything except an invasive microscopic algae that normally lives in estuaries along the Texas coast. This bloom of "golden algae" that killed everything else was a mystery—how could a species that usually lives in brackish water on the ocean's edge have survived in a freshwater Appalachian creek? The answer emerged swiftly: drilling companies had been illegally dumping wastewater in the region, turning it into brine.

This is a matter of concern not only in my urban electorate but throughout the state. There have been 1,000 submissions to the state inquiry. The local Liberal MPs in my region are going through the motions. We are talking about four people in the state government—that is enough people to cause an impact on government policy. Yet for every effort they make to supposedly oppose these kinds of measures, we see Minister Hartcher essentially saying that
we've got to promote this industry and make sure it gets up and operates. He is saying that the
dollar counts more.

Internationally there is a big trend towards this because of concern about the mounting
question of energy sources. This is supposedly a cleaner version than coal. But there is
evidence around the world that, when all the additions and subtractions are done, the change
on the climate front is marginal. I commend residents for firmly opposing this measure. We
must be vigilant that AGL will possibly launch another case and we have to be very forthright
and strong with the state government in opposing these measures.

Australian Politics

**WYATT ROY** (Longman) (21:28): When Australia's longest-serving Prime Minister, Sir
Robert Menzies, launched the first campaign for the modern Liberal Party he said, 'We need
to return to politics as a clash of principle and get away from the notion that it is only a clash
of warring personalities.' This idea would resonate just as strongly with the Australian public
today. Modern policy makers need to break free from a political discourse defined by an ever-
shortening media cycle punctuated by tweets and blogs and the cult of personality. Above all,
these political games have obscured the serious challenges Australia is facing. People want
the masquerade to end. They want the real challenges identified so solutions in the form of
genuine policy can take shape.

Australian society is traditionally a society that encourages its citizens to expand their
horizons and to dream big. It is a society that instils in its citizens the ethos that with hard
work your goals, your ambitions and your aspirations are always attainable. So embedded are
these aspirational values in our culture that a generation of Australians have grown up
understanding that home ownership is a reality and employment in their dream job is a
probability.

Generations of Australians have grown up believing that all of our aspirations are possible.
At its best, Australia is a nation full of hope for every young person that they may be
rewarded for their efforts, paving the way for a future of endless opportunities. Yes, Australia
is a nation that allows any young person with the desire to achieve and the hard work to go
with it the opportunity to enjoy a comfortable life. At least that is the narrative that we believe
in, that we hold dear and that history reflects. But today's dark art of political spin doctoring—
the pursuit of a cheap headline or a sound bite—has not just been an effort to paper over the
cracks in Australia's once bountiful economy; it has also fostered the growth of ill-conceived
policy on the run.

Australia has witnessed a significant increase in spending across welfare entitlements as a
percentage of gross domestic product. This has been driven by handouts focused on short-
term election cycles and political parties trying to outbid one another. Shadow Treasurer Joe
Hockey once described it as the battle between the fiscal reality of paying for what you spend
set against the expectation of the majority of public opinion that each generation will receive
the same support from the state as their forebears or increased support. In essence, it is a
culture of entitlement and it needs to end.

While the next generation of Australians will arguably continue to see our nation as a lucky
country, we are now a land uniquely placed in the heart of a globalised world between the
dominant West and a rising Asia. While this changed landscape will bring its own influences
to bear, the next generation will face additional changes such as an ageing population. There will be a greater burden on government drawing from a smaller revenue base. This inevitable demographic dilemma may well coincide with the waning of the mining boom and, as demographer Bernard Salt pointed out, our society and businesses are in a great state of flux. When the baby boomer generation leaves the workforce, they will take with them not only their skills but their taxing capacity. While the preceding generation of 2½ million Australians enter retirement, we now see four million Australians on the edge of retirement about to draw on age pensions, pharmaceutical benefits and other assistance from government. While the 1990s experienced a net overseas migration rate of approximately 100,000 per year, today it is 170,000 or 180,000, providing only an extra 80,000 working Australians, not nearly enough to plug the gap rendered by our shifting demographics.

Generation Y faces an inescapable burden—that is, paying for a much higher demand on government. Sure, generation Y, described by Bernard Salt as the most educated and globally minded generation, may have several inherent advantages it still has to be able to mobilise if it is to secure its own financial future and participate in a high-wage and highly productive economy. While the previous generation saw a massive increase in productivity as women entered the workforce, gen Y and future generations are facing a world with no guarantees. To achieve similar productivity gains they will need to capitalise on new technology and persistently expand into new markets. They will require constant upskilling and further training and they will need to be a more creative workforce. So an indisputable demographic challenge faces the next generation of Australians. There will be a greater onus on them than on the previous generation to secure their own financial future. As a nation, we must meet this challenge from a position of strength. We must take advantage of the opportunities we have now. This, as I began, is what will ultimately require a mind shift in many policy areas, a moving away from the immediate here and now—the day-to-day politicking—towards a long-term focused direction, one that is capable of meeting the test of enormous structural change to our economy and to our society.

Here is the rub: as I previously said in this place, the aspirations and goals of so many Australians are under threat due to this government's self-serving character. This government has chosen to pursue its own agenda and to turn inward and concentrate on its own political survival ahead of listening to Australians—real Australians, those hardworking Australians simply trying to make their way.

On the brink of a period of decisive intergenerational challenge, this government chooses to listen to and hold its closest reserve for pollsters and spin doctors. Since it assumed power in 2007, home affordability and real household wealth have declined. The average monthly repayments on new home loans have skyrocketed from $1,194 in the John Howard years to $2,074 today. The average proportion of family income devoted to new home loan repayments has leapt from 27.8 per cent under the previous coalition government to 34.4 per cent with Labor. As we approach the combined headwinds of an ageing population, climate change and a post-mining-boom economy, this government's hands are nowhere near the wheel. Debt is wallowing at more than $200 billion. The interest repayments alone are $7 billion a year—that is the interest before the principal. The locals in my community expect—surely not unreasonably—that their government should take pressure off family budgets, that their government will fuel the economy and grow job opportunities and that their government
will value their money and live within its means, all the while prioritising the delivery of better services and better infrastructure. But instead Labor still believes that it can both tax and subsidise a nation into prosperity—so obviously a flawed formula lacking the element of incentive in each instance.

As I related in my maiden speech in this place, it is the Liberal side of politics that is the side of opportunity. We are the party based on encouragement rather than subsidy and a hand-up instead of a handout. These philosophical beliefs are at the core of why we will always fight for lower taxes, smaller and more efficient government and the individual’s right to choose. A new coalition government will pay down Labor’s debt, restore fiscal discipline and return the budget to a sustainable surplus. The coalition will put an end to wasteful spending programs and will cut the cost of red tape for business by $1 billion every year. The carbon tax will be abolished, and a coalition government will rebuild a powerhouse economy through lower taxes, more efficient government and productive business. It will create one million jobs within five years and two million jobs across the next decade. At a watershed time—a time of significant geopolitical and demographic change—it will end the spin and restore hope, reward and opportunity for all Australians.

**Climate Change**

Mr MURPHY (Reid) (21:37): Tonight I grieve for the future of the environment and, indeed, the future of Mother Earth. With each new report of extreme weather events—be it intense heat and bushfires or disastrous floods in Australia, record-breaking storms in the Middle East never previously experienced, elevated temperatures in Russia or exceptionally frigid conditions in Europe—the credibility of the Opposition, who notoriously claimed that climate change is ‘crap’, is further eroded. Of course, not every weather-driven disaster can be directly linked to the effects of global warming, but what is clear and should be understood by someone like the Leader of the Opposition, who has a degree in economics that would have included a study of statistics, is that the likelihood of a connection between the increasing severity of weather extremes and global warming is ever strengthened.

I have previously discussed the use of statistics to understand how it is possible to predict the chance of, for instance, a particular volume of rainfall or the maximum temperature in a place for which there are reasonable records. What I said was that the occurrence of random events such as rainfall or maximum temperatures is what statisticians describe as normally distributed and, when plotted on a graph, these measurements produce a bell-shaped curve. Perhaps such things would be easier to understand with the help of a blackboard, but what it means in practice is that the most common values fall under the centre of the curve while the least common values, either smaller or larger, fall under the edges. The width of the bell curve is determined by the spread in the measurements. In general, so long as there are at least a few years of data, the chance of a particular weather event can be predicted with a reasonable degree of accuracy and the possibility of extremes can also be quantified.

Despite the relentless campaign of disinformation and denial by the opposition, the evidence for global climate change is now irrefutable, with measurements from around the world showing that extreme weather events that were previously unlikely are becoming more frequent as the bell curve flattens and the extremities start to become the norm. In Australia, as we know, recent temperatures have exceeded all previous records. Whilst the deniers continue to claim that these and other events have no significance, a survey conducted in mid-
2011 by Griffith University shows that just 4.2 per cent of the 4,347 respondents selected the option 'There is no such thing as climate change' and just 8.5 per cent could be considered strong climate change sceptics. Even then it was obvious that few people believed the claims of the Leader of the Opposition and his fellow deniers, and that was well before the most recent extremes of temperatures.

The vested interests in the mining industry and the media that support the opposition's relentless negativity should realise that they are on the losing side in this debate and are living under the delusion that the market for fossil fuels will continue to expand even as many countries, Australia included, introduce measures to introduce reduce carbon dioxide emissions from the burning of fossil fuels. Of course there are those like Mr Clive Palmer who insist that Australian coal is needed to fuel power stations in countries like India and China, where the growth in demand for electricity is relentless and new thermal power stations are springing up like proverbial mushrooms.

Fortunately for the planet, if not for the coalminers and gas producers, technology developed in our country using concentrated solar energy to provide heat to existing power stations makes it possible to replace most, if not all, of the coal and gas burnt in these power stations. Between 2003 and 2006 scientists from the University of Sydney developed a prototype high temperature solar collector at Liddell Power Station in the Hunter Valley to replace some of the coal burned in the boilers. I was privileged to see this development for myself before the developers, discouraged by the Howard government, took their technology to the United States, from where it is now being sold back to Australia in the form of a collector that provides emissions-free heat to the Kogan Creek coal fired power station in Queensland. It is clear that proven solar thermal collectors rather than untested carbon capture and storage equipment can and very likely will be used in countries like India and China as well as Australia to reduce coal and gas consumption and the resulting carbon dioxide emissions from existing and soon to be built thermal power stations. After all, the sun's heat costs nothing and produces no emissions. To those like the opposition and their supporters who say that these changes will never happen and that Australia can simply ride to riches in a mining shuttle, I say that the development of solar technology shows that a brighter future lies in the hands of our scientists and engineers and that we need to recognise that the age of fossil fuels is rapidly drawing to a close as the world takes serious steps to reduce emissions.

I wish to make some remarks about the exploitation of public ignorance by political opportunists on matters of policy that have a significant component of scientific understanding. This issue has an unfortunate history and the current campaign being conducted by the Leader of the Opposition has strong similarities to the situation that developed in the former Soviet Union in the 1920s and 1930s. At that time the charlatan Trofim D Lysenko, strongly supported by Joseph Stalin, exercised centralised political control over genetics and agriculture and promoted unfounded theories and practices that led to the death by starvation of millions of people. Although he was a scientific fraud, Lysenko as a politician was no fool. He exploited public ignorance of genetics as he compared his opponents in biology with the peasants who still resisted the Soviet government's collectivisation strategy, saying that by opposing his theories the traditional geneticists were setting themselves against Marxism.
In a similar manner, the Leader of the Opposition appeals to individuals who are unwilling to accept the evidence of experts, and condemns his critics as economic saboteurs as he supports the statements of discredited individuals such as IPA adviser Bob Carter and the mining industry's Ian Plimer, who promote claims with no factual basis and deny the link between carbon dioxide emissions and global warming. To quote Wikipedia:
Lysenkoism is used metaphorically to describe the manipulation or distortion of the scientific process as a way to reach a predetermined conclusion as dictated by an ideological bias, often related to social or political objectives.

In concluding, there could be no better description of the climate change statements of the Leader of the Opposition and, as we know, the opposition continues to deny the reality of climate change as it promotes direct action, a policy that has been widely condemned as unscientific, unworkable and a ridiculous waste of taxpayers' money. I am sure that the people of Australia, when they cast their vote on 14 September this year, will vote for the future of our environment, indeed the future of Mother Earth.

The DEPUTY SPEAKER: Order! Time for the grievance debate has expired. The debate is interrupted in accordance with standing order 192B. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Federation Chamber adjourned at 21:47
Mr Dutton asked the Minister for Health, in writing, on 29 November 2012:

In respect of the Medical Services Advisory Committee's (MSAC) decision to not support an Australian Rheumatology Association (ARA) application for new joint injection items for consultant physicians, would the Minister provide:

(a) the Medicare Benefit Schedule (MBS) item numbers considered by MSAC to determine:

(i) patient access was not affected by the decision to remove the original rebates and the time period covered; and

(ii) that the withdrawal of the original rebates had had no impact on referrals to radiologists for joint injection services and the time period covered;

(b) the number of claims by each medical specialty, including general practitioners, rheumatologists and radiologists, for each of the item numbers for each year considered by MSAC in their assessment;

(c) the number of referrals per annum to radiologists for joint injection services from rheumatologists, general practitioners and other specialists respectively for each year considered by MSAC in its assessment; and

(d) the number of claims by medical specialty per annum for MBS item numbers 50124 and 50125 for the years (i) 2006-07, (ii) 2007-08, (iii) 2008-09, and (iv) 2009-10.

Ms Plibersek: The answer to the honourable member's question is as follows:

(a) The Medical Services Advisory Committee (MSAC) public summary document is available on the MSAC website (www.msac.gov.au). Section 12 of this document explains the consideration and rationale for MSAC's advice. This consideration included Medicare Benefits Schedule items 50124, 50125, 55848 and 55850.

(b) The number of claims by each medical specialty, including GPs, Rheumatologists and Radiologists, for each of the item numbers for each year considered by MSAC in their assessment.

<table>
<thead>
<tr>
<th>MBS Item 55848 Services – Calendar Year</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
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<tbody>
<tr>
<td>Consultant - Rheumatology</td>
<td>107</td>
<td>208</td>
<td>256</td>
<td>341</td>
<td>400</td>
<td>498</td>
<td>1,157</td>
<td>1,367</td>
<td>1,350</td>
<td>1,348</td>
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<tr>
<td>Consultant - Other</td>
<td>8,230</td>
<td>11,348</td>
<td>15,858</td>
<td>22,274</td>
<td>30,053</td>
<td>37,049</td>
<td>50,200</td>
<td>71,599</td>
<td>91,201</td>
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<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>0</td>
<td>-</td>
<td>-</td>
<td>28</td>
<td>21</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Practitioner</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>12</td>
<td>59</td>
<td>424</td>
<td>3,367</td>
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For composition of specialty groups (in terms of peer groups) see page 4.

### MBS Item 55850 – Calendar Year Services

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<tbody>
<tr>
<td>Consultant physician - Rheumatology</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>54</td>
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<td>1,498</td>
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<td>16,757</td>
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<td>49,504</td>
<td>69,775</td>
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<td>-</td>
<td>32</td>
<td>17</td>
<td></td>
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<tr>
<td>Other</td>
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<td>-</td>
<td>-</td>
<td>15</td>
<td>45</td>
<td>98</td>
<td>109</td>
<td>461</td>
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<td>2,340</td>
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</table>

(c) The number of referrals per annum to Radiologists for joint injection services from Rheumatologists, GPs and Other Specialists respectively for each year considered by MSAC in its assessment.

The MSAC Review analysed data for MBS items 55848 and 55850 for the calendar years 2006 to 2011. The items are not specific to joint injections and are also used to treat other medical conditions.

### MBS items 55848 and 55850 per Calendar Year

<table>
<thead>
<tr>
<th>Derived Specialty</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consultant physician - Rheumatology</td>
<td>2,258</td>
<td>2,552</td>
<td>3,077</td>
<td>3,987</td>
<td>5,215</td>
<td>5,168</td>
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<tr>
<td>Consultant physician - Other</td>
<td>1,366</td>
<td>1,489</td>
<td>2,080</td>
<td>2,482</td>
<td>3,299</td>
<td>3,233</td>
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<td>17</td>
<td>29</td>
<td>32</td>
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<tr>
<td>Other specialist</td>
<td>10,804</td>
<td>12,870</td>
<td>16,456</td>
<td>21,685</td>
<td>29,968</td>
<td>29,342</td>
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<tr>
<td>GP / Other</td>
<td>47,243</td>
<td>61,495</td>
<td>81,635</td>
<td>117,351</td>
<td>165,301</td>
<td>168,517</td>
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(d) The number of claims by medical specialty per annum for MBS item numbers 50124 and 50125 for the years (i) 2006-07, (ii) 2007-08, (iii) 2008-09 and (iv) 2009-10.

<table>
<thead>
<tr>
<th>Derived Specialty</th>
<th>2006/07 Number of services</th>
<th>2007/08 Number of services</th>
<th>2008/09 Number of services</th>
<th>2009/10 Number of services</th>
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<tbody>
<tr>
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<td>21,361</td>
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<td>Consultant Physician - Rheumatology</td>
<td>54,130</td>
<td>53,240</td>
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<tr>
<td>Consultant Physician Total</td>
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<td>74,601</td>
<td>77,105</td>
<td>29,130</td>
</tr>
<tr>
<td>General Practitioner</td>
<td>222,200</td>
<td>215,445</td>
<td>212,729</td>
<td>77,476</td>
</tr>
<tr>
<td>Other</td>
<td>5,076</td>
<td>4,152</td>
<td>6,983</td>
<td>3,066</td>
</tr>
<tr>
<td>Other Specialist</td>
<td>61,276</td>
<td>64,504</td>
<td>67,683</td>
<td>26,701</td>
</tr>
<tr>
<td>Specialist Physician - Other</td>
<td>29</td>
<td>26</td>
<td>14</td>
<td>-</td>
</tr>
<tr>
<td>Specialist Radiologist</td>
<td>120,451</td>
<td>149,054</td>
<td>192,471</td>
<td>83,451</td>
</tr>
<tr>
<td>Total</td>
<td>484,920</td>
<td>507,782</td>
<td>556,985</td>
<td>219,765</td>
</tr>
</tbody>
</table>
Mr Alexander asked the Minister for Health, in writing, on 29 November 2012:

Since the Government's announcement of a review of anticoagulation therapies in atrial fibrillation of 30 September 2011, (a) how many patients with atrial fibrillation have not been treated for stroke prevention, (b) how many strokes have occurred in patients with atrial fibrillation, (i) what is the estimated average health care costs for each stroke in these untreated patients, and (ii) what is the estimated cost to state and territories of strokes over this period, and (c) broken down by financial years to date, what has been the total cost incurred by Government for conducting the review.

Ms Plibersek: The answer to the honourable member's question is as follows:

(a) and (b) This data is not available.
(c) The total cost incurred by the Government for conducting the Review is $106,090 GST inclusive.

This figure excludes departmental administrative costs. The breakdown by financial year is as follows:

2010-11 $8,196
2011-12 $12,737
2012-13 $85,157
Mr Alexander asked the Minister for Health, in writing, on 29 November 2012:

(1) Would the Government consider listing new stroke prevention medicines on the Pharmaceutical Benefits Scheme (PBS) to help patients with atrial fibrillation, including those that are currently untreated and those who cannot tolerate warfarin?

(2) Would the Minister rule out conducting any more reviews, such as its Review of Anticoagulation Therapies in Atrial Fibrillation, for any new medicines recommended for listing on the PBS by the Pharmaceutical Benefits Advisory Committee?

Ms Plibersek: The answer to the honourable member's question is as follows:

(1) Yes, based on advice from the Pharmaceutical Benefits Advisory Committee (PBAC).

(2) No.