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SITTING DAYS—2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>8, 9, 10, 21, 22, 23, 24, 28</td>
</tr>
<tr>
<td>March</td>
<td>1, 2, 3, 21, 22, 23, 24</td>
</tr>
<tr>
<td>May</td>
<td>10, 11, 12, 23, 24, 25, 26, 30, 31</td>
</tr>
<tr>
<td>June</td>
<td>1, 2, 14, 15, 16, 20, 21, 22, 23</td>
</tr>
<tr>
<td>July</td>
<td>4, 5, 6, 7</td>
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<tr>
<td>August</td>
<td>16, 17, 18, 22, 23, 24, 25</td>
</tr>
<tr>
<td>September</td>
<td>12, 13, 14, 15, 19, 20, 21, 22</td>
</tr>
<tr>
<td>October</td>
<td>11, 12, 13, 31</td>
</tr>
<tr>
<td>November</td>
<td>1, 2, 3, 17, 21, 22, 23, 24</td>
</tr>
</tbody>
</table>

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FORTY-THIRD PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

House of Representatives Office holders
Speaker—Hon. Peter Neil Slipper MP
Deputy Speaker—Ms Anna Elizabeth Burke MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Ms Sharon Leah Bird MP, Mrs Yvette Maree D’Ath MP, Mr Steven Georganas MP, Ms Kirsten Fiona Livermore MP, Mr John Paul Murphy MP, Mr Peter Sid Sidebottom MP, Mr Kelvin John Thomson MP, Ms Maria Vamvakinou 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 Jill Griffiths Hall 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

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

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott, Hon. Anthony John</td>
<td>Warringah, NSW</td>
<td>LP</td>
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<tr>
<td>Adams, Hon. Dick Godfrey Harry</td>
<td>Lyons, TAS</td>
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<td>Albanese, Hon. Anthony Norman</td>
<td>Grayndler, NSW</td>
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<td>Menzies, VIC</td>
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<td>Andrews, Karen Lesley</td>
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<td>Bandt, Adam Paul</td>
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<td>Billson, Hon. Bruce Fredrick</td>
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<td>McMillan, VIC</td>
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<td>Canberra, ACT</td>
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<td>O’Connor, WA</td>
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<td>Dickson, QLD</td>
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<td>Elliot, Hon. Maria Justine</td>
<td>Richmond, NSW</td>
<td>ALP</td>
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<td>Ellis, Hon. Katherine Margaret</td>
<td>Adelaide, SA</td>
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<td>Rankin, QLD</td>
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<td>Werriwa, NSW</td>
<td>ALP</td>
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<td>Members</td>
<td>Division</td>
<td>Party</td>
</tr>
<tr>
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<td>Kingsford Smith, NSW</td>
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<td>Gilmore, NSW</td>
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<td>Hindmarsh, SA</td>
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<td>Brand, WA</td>
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<td>Bruce, VIC</td>
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<td>Griggs, Natasha Louise</td>
<td>Solomon, NT</td>
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<td>Haase, Barry Wayne</td>
<td>Durack, WA</td>
<td>LP</td>
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<tr>
<td>Hall, Jill</td>
<td>Shortland, NSW</td>
<td>ALP</td>
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<tr>
<td>Hartsuyker, Luke</td>
<td>Cowper, NSW</td>
<td>Nats</td>
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<tr>
<td>Hawke, Alexander George</td>
<td>Mitchell, NSW</td>
<td>LP</td>
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<tr>
<td>Hayes, Christopher Patrick</td>
<td>Fowler, NSW</td>
<td>ALP</td>
</tr>
<tr>
<td>Hockey, Hon. Joseph Benedict</td>
<td>North Sydney, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Hunt, Hon. Gregory Andrew</td>
<td>Flinders, VIC</td>
<td>LP</td>
</tr>
<tr>
<td>Husic, Edham Nurreddin</td>
<td>Chifley, NSW</td>
<td>ALP</td>
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<tr>
<td>Irons, Stephen James</td>
<td>Swan, WA</td>
<td>LP</td>
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<tr>
<td>Jenkins, Harry Alfred</td>
<td>Scullin, VIC</td>
<td>ALP</td>
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<tr>
<td>Jensen, Dennis Geoffrey</td>
<td>Tangleys, WA</td>
<td>LP</td>
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<tr>
<td>Jones, Stephen Patrick</td>
<td>Throsby, NSW</td>
<td>ALP</td>
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<tr>
<td>Jones, Ewen Thomas</td>
<td>Herbert, QLD</td>
<td>LP</td>
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<tr>
<td>Katter, Hon. Robert Carl</td>
<td>Kennedy, QLD</td>
<td>Ind</td>
</tr>
<tr>
<td>Keenan, Michael Fayat</td>
<td>Stirling, WA</td>
<td>LP</td>
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<tr>
<td>Kelly, Hon. Michael Joseph, AM</td>
<td>Eden-Monaro, NSW</td>
<td>ALP</td>
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<tr>
<td>Kelly, Craig</td>
<td>Hughes, NSW</td>
<td>LP</td>
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<tr>
<td>King, Hon. Catherine Fiona</td>
<td>Ballarat, VIC</td>
<td>ALP</td>
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<tr>
<td>Laming, Andrew Charles</td>
<td>Bowman, QLD</td>
<td>LP</td>
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<tr>
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<td>Fraser, ACT</td>
<td>ALP</td>
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<td>Ley, Hon. Sussan Penelope</td>
<td>Farrer, NSW</td>
<td>LP</td>
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<td>Capricornia, QLD</td>
<td>ALP</td>
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<tr>
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<td>Bass, TAS</td>
<td>ALP</td>
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<td>Barton, NSW</td>
<td>ALP</td>
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<tr>
<td>Macfarlane, Hon. Ian Elgin</td>
<td>Groom, QLD</td>
<td>LP</td>
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<td>Jagajaga, VIC</td>
<td>ALP</td>
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<tr>
<td>Marino, Nola Bethwyn</td>
<td>Forrest, WA</td>
<td>LP</td>
</tr>
<tr>
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<td>Macquarie, NSW</td>
<td>LP</td>
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<tr>
<td>Marles, Hon. Richard Donald</td>
<td>Corio, VIC</td>
<td>ALP</td>
</tr>
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<td>Macarthur, NSW</td>
<td>LP</td>
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<td>Riverina, NSW</td>
<td>Nats</td>
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<td>Banks, NSW</td>
<td>ALP</td>
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<td>Indi, VIC</td>
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<td>McEwen, VIC</td>
<td>ALP</td>
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<tr>
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<td>Cook, NSW</td>
<td>LP</td>
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<tr>
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<td>Pearce, WA</td>
<td>LP</td>
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<tr>
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<td>Reid, NSW</td>
<td>ALP</td>
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<tr>
<td>Neumann, Shayne Kenneth</td>
<td>Blair, QLD</td>
<td>ALP</td>
</tr>
</tbody>
</table>
### Members of the House of Representatives

<table>
<thead>
<tr>
<th>Members</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neville, Paul Christopher</td>
<td>Hinkler, QLD</td>
<td>Nats</td>
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<tr>
<td>Oakeshott, Robert James Murray</td>
<td>Lyne, NSW</td>
<td>Ind</td>
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<td>O’Connor, Hon. Brendan Patrick</td>
<td>Gorton, VIC</td>
<td>ALP</td>
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<tr>
<td>O’Dowd, Kenneth Desmond</td>
<td>Flynn, QLD</td>
<td>Nats</td>
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<td>Higgins, VIC</td>
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<td>Robertson, NSW</td>
<td>ALP</td>
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<tr>
<td>Owens, Julie Ann</td>
<td>Parramatta, NSW</td>
<td>ALP</td>
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<td>Parke, Melissa</td>
<td>Fremantle, WA</td>
<td>ALP</td>
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<tr>
<td>Perrett, Graham Douglas</td>
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<td>ALP</td>
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<td>Sydney, NSW</td>
<td>ALP</td>
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<tr>
<td>Prentice, Jane</td>
<td>Ryan, QLD</td>
<td>LP</td>
</tr>
<tr>
<td>Pyne, Hon. Christopher Maurice</td>
<td>Sturt, SA</td>
<td>LP</td>
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<tr>
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<td>Grey, SA</td>
<td>LP</td>
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<td>Randall, Don James</td>
<td>Canning, WA</td>
<td>LP</td>
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<td>ALP</td>
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<td>Gellibrand, VIC</td>
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<td>Griffith, QLD</td>
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<td>Berowra, NSW</td>
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<td>Saffin, Janelle Anne</td>
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<td>ALP</td>
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</table>
### Members of the House of Representatives

<table>
<thead>
<tr>
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</tr>
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<td>Bonner, QLD</td>
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<td>Washer, Malcom James</td>
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<td>Wilkie, Andrew Damien</td>
<td>Denison, TAS</td>
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<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wyatt, Kenneth George</td>
<td>Hasluck, WA</td>
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<tr>
<td>Zappia, Tony</td>
<td>Makin, SA</td>
<td>ALP</td>
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### PARTY ABBREVIATIONS

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

### Heads of Parliamentary Departments

- Clerk of the Senate—R Laing
- Clerk of the House of Representatives—B Wright
- Secretary, Department of Parliamentary Services—A Thompson
GILLARD MINISTRY

Prime Minister
Hon. Julia Gillard MP

Deputy Prime Minister, Treasurer
Hon. Wayne Swan MP

Minister for Regional Australia, Regional Development and Local Government
Hon. Simon Crean MP

Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Senator Hon. Chris Evans

Minister for School Education, Early Childhood and Youth
Hon. Peter Garrett AM, MP

Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy

Minister for Foreign Affairs
Hon. Kevin Rudd MP

Minister for Trade
Hon. Dr Craig Emerson MP

Minister for Defence and Deputy Leader of the House
Hon. Stephen Smith MP

Minister for Immigration and Citizenship
Hon. Chris Bowen MP

Minister for Infrastructure and Transport and Leader of the House
Hon. Anthony Albanese MP

Minister for Health and Ageing
Hon. Nicola Roxon MP

Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP

Minister for Sustainability, Environment, Water, Population and Communities
Hon. Tony Burke MP

Minister for Finance and Deregulation
Senator Hon. Penny Wong

Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr

Attorney-General and Vice President of the Executive Council
Hon. Robert McClelland MP

Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP

Minister for Climate Change and Energy Efficiency
Hon. Greg Combet AM, MP

[The above ministers constitute the cabinet]
<table>
<thead>
<tr>
<th>Minister Position</th>
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<td>Minister for Defence Materiel</td>
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<td>for Small Business</td>
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<td>Minister for Human Services</td>
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<td>Cabinet Secretary</td>
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<td>Parliamentary Secretary to the Treasurer</td>
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<td>Parliamentary Secretary for Sustainability and Urban Water</td>
<td>Minister Assisting on Deregulation and Public Sector Superannuation</td>
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<tr>
<td>Minister Assisting the Attorney-General on Queensland Floods Recovery</td>
<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
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<tr>
<td>Hon. Gary Gray AO, MP</td>
<td>Special Minister of State for the Public Service and Integrity</td>
</tr>
<tr>
<td>Hon. Bill Shorten MP</td>
<td>Assistant Treasurer and Minister for Financial Services and Superannuation</td>
</tr>
<tr>
<td>Hon. Kate Ellis MP</td>
<td>Minister for Employment Participation and Childcare</td>
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<tr>
<td>Hon. Warren Snowdon MP</td>
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<td>Hon. Tanya Plibersek MP</td>
<td>Minister for Human Services</td>
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<tr>
<td>Hon. Mark Dreyfus QC, MP</td>
<td>Cabinet Secretary</td>
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<td>Parliamentary Secretary for School Education and Workplace Relations</td>
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<tr>
<td>Senator Hon. Stephen Conroy</td>
<td>Minister Assisting the Prime Minister on Digital Productivity</td>
</tr>
<tr>
<td>Hon. Justine Elliot MP</td>
<td>Parliamentary Secretary for Trade</td>
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<tr>
<td>Hon. Richard Marles MP</td>
<td>Parliamentary Secretary for Pacific Island Affairs</td>
</tr>
<tr>
<td>Senator Hon. David Feeney</td>
<td>Parliamentary Secretary for Defence</td>
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<tr>
<td>Senator Hon. Kate Lundy</td>
<td>Parliamentary Secretary for Immigration and Multicultural Affairs</td>
</tr>
<tr>
<td>Hon. Catherine King MP</td>
<td>Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing</td>
</tr>
<tr>
<td>Senator Hon. Jan McLucas</td>
<td>Parliamentary Secretary for Disabilities and Carers</td>
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<tr>
<td>Hon. Julie Collins MP</td>
<td>Parliamentary Secretary for Community Services</td>
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<tr>
<td>Senator Hon. Don Farrell</td>
<td>Parliamentary Secretary for Sustainability and Urban Water</td>
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<tr>
<td>Senator Hon. Nick Sherry</td>
<td>Minister Assisting on Deregulation and Public Sector Superannuation</td>
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<tr>
<td>Senator Hon. Joe Ludwig</td>
<td>Minister Assisting the Attorney-General on Queensland Floods Recovery</td>
</tr>
<tr>
<td>Hon. Dr Mike Kelly AM, MP</td>
<td>Parliamentary Secretary for Agriculture, Fisheries and Forestry</td>
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<tr>
<td>Senator Hon. Nick Sherry</td>
<td>Minister Assisting the Minister for Tourism</td>
</tr>
<tr>
<td>Hon. Mark Dreyfus QC, MP</td>
<td>Parliamentary Secretary for Climate Change and Energy Efficiency</td>
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</tbody>
</table>
### SHADOW MINISTRY

<table>
<thead>
<tr>
<th>Position</th>
<th>MP Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>Hon. Tony Abbott MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs</td>
<td>Hon. Julie Bishop MP</td>
</tr>
<tr>
<td>and Shadow Minister for Trade</td>
<td></td>
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<tr>
<td>Leader of the Nationals and Shadow Minister for Infrastructure and</td>
<td>Hon. Warren Truss MP</td>
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<tr>
<td>Transport</td>
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<tr>
<td>Leader of the Opposition in the Senate and Shadow Minister for</td>
<td>Senator Hon. Eric Abetz</td>
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<tr>
<td>Employment and Workplace Relations</td>
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<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Attorney-</td>
<td>Senator Hon. George Brandis SC</td>
</tr>
<tr>
<td>General and Shadow Minister for the Arts</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Hon. Joe Hockey MP</td>
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<tr>
<td>Shadow Minister for Education, Apprenticeships and Training and</td>
<td>Hon. Christopher Pyne MP</td>
</tr>
<tr>
<td>Manager of Opposition Business in the House</td>
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<tr>
<td>Shadow Minister for Indigenous Affairs and Deputy Leader of the</td>
<td>Senator Hon. Nigel Scullion</td>
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<tr>
<td>Nationals</td>
<td></td>
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<tr>
<td>Shadow Minister for Regional Development, Local Government and Water</td>
<td>Hon. Andrew Robb AO, MP</td>
</tr>
<tr>
<td>and Leader of the Nationals in the Senate</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Finance, Deregulation and Debt Reduction and</td>
<td>Senator Barnaby Joyce</td>
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<tr>
<td>Chairman, Coalition Policy Development Committee</td>
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<tr>
<td>Shadow Minister for Energy and Resources</td>
<td>Hon. Ian Macfarlane MP</td>
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<tr>
<td>Shadow Minister for Defence</td>
<td>Senator Hon. David Johnston</td>
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<tr>
<td>Shadow Minister for Communications and Broadband</td>
<td>Hon. Malcolm Turnbull MP</td>
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<tr>
<td>Shadow Minister for Health and Ageing</td>
<td>Hon. Peter Dutton MP</td>
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<tr>
<td>Shadow Minister for Families, Housing and Human Services</td>
<td>Hon. Kevin Andrews MP</td>
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<tr>
<td>Shadow Minister for Climate Action, Environment and Heritage</td>
<td>Hon. Greg Hunt MP</td>
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<tr>
<td>Shadow Minister for Productivity and Population and Shadow Minister</td>
<td>Mr Scott Morrison MP</td>
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<td>for Immigration and Citizenship</td>
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<tr>
<td>Shadow Minister for Innovation, Industry and Science</td>
<td>Mrs Sophie Mirabella MP</td>
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<tr>
<td>Shadow Minister for Agriculture and Food Security</td>
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<tr>
<td>Shadow Minister for Small Business, Competition Policy and Consumer</td>
<td>Hon. Bruce Billson MP</td>
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<td>Affairs</td>
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</tbody>
</table>

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

Shadow Minister for Employment Participation           Hon. Sussan Ley MP
Shadow Minister for Justice, Customs and Border Protection  Mr Michael Keenan MP
Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation  Senator Mathias Cormann
Shadow Minister for Childcare and Early Childhood Learning  Hon. Sussan Ley MP
Shadow Minister for Universities and Research  Senator Hon. Brett Mason
Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House  Mr Luke Hartsuyker MP
Shadow Minister for Indigenous Development and Employment  Senator Marise Payne
Shadow Minister for Regional Development  Hon. Bob Baldwin MP
Shadow Special Minister of State  Hon. Bronwyn Bishop MP
Shadow Minister for COAG  Senator Marise Payne
Shadow Minister for Tourism  Hon. Bob Baldwin MP
Shadow Minister for Defence Science, Technology and Personnel  Mr Stuart Robert MP
Shadow Minister for Veterans' Affairs and Shadow Minister Assisting the Leader of the Opposition on the Centenary of ANZAC  Senator Hon. Michael Ronaldson
Shadow Minister for Regional Communications  Mr Luke Hartsuyker MP
Shadow Minister for Ageing and Shadow Minister for Mental Health  Senator Concetta Fierravanti-Wells
Shadow Minister for Seniors  Hon. Bronwyn Bishop MP
Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate  Senator Mitch Fifield
Shadow Minister for Housing  Senator Marise Payne
Chairman, Scrutiny of Government Waste Committee  Mr Jamie Briggs MP
Shadow Cabinet Secretary  Hon. Philip Ruddock MP
Shadow Parliamentary Secretary Assisting the Leader of the Opposition  Senator Cory Bernardi
Shadow Parliamentary Secretary for International Development Assistance  Hon. Teresa Gambaro MP
Shadow Parliamentary Secretary for Roads and Regional Transport  Mr Darren Chester MP
Shadow Parliamentary Secretary to the Shadow Attorney-General  Senator Gary Humphries
Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee  Hon. Tony Smith MP
Shadow Parliamentary Secretary for Regional Education  Senator Fiona Nash
Shadow Parliamentary Secretary for Northern and Remote Australia  Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Local Government  Mr Don Randall MP
Shadow Parliamentary Secretary for the Murray-Darling Basin  Senator Simon Birmingham
Shadow Parliamentary Secretary for Defence Materiel  Senator Gary Humphries
Shadow Parliamentary Secretary for the Defence Force and Defence Support  Senator Hon. Ian Macdonald
<table>
<thead>
<tr>
<th>Shadow Parliamentary Secretary for Primary Healthcare</th>
<th>Dr Andrew Southcott MP</th>
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<tr>
<td>Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health</td>
<td>Mr Andrew Laming MP</td>
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<td>Shadow Parliamentary Secretary for Supporting Families</td>
<td>Senator Cory Bernardi</td>
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<tr>
<td>Shadow Parliamentary Secretary for the Status of Women</td>
<td>Senator Michaelia Cash</td>
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<td>Shadow Parliamentary Secretary for Environment</td>
<td>Senator Simon Birmingham</td>
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<td>Hon. Teresa Gambaro MP</td>
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<td>Senator Michaelia Cash</td>
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<tr>
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<td>Senator Hon. Richard Colbeck</td>
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<tr>
<td>Shadow Parliamentary Secretary for Small Business and Fair Competition</td>
<td>Senator Scott Ryan</td>
</tr>
</tbody>
</table>
CONTENTS

THURSDAY, 24 NOVEMBER 2011

Chamber
PARLIAMENTARY OFFICE HOLDERS—
Speaker—
  Resignation........................................................................................................ 13741
MINISTERIAL STATEMENTS—
Afghanistan ........................................................................................................ 13742
PERSONAL EXPLANATIONS................................................................................. 13751
BILLS—
  Corporations Amendment (Further Future of Financial Advice Measures)
    Bill 2011—
    First Reading.................................................................................................. 13751
    Second Reading............................................................................................... 13751
MINISTERIAL STATEMENTS—
Murray-Darling Basin ........................................................................................ 13754
People Trafficking .............................................................................................. 13759
COMMITTEES—
  Cyber-Safety Committee—
    Appointment.................................................................................................. 13766
  Publications Committee—
    Report............................................................................................................ 13766
  National Broadband Network Committee—
    Report............................................................................................................ 13767
    Report and Reference to Main Committee .................................................... 13772
  Public Accounts and Audit Committee—
    Report............................................................................................................ 13772
    Report and Reference to Main Committee .................................................... 13775
BUSINESS—
  Orders of the Day.............................................................................................. 13775
  Rearrangement ................................................................................................. 13776
PRIVATE MEMBERS' BUSINESS—
  Bombing of Darwin .......................................................................................... 13776
  Dairy Industry .................................................................................................... 13777
  Israel .................................................................................................................... 13777
  Child Care ......................................................................................................... 13777
  Goods and Services Tax .................................................................................... 13777
BILLS—
  Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2011—
  Tax Laws Amendment (2011 Measures No. 8) Bill 2011—
  Higher Education Support Amendment Bill (No. 2) 2011—
  National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011—
  Indigenous Affairs Legislation Amendment Bill (No. 2) 2011—
  Defence Legislation Amendment Bill 2011—
    Returned from Senate.................................................................................... 13779
CONTENTS—continued

Family Law Legislation Amendment (Family Violence and Other Measures)
Bill 2011—Consideration of Senate Message .............................................................. 13779
REGISTER OF MEMBERS' INTERESTS ..................................................................... 13781
BUSINESS—Rearrangement ......................................................................................... 13781
COMMITTEES—Public Works Committee—Reference ............................................. 13781

BUSINESS—Rearrangement ......................................................................................... 13782
PARLIAMENTARY OFFICE HOLDERS—Speaker ....................................................... 13782

CONDOLENCES—Larkham, Mrs Maureen .................................................................. 13795
PARLIAMENTARY OFFICE HOLDERS—Deputy Speaker ........................................ 13793

QUESTIONS WITHOUT NOTICE—The Speaker ......................................................... 13799
MOTIONS—Prime Minister—Censure ........................................................................... 13799

CONDOLENCES—Scanlon, Ms Kate ........................................................................... 13808
DOCUMENTS—Presentation .......................................................................................... 13808

COMMITTEES—Regional Australia Committee—Government Response ................ 13808
BUSINESS—Leave of Absence ...................................................................................... 13808

COMMITTEES—Government Response ................................................................. 13809

PERSONAL EXPLANATIONS ....................................................................................... 13817
QUESTIONS TO THE SPEAKER—Parliamentary Language .................................... 13817

PERSONAL EXPLANATIONS ....................................................................................... 13818
QUESTIONS TO THE SPEAKER—Parliamentary Behaviour .................................... 13818

MATTERS OF PUBLIC IMPORTANCE—Gillard Government ...................................... 13819
BILLS—
Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Bill 2011—
Returned from Senate................................................................. 13834

COMMITTEES—
Corporations and Financial Services Committee—
Report.................................................................................. 13834
Report and Reference to Main Committee................................. 13834

STATEMENTS ON INDULGENCE—
Valedictories........................................................................ 13834

ADJOURNMENT ........................................................................ 13839

PARLIAMENTARY REPRESENTATION—
Valedictory........................................................................... 13839

COMMITTEES—
Selection Committee—
Report.................................................................................. 13849

Main Committee

CONSTITUENCY STATEMENTS—
Toner, Mr Brydan .................................................................... 13851
Petition: Disability Services.................................................... 13852
Speaker.................................................................................. 13853
Franklin Electorate: Youth Forum.......................................... 13854
Cowan Electorate: Halal Foods.............................................. 13854
Ben Donohoe Fun Run........................................................... 13855
Capital Region Cancer Centre............................................... 13855
Swan Electorate: Transit Guards............................................ 13856
Volunteers.............................................................................. 13857
Bennelong Electorate: Schools............................................... 13858
Speaker.................................................................................. 13859

BUSINESS—
Rearrangement ..................................................................... 13859

COMMITTEES—
Agriculture, Resources, Fisheries and Forestry Committee—
Report.................................................................................. 13859
National Capital and External Territories Committee—
Report.................................................................................. 13874

Questions In Writing
Australian Securities Investments Commission: Managed Investment Schemes—
(Question No. 354)................................................................. 13878
Australian Securities Investments Commission: Managed Investment Schemes—
(Question No. 355)................................................................. 13879
Australian Securities Investments Commission: Managed Investment Schemes—
(Question No. 356)................................................................. 13881
Australian Securities and Investments Commission: Australian Property Custodian Holding Ltd—(Question No. 374)........................................ 13882
Clean Energy Future Plan—(Question No. 502).......................... 13882
CONTENTS—continued

Clean Energy Future Plan—(Question No. 504) ................................................................. 13883
Immigration and Citizenship: Outcome and Program Structure—
  (Question No. 550) ........................................................................................................... 13884
Dawson and Capricornia Electorates: Home Insulation Program—
  (Question No. 585) ........................................................................................................... 13888
Education, Employment and Workplace Relations: Staffing—
  (Question No. 606) ........................................................................................................... 13889
Home Insulation Program—(Question No. 614) ................................................................. 13889
Dawson and Capricornia Electorates: Tax Revenue Streams—
  (Question No. 639) ........................................................................................................... 13890
Natural Disaster Insurance Review Report—(Question No. 708) ................................. 13891
The SPEAKER (Mr Harry Jenkins) took the chair at 09:00, made an acknowledgement of country and read prayers.

PARLIAMENTARY OFFICE HOLDERS

Speaker
Resignation

The SPEAKER (09:01): Today marks my 1,382nd day as Speaker of the House of Representatives. I have at all times tried to uphold the fine traditions of Speaker, and to the best of my ability have attempted to carry out my duties in the most independent and non-partisan manner possible.

As members are aware in this the 43rd parliament, to further avoid controversial party political matters I have divorced myself from involvement with the federal parliamentary Labor Party. In this era of minority government I have progressively become frustrated at this stricture. My desire is to be able to participate in policy and parliamentary debate, and this would be incompatible with continuing in the role of Speaker.

As a consequence, when I vacate the chair at the end of this short statement, I will visit the Governor-General to tender my resignation as Speaker of the House of Representatives.

I thank all members for their cooperation, which they have dispensed to varying degrees depending upon the individual.

I thank everyone who works for the Department of the House of Representatives under the capable leadership of the Clerk, Bernard Wright, and Deputy David Elder. They serve us well. My gratitude goes to the diverse range of officers of the Department of Parliamentary Services: from gardeners to guards, technicians and tradies, researchers to reporters, Hansard. They serve us well. To Presidents Hogg and Ferguson, with whom I served as co-presiding officer, and the members and officers of the other place with whom I had interaction, I thank them for their forbearance. All these people ensure that the Australian parliament remains an enduring effective institution.

My staff in the Speaker’s Office have assisted me and kept me well grounded. I believe that members would agree with me that they carry out their duties with integrity and professionalism.

Finally, I acknowledge my eternal indebtedness to my 'trouble and strife', Michele, and the four generations of my family without whose support I would never have been able to achieve the high office I hold.

Late yesterday I ascertained that the Governor-General is available for my call before 9.30; therefore, I must depart. I go placidly with my humour intact. I wish you all well.

Members having risen in their places—

The SPEAKER: Order, order, order! I thank the House and invite the Deputy Speaker to take the chair.

Mr ABBOTT (Warringah—Leader of the Opposition) (09:05): We have just had something very unusual happen in this parliament and, on indulgence, I wish to acknowledge the importance of the occasion which we have just witnessed—an occasion of which we had no notice. I say that without any criticism whatsoever of anyone. It is a remarkable thing for this parliament to witness, out of the blue like this, the resignation of a Speaker—a Speaker who has served this parliament with distinction for the last four years.

Honourable members: Hear, hear!
Mr ABBOTT: I would like to say on behalf of the Liberal and National parties that Speaker Jenkins has been an adornment to this parliament in the chair. He has conducted himself in the chair with good humour, with impartiality, with forbearance and with patience. For that, he has our thanks and our enduring respect. Someone who has been one of the really superior Speakers of this parliament has left the chair—and, while we do wish him well in his retirement from the Speakership and we do wish him well in his re-entry into the internal debates of the Labor Party, one must assume that something extraordinary is happening inside the Labor Party for the Speaker to resign his office to go back into those debates.

I simply wish to say, to mark this momentous occasion, that former Speaker Jenkins does have our respect and our gratitude, and whoever is to take his position will have our support and our encouragement.

Ms GILLARD (Lalor—Prime Minister) (09:07): A remarkable thing has happened in this parliament this morning. It is my intention to make some statements about Harry Jenkins later this day when he is in the parliament. As he has indicated, he has gone straight from this place to see the Governor-General. There will be remarks that we want to make about him as Speaker; there will be remarks that we want to make about him as a member of the Labor family. But, with your indulgence, Mr Deputy Speaker, I will do that later this day when Harry Jenkins is available to be with us.

MINISTERIAL STATEMENTS Afghanistan

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (09:08): The government is committed to providing regular reports and updates on Afghanistan, including and in particular to the parliament. This year I have reported to the parliament on four prior occasions, in March, May, July and October. This will be my last parliamentary report for this year.

The Prime Minister reported to the parliament earlier this week on Afghanistan, describing the day-to-day work of our men and women in uniform and our civilians and articulating Australia's future commitment to Afghanistan. I take this opportunity to provide further detail on the Australian Defence Force's (ADF) operations in Afghanistan. There have been a number of developments since my last update in October, including with respect to detainee management, the focus of my remarks to the House today.

Detainee Management

Australia takes the issue of detainee management very seriously and has a robust framework for detainee management in Afghanistan. In December last year, I announced the details of Australia's detainee management framework in Afghanistan following the Dutch withdrawal from Oruzgan Province on 1 August 2010.

In developing our detainee management framework, Australia has had two priorities in mind: first, the critical need to remove insurgents from the battlefield, where they endanger Australian, International Security Assistance Force and Afghan lives, and second, the need to ensure humane treatment of detainees, consistent with Australian values and our domestic and international legal obligations.

The detainee management framework draws on applicable international standards and advice from international humanitarian organisations. Under the framework, detainees apprehended by the Australian Defence Force, the ADF, are transferred either to Afghan custody in Tarin Kowt, or
US custody at the detention facility in Parwan, or released if there is insufficient evidence to seek prosecution through the Afghan judicial system.

Arrangements are in place with both the Afghan and United States governments that include assurances on the humane treatment of detainees and access to those detainees by Australian officials and humanitarian organisations to monitor their ongoing welfare.

During my most recent visit to Oruzgan I again visited Australia’s purpose-built screening facility at Multi-National Base Tarin Kowt where detainees captured by Australian forces are held for a limited time for screening. Again an opportunity was given to show representatives of the Australian media this facility, reflecting Australia’s commitment to transparency with respect to these matters.

The facility is structured to ensure the humane treatment of detainees, consistent with Australian values and our domestic and international legal obligations. Detainees are able to freely practice their religion, and are provided access to exercise, adequate food and water, suitable sleeping arrangements and other amenities.

Resumption of detainee transfers

In my last statement to the parliament on 13 October, I noted that Australia had suspended the transfer of detainees to the Afghan National Directorate of Security (NDS) in Oruzgan in early July this year. The Australian government’s decision to suspend detainee transfers to the NDS in Oruzgan was in response to concerns raised by the International Security Assistance Force (ISAF) about the treatment of detainees in southern Afghanistan. It is, however, important to emphasise that ISAF’s concerns did not relate to any allegation of detainee mistreatment against the NDS in Oruzgan where Australian Defence Force-apprehended detainees are transferred.

In my last statement to the House, I also welcomed the release of the United Nations Assistance Mission in Afghanistan (UNAMA) report into the Treatment of conflict-related detainees on 10 October this year. The report raised serious concerns about the torture and mistreatment of detainees in a number of NDS and Afghan National Police (ANP) facilities across Afghanistan but found no evidence of detainee mistreatment against the NDS in Oruzgan Province. The Afghan National Police (ANP) headquarters in Oruzgan was listed as a facility of concern. ADF-apprehended detainees are not, and have not been, transferred to that ANP facility in Oruzgan.

It is important to emphasise that UNAMA found that detainee mistreatment was neither institutional nor Afghan government policy. In addition, UNAMA’s report did not raise any concerns about the NDS in Oruzgan, and specifically named this facility as one of two in Afghanistan where UNAMA had found no evidence of detainee abuse.

Despite these findings, the government wished to fully consider the report’s implications and seek assurances from Afghan officials. Australia strongly supports a unified ISAF approach to concerns about detainee mistreatment. ISAF has since directed that transfer of detainees to Afghan facilities not identified by UNAMA as a facility of concern may be resumed.

Since the decision to suspend transfers was made, the Australian government has undertaken extensive consultations with the United Nations Assistance Mission to Afghanistan (UNAMA), the International Committee of the Red Cross (ICRC), the Afghan Independent Human Rights Commission (AIHRC), ISAF partners and
the Afghan government. During this process, no basis for concerns with the treatment of detainees by the NDS in Oruzgan has been raised. As a result, the government has now determined that the transfer of ADF-apprehended detainees to the NDS in Oruzgan will resume. The resumption of detainee transfers to the NDS in Oruzgan will support ADF operations and help Australian personnel and the Afghan National Security Forces remove suspected insurgents from the battlefield, enhancing the protection of ISAF and Afghan forces, as well as the security of the local population in Oruzgan. The detainee monitoring team of Australian officials will continue to work closely with Afghan authorities and security forces to provide mentoring and guidance in detainee management and handling practices. The detainee monitoring team visits detainees who are transferred from the Initial Screening Area to Afghan custody within 72 hours of transfer. The detainee monitoring team already conducts regular visits to monitor the welfare of all ADF apprehended detainees transferred to Afghan or United States custody until the point of release or sentencing. The frequency of the monitoring will temporarily increase following the resumption of transfers to assist in ensuring current standards regarding the humane treatment of detainees are maintained.

Efforts to improve detention standards within Afghan detention facilities are also being supported by ISAF at the national level. In close cooperation with the Afghan government, ISAF is undertaking remedial measures in detention facilities of concern, including facility inspection, training in human rights, formal certification of facilities and monitoring the welfare of detainees in the longer term. Australia not only takes its obligations for ADF apprehended detainees seriously but we are also committed to seeing improvements in the wider Afghan detention system. Australian personnel are involved in ISAF’s broader program focused on improving standards in Afghan detention facilities.

We are also exploring the provision of training on human rights for Afghan personnel in Oruzgan. Through their participation in this ISAF-led process, Australian personnel may become aware of allegations of detainee mistreatment. Any such incidents are reported through the ISAF system. The Australian government is committed to continuing transparency with the Australian public on detainee management practices in Afghanistan. Australia will continue to work with our Afghan partners, as well as the International Committee for the Red Cross, the Afghan Independent Human Rights Commission and the United Nations Assistance Mission in Afghanistan on detention issues to promote the humane treatment of detainees.

**Update on detainee allegations**

Australia continues to make clear its commitment to open and transparent detainee arrangements in support of ADF operations in Afghanistan. In the period from 1 August 2010 to 18 November this year, Australian forces have apprehended 1,074 detainees. Of these, 154 have been transferred to Afghan authorities, namely, the NDS in Oruzgan, or United States authorities. The remaining detainees have been released following initial screening.

In the same period, I am advised that the ADF has captured 11 people who were subsequently released, and then recaptured. Six of the individuals in question were released as there was insufficient evidence to warrant their continued detention. Of the remaining five detainees, five out of the 11 recaptured, there was sufficient evidence to warrant their transfer and prosecution. Two were subsequently transferred to United
States custody at the detention facility in Parwan, and three were transferred to Afghan custody at the NDS detention facility in Oruzgan.

I also provide an update on the number of allegations of detainee mistreatment we have received against Australian forces: in the same period 58 allegations have been made against the ADF. To date, 36 of these allegations have been fully investigated and have been found to have no substance. The remaining 22 allegations remain under review and investigation. These allegations and the outcomes of the comprehensive investigations are reported both to ISAF and relevant NGOs.

**Deployment of an interrogation capability**

In my March statement to parliament, I foreshadowed that the government would consider further developments to the detainee management framework, including the appropriateness of the length of detention in the Australian Initial Screening Area to enable the possible collection of further information. In my July statement, I advised that the government continued to consider this matter. Ongoing careful consideration of all aspects of this matter and preparation for the possible introduction of such a capability has occurred since then.

Today I announce that the government has authorised a team of Australian military interrogators to be deployed to Afghanistan in preparation for next year's northern summer fighting season. The interrogation of detainees is a capability used by other ISAF partners. The capacity to interrogate will allow the ADF to play a larger role in the collection of information against the insurgency in Afghanistan.

Interrogation has proven valuable in detecting and preventing insurgent activity. Australian soldiers have a strong interest in being able to contribute to building this intelligence picture. The knowledge that captured insurgents hold can lead us to the location of the improvised explosive devices and weapons caches that cause injury and death. It can also reveal details of insurgent leaders, transport routes and locations. Interrogation can assist us in obtaining the information that we need to unravel insurgent networks and prevent the harm they intend for our soldiers, our ISAF partners and the local population.

In addition to the deployment of an interrogation team, the Australian government has decided that the length of time for which detainees can be held in our Initial Screening Area may be extended beyond the current 96 hours for an additional three days, with a possible further extension of another three days. While 96 hours is appropriate for our previous role in basic screening, a longer period of time may be required for more complex questioning of detainees of interest. This approach is consistent with the timelines other ISAF partners such as the United States and the United Kingdom use for interrogation. As well as providing credible intelligence, these changes will support the successful prosecution of detainees through the Afghan judicial system. Australian forces will be better positioned to provide evidence and to determine whether an individual possesses intelligence that could assist our efforts or those of our ISAF and Afghan partners, in addition to determining whether a detainee should be released or transferred.

This possibility of a longer period in detention beyond 96 hours and interrogation will not be used for all individuals captured by the ADF. Australia will continue to use the current ISAF mandated timeframe of 96 hours, to establish whether a detainee should be released, transferred or be detained for a longer period. Only detainees who are assessed by intelligence professionals as
potentially having information that would make a material difference to the safety of ISAF personnel and the local population will be held beyond 96 hours.

Interrogation is an issue that must be managed carefully and sensibly and it is important to be clear about the conduct authorised under these expanded arrangements. Australian Defence Force interrogators are highly trained and ethical professionals. Their duties in Afghanistan will be in accordance with approved techniques consistent with Australia's domestic and international legal obligations. Physical or mental mistreatment has no place in interrogation: interrogation is an extended questioning process conducted by trained professionals within strict guidelines. Such ADF trained and ethical interrogators will not mistreat a detainee. Like all members of the ADF, the interrogators are trained in and adhere to Australian law, and the Law of Armed Conflict and international human rights obligations. This change is consistent with Australia's domestic and international legal obligations. The ADF has established safeguards and oversight procedures, which the government has reviewed carefully and considers appropriate to the rigorous governance measures required. Interrogation will be subject to audio and visual recording through the CCTV system within the initial screening area, and strict approval processes with senior oversight will be followed. The government and the ADF remain steadfastly committed to ensuring that detainees apprehended by Australian forces are treated humanely and treated in a manner that is consistent with both our domestic and international legal obligations.

Together, these expanded arrangements will help ensure that Australian forces have a larger, more accurate understanding of the insurgency. Significantly, this will improve the protection afforded to our military and civilian personnel and assist the achievement of our objectives in Afghanistan. In line with the government's strong commitment to openness and transparency, I will continue to provide regular updates on Australia's detainee arrangements, including this interrogation capability.

**CCTV system**

In my March report to parliament, I advised that the then acting Chief of the Defence Force (CDF) had advised that some failures of the initial screening area's CCTV recording system had been identified. I advised at the time that the ADF was addressing this issue and had begun to put in place procedures to resolve the matter, including immediate action to ensure continuous footage is being recorded and archived. In my May report to parliament, I further advised that the CCTV system at the initial screening system was functioning and continuous footage was being recorded and archived. In my July report, I advised that there have been no further issues with the closed circuit television (CCTV) system at the initial screening system and that the system was functioning and continuous footage was being recorded and archived.

I am advised that there was a recent issue with the system's power supply that resulted in the loss of a small amount of footage. There were no incidents during this short period in which the system was not recording and initial screening area staff conducted visual monitoring to ensure the continued safety and wellbeing of the detainees. This issue has since been rectified and additional safeguards, including revised procedures for the operation CCTV system, have been implemented.

**Other detainee matters**

In my July report I noted the investigation into allegations that the ADF initial screening area team in Afghanistan did not
adhere to administrative procedures. I will advise on the outcome of this investigation in due course. Mr Deputy Speaker, I thank the House and I present a paper tabled in conjunction with my ministerial statement.

Mr DREYFUS (Isaacs—Cabinet Secretary and Parliamentary Secretary for Climate Change and Energy Efficiency) (09:25): by leave—I move:

That so much of standing and sessional orders be suspended as would prevent the member for Fadden speaking in reply to the ministerial statement for a period not exceeding 16 minutes.

Question agreed to.

Mr ROBERT (Fadden) (09:25): I rise to respond to the Minister for Defence's fifth update to the House. He said in his March update, the first of the five this year, that he would seek to make timely, relevant responses on combat operations in Afghanistan and, to his credit, he has kept his word. I note the machinations of this morning and the loss of Speaker Jenkins. Despite having been tossed out nine times in this parliament, I am sure none of which were my fault, I certainly echo the Leader of the Opposition's words that the House has wide regard and respect for Speaker Jenkins. I am sure he will be missed, certainly on the reruns of the Sunday television programs.

I rise for the fifth time this year to respond to the Minister for Defence. Last Tuesday I responded to the Prime Minister's update in respect of combat operations in Afghanistan. I thank the minister for the opportunity to respond to his comments. I note the time the minister spent with respect to transition and the way transition is going. The coalition offers wide, deep and lasting bipartisan support to combat operations in Afghanistan; the bipartisan support is not conditional, except on the national interest. Whilst bipartisan support is given freely and given widely with great trust, we do acknowledge that it is not a blank cheque. We do expect to be kept updated, both publicly through the House and privately through the statutes of the House. I acknowledge that the minister does both of those to his enduring credit.

The Lisbon treaty set the transition date for 2014, a date the coalition accepts and acknowledges. The government, to their credit, has also reinforced this by making it clear that any withdrawal from Afghanistan will be metrics-based and based on a sound judgment at a command level. We believe the government continues to hold to that account and I note the minister's comments on transition that we have now moved to a stage of mobile mentoring teams. We are moving away from an establishment of 30 footprints and forward patrol bases to manning 11 bases, and the minister hopes to have the permanent manning down to four patrol bases with the extensive use of the mobile mentoring teams to make up for the reduced footprint of Australian soldiers.

I note the minister's comments that the transition is going well. In terms of stability, economics, infrastructure and construction, things continue to improve. The Leader of the Opposition and I were at the forward patrol base in the upper reaches of the Mirabad Valley, six kilometres outside Tarin Kowt, in October 2010, when a massive firefight was underway to capture the ridgeline above the Mirabad Valley. In May 2011 I went back to that patrol base and sat down with the leaders of the community, including a number of former mujaheddin fighters, in a traditional shura for an hour and a half. The issues of security, defence and insurgency were not raised once in that hour and a half, yet six months before there was a brutal firefight on that ridgeline to capture the area. Six months later, such was the degree of security that in that one and a half hours of discussion the issues raised included: when is the road coming to the...
Mirabad Valley? Thank you for the mosque. When are we looking at replacement crops for poppies? How are we dealing with economic activity? When is the school replacement going in? How is the issue of markets being addressed?

There is no greater example of the transition from combat operations to economic activity than in the Musazaa\'i patrol base, seven kilometres outside Tarin Kowt in the Mirabad valley. Its testimony adds value and weight to the minister\\'s words that the transition is moving sensibly and appropriately.

With respect to the minister\\'s announcement, the coalition supports the commencement of the transfer of detainees to the Afghan National Director of Security, the NDS. It is fundamental that the NDS within Oruzgan are capable, are appropriate, have enough staff and resources and the proper processes to enable them to effectively take detainees to prosecute information available to them, to treat them humanely within the rules of armed conflict and, within a civil society, the law, and then release them or move them through to a court process. The minister has provided a range of assurances that the Afghan National Director of Security is operating within these norms. The investigation the minister alluded to has shown that in the Oruzgan facility no noncompliance was found. The coalition accepts that and supports the commencement of the transfer of detainees.

We also support the length of time to hold detainees increasing from 96 hours to 10 days, which is in line with our ISAF partners. The minister, to his credit, has agreed to that and has given the instruction for that to occur. That will give the military a whole range of options to use. It is important that in armed conflict, which is ostensibly a battle of wills, we provide our military with the full gamut of combat power and the full gamut to achieve effects on the battlefield. One of the major ways to achieve an effect on the battlefield is a full and proper prosecution of information and processing that into intelligence.

It is impossible and has been impossible to fully prosecute that battlefield effect while holding detainees for only 96 hours and, in that, only allowing a limited degree of tactical questioning. In line with that, the coalition supports the minister\\'s moving towards setting up a full primary interrogation centre which allows the full prosecution of information from detainees. Likewise, the coalition supports the full use of our detainee facility. The Commonwealth has spent $5 million on a state-of-the-art ostensible interrogation facility, and we have not used its full gamut of capabilities for 12 months. With the announcement by the minister that a full interrogation capability will be sent to Afghanistan, it will allow us to fully prosecute that information effect on the battlefield.

I join the minister in acknowledging that some people may have concerns, especially around the term 'interrogation' and what it actually means. I note the member for Eden-Monaro is here. He was in Iraq during the Abu Ghraib affair and played a significant role in bringing sanity to what was otherwise an insane situation. He and I both know, having served operationally overseas, that perception can tend to be a long way away from the fact. Let me assure people that interrogation is as much an art as a science, but it is an incredibly disciplined art and a disciplined science. We are talking about a
primary interrogation centre that includes full medical support, full psychological support, substantially trained interrogators and where everything is captured on CCTV. There is also full access for the Red Cross and other humanitarian organisations. I can speak with some authority on the issue of interrogation, being a trained military interrogator—probably the only one the House has had for a while, Mr Deputy Speaker Scott.

Mr Stephen Smith: Forever.

Mr ROBERT: Or perhaps ever. As a trained interrogator I know patently well what is involved in the art and science of interrogation, how we deploy it and what we do with it. I also say to Minister Smith that I have spent 24 quality hours in one of our Australian interrogation centres. It is very hard to be an interrogator unless you have undergone the process of being interrogated to know how both sides of the fence work.

With that experience from my former military days—looking across at the member for Eden-Monaro, a former colonel in the military who has great experience in this matter as well—I can say with some authority that the minister's decision to employ the full gamut of interrogation capability, based on 12 months of deliberation and making sure things will work appropriately, is sound and sensible. It will be managed and monitored. I believe the minister has deployed a one-star general to manage detainee management, so there is tremendous oversight. We will have a full range of interrogators under a suitably senior officer, all videotaped, all managed, with every word and action accountable and this will finally allow Australian forces to fully prosecute all detainees and to seek out, through tactical questioning, the information detainees may hold and the value that information may have. We will be able to determine what is more appropriate for which detainees and which should be held for longer periods of time for the full extraction of information that may be worth while and of value.

For those who hear the word 'interrogation' and immediately picture Abu Ghraib, I say with great confidence and experience that that could not be further from the truth of what interrogation capability brings to the fore. We are talking about suitably trained intelligence corps officers. As we know, the intelligence corps of the Australian Army is one of the finest and most professional corps. It will do the nation proud in its use of interrogation.

I note the minister has told of 1,074 detainees from 1 August 2010 to 18 November 2011. That is an enormous number of people captured on the battlefield or detained at checkpoints because of information that had been gathered. People were detained by special forces because they were persons of interest. This enormous number of people needs to be tactically questioned and their information, alibis, equipment and what they have on them needs to be assessed by an intelligence professional. Decisions then need to be made about what to do with them.

With that number of people coming through a detainee management system, it is crucial that we have a viable NDS which we now do as the minister has assured the House, with 154 being passed to the NDS or US forces. That still leaves over 900 people passing through the Australian system, not going to the NDS or the US forces, that the Australian system will either release or now has the opportunity to pass through to a primary interrogation centre for the further extraction of valuable information. I think we can all be assured that our ISAF partners will be incredibly pleased with the decision.
that has been made. Whilst we look at a number of people recaptured, that is inevitable within a theatre of combat operations. Now, hopefully, with the implementation of the PIC, we will see the incidence of recapturing and redetaining certainly reduced as we can more formally address the issue of information extraction.

I note that the minister has said that of the 30 or 40 allegations that have been fully investigated, for those who have actually made complaints within our detaining facility, none have had any basis to them. I suggest with some confidence that probably none ever will. I think it is axiomatic that those detained on the battlefield—especially knowing full well that we are a First World nation and we operate within the rule of law, a nation that is accountable, and that detainees numbers will be reported to the people within parliament and that each investigation will have suitable oversight—are well aware of the First World rights that they enjoy within our First World facility, and I note that the Taliban would never afford us even a Fourth World right or, indeed, any of our soldiers such rights.

Having said that, we are better than that as a nation. We are better than who they are and what they do in terms of their actions. So it is important that we continue to thoroughly investigate each allegation as it arises, noting that those to date have had no basis, and we will continue to investigate and to show the Afghan authorities, as well as the nongovernment sector within Afghanistan, that we follow complaints to the letter of the law. It is important that our soldiers, sailors and airmen also understand that we will continue to follow those processes wherever we go.

I can only assume that the minister will continue next year his tradition this year of updating the House at least every quarter—I see a nod from the minister—to ensure that the parliament is fully abreast of where things are going in Afghanistan. The next year will be a decisive year in terms of combat operations. This year, over the last winter, the Taliban have not regained any of the losses through the last fighting season leading into the next. They have not regained any of the initiatives. As the 2nd Battalion, Royal Australian Regiment, prepares to transition across from MTF 3 to MTF 4 based on the 8th and 9th Battalion over the Christmas period, it is my expectation, from looking at what our soldiers, sailors and airmen have done to date, that that initiative will not be resumed by the Taliban. Next year we will see a transitioning down from more patrol bases to mobile mentoring teams. It will see the further destruction of the intelligence, communications and command elements of the Taliban, and further economic development within the community.

Let us not underestimate the value of economic activity or the work that the Provincial Reconstruction Team is doing. When the sealed road from Chora to Tarin Kowt went in, the price of palm oil in Chora, that used to be seven times that in Tarin Kowt, dropped to only twice that price. That type of productivity improvement—using the language we would use in parliament—is fundamental to the lives of people. And whilst many of the people will question the legitimacy of the government of the Islamic Republic of Afghanistan, Jawara, it is incredibly difficult to say that the ISAF forces are not delivering value when suddenly the price of palm oil has dropped from seven times down to two. It is a tangible reminder of the value of what we are doing in this theatre.

I thank the minister again for his update to the House. He knows that the government enjoys full coalition support in the
prosecution of combat operations. The coalition support the minister's announcements on the commencement of the transfer of detainees to NDS, the ability to hold from 96 hours to 10 days. We support the implementation of the PIC and the full use of the detaining facility. I thank the minister for his update to the House.

PERSONAL EXPLANATIONS

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (09:41): I thank the member for his remarks and his good-natured and professional cooperation on these issues, and also for his support on the matters I have announced. Mr Deputy Speaker, I wonder whether I could ask the indulgence of the House to make a personal explanation.

The DEPUTY SPEAKER (Hon. BC Scott): Does the minister claim to have been misrepresented?

Mr STEPHEN SMITH: I do.

The DEPUTY SPEAKER: Please proceed.

Mr STEPHEN SMITH: Thank you. I have been very badly misrepresented in today's Financial Review on page 1, entitled 'Gillard bows to US on submarines'. Firstly, the story is wrong. It is frankly a nonsense. There has been no pressure on Australia from the United States or any country about these issues. The story is a fabrication. At the end of the story it says:

A spokesman for Mr Smith declined to comment.

No approach was made to my office or to me by the newspaper or the journalist concerned about these issues in respect of which there is a very serious misrepresentation. The story is wrong. It is a nonsense.

BILLs

Corporations Amendment (Further Future of Financial Advice Measures) Bill 2011

First Reading

Bill—by leave—and explanatory memorandum presented by Mr Shorten.

Bill read a first time.

Second Reading

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (09:43): I move:

That this bill be now read a second time.

Today I introduce a bill to amend the Corporations Act 2001 to bring into effect significant reform to the regulation of financial advice, which in turn will enhance trust and confidence in the sector.

Financial planners and those who work in the financial services industry implicitly understand that the brand of financial advice needs renewal following a string of collapses including Storm, Trio and Westpoint. I believe that the vast majority of financial planners do see their role as making their dealings with customers such that, after having dealt with the planner, the customer is better off than if the customer had never sought financial advice to begin with. This is why I am a believer in the importance of financial advice, because we should always endeavour in whatever we do to leave those in our families, in our immediate families, in our streets, in our neighbourhoods, in our towns and in our communities better off than before they had transactions with us. I believe that rule applies in business, in community, in politics and in financial planning.

The initiatives in the bill implement part of the Future of Financial Advice reforms, which form the government's response to the
inquiry of the Parliamentary Joint Committee on Corporations and Financial Services into financial products and services in Australia. This bill represents the second of two tranches to implement the FOFA reform package, with the first tranche being introduced into this House last month.

The bill includes two key measures representing integral components of the reforms which go to the heart of boosting professionalism in the financial advice industry.

Firstly, the bill imposes a statutory best interests duty on financial advisers. As its name suggests, the duty requires advisers to act in the best interests of their clients, and to put their client's interests ahead of their own.

The best interests duty is a legislative requirement to ensure the processes and motivations of financial advisers are focused on what is best for their clients. It is true that this will ultimately lead to better advice in many cases, but first and foremost it is about regulating conflicts, not the intrinsic quality of the advice provided.

By the same token, for the adviser that wants certainty around compliance above all else, the general obligation is supplemented by a provision setting out steps which, if satisfied, will be deemed sufficient for the adviser to have fulfilled the general obligation.

This is a common-sense proposal which is long overdue. For the majority of advisers, this merely codifies how they already go about their business in dealing with clients. For those advisers that have not always put their client's interests first, this reform will no doubt require them to make changes to the way that they do business. This can only be a good thing, both for the client and for the advice industry generally.

Secondly, the bill implements a key aspect of the government's response to the Ripoll report—a ban on the receipt of conflicted remuneration by financial advisers, including commissions from product issuers.

It is absolutely crucial to the integrity of the advice industry—or any industry involving a high degree of trust and responsibility—that the consumer can be confident that the adviser is working for them.

It is only by ensuring that advisers' only source of income is from their clients that clients can be sure that the adviser is working for the client, rather than a product provider.

For the most part, advisers will not be able to receive remuneration—from product issuers or from anyone else—which could reasonably be expected to influence financial advice provided to a retail client.

If an adviser is confident that a particular stream of income does not conflict advice, then these reforms do not prevent them from receiving that income. For example, in the case of the receipt of income related to volume of product sales or investible funds,
there is a presumption that that income would conflict advice. However, this is a presumption only, and if the adviser can demonstrate that the receipt of the income does not conflict advice then such remuneration will be permissible under the bill.

But the message is clear—if in doubt about whether certain remuneration will conflict the advice that they provide to their client—the adviser would be prudent to err on the side of caution.

I should note that, despite this necessary and overdue measure to eradicate conflicted remuneration, I am encouraged to see that a very large proportion of the industry is already moving away from product commissions and moving to a fee-for-service model. This is not only better for the client, but also best professional practice.

Many professional advisers working under a full fee-for-service model, who have already turned off their trail commissions, will not be impacted by these reforms, except that there will now be a level playing field in the industry as far as legitimate remuneration sources is concerned. Increased transparency of fees will also assist consumers in comparing different advice costs, thereby enabling greater competition across the sector.

Also banned is the receipt of 'soft-dollar' or 'non-monetary' benefits over $300, with some exceptions around education and professional development. This creates hard obligations in regard to the practice that industry codes require of their members already.

The bill also contains some additional measures in relation to other forms of remuneration.

Advisers will not be able to charge asset based fees—that is, fees calculated as a percentage of client funds—on client moneys which are borrowed. Under the current law, an adviser can artificially increase the size of their advice fees by 'gearing up' their clients. While most planners advise their clients responsibly in this regard, such a fee model does not engender the right behaviour and is prohibited under the bill.

I should emphasise that there is nothing to prevent advisers under this measure from recommending a gearing or borrowing strategy to their client. To the contrary, if this is in the client's best interests then they should proceed with such a strategy. However, they will need to charge the client for those services in some other way, for example, by charging a flat fee or hourly rate. Advisers can continue to charge asset based fees on client funds that are not borrowed.

The bill also bans volume based shelf-space fees from funds managers to platform operators. In short, product issuers will not be able to purchase 'shelf-space' on a platform menu by paying inflated fees. Platforms should be incentivised to put the most appropriate products on their menus, rather than lease positions to the highest bidder. Payment flows which represent reasonable value for scale will remain permissible.

Finally, while these measures around remuneration are important, they represent a large change to the industry and to individual businesses. It is for this reason that existing trail commission books will be 'grandfathered'. This means that commissions from business entered into prior to the reforms can continue. Of course, commissions on new business and clients after 1 July 2012 will not be allowed.

This is a just outcome, and provides an adequate cushion for the industry to structurally transition once the new laws are in place.
The government's financial advice reforms complement our commitment to progressively increase the superannuation guarantee from nine to 12 per cent. You cannot encourage and compel Australians to save more for their retirement without ensuring the system is operating in their best interests.

In summary, the measures in this bill support the key public policy objectives of the Future of Financial Advice to improve consumer trust and confidence in the financial advice they receive, and improve professional standards.

Debate adjourned.

MINISTERIAL STATEMENTS

Murray-Darling Basin

Mr BURKE (Watson—Minister for Sustainability, Environment, Water, Population and Communities) (09:52): by leave—I rise to confirm to the House that the Murray-Darling Basin Authority will release a draft plan for the Murray-Darling Basin on Monday 28 November. In developing this plan, the authority, led by chair Craig Knowles, has worked closely with irrigator groups, environment groups, scientists, local and state community leaders and state and territory governments of New South Wales, Victoria, Queensland, South Australia and the ACT. The draft plan is required to be built on the foundations of the best available science and to optimise the environmental, social and economic outcomes.

Across Australia, everyone understands the challenges we face in the driest inhabited continent. In most of the country we have an ongoing cycle described as droughts and flooding rains. This cycle will not change. It is a cycle which presents challenges for our food and fibre producers. It is a cycle felt acutely in the Murray-Darling Basin. Of the water which makes its way into basin rivers and creeks, more than 40 per cent on average is diverted for human use. We run our river system hard.

Inevitably in this debate, arguments will occur about whether a particular policy position is good for irrigators or good for environmentalists; good for South Australia or good for Victoria and New South Wales, for the ACT or Queensland. The guide to the draft plan proposed a recovery range of between 3,000 gigalitres and 4,000 gigalitres as a long-term average. So inevitably, some irrigators will compare the draft plan to the 3,000 gigalitre scenario and some environmentalists will compare it to the 4,000 scenario. A debate about numbers does not answer the question about what we are trying to achieve. What we want to achieve is a healthy, working Murray-Darling Basin.

There has been a tendency to look at the extreme scenarios in considering Murray-Darling Basin reform—the years of deepest drought or the years of the highest flood. During times of drought, people have argued the case for reform as if we could prevent a future drought. And in the wet years, I hear it argued that there is plenty of water around and nature has fixed the problem so we do not need water reform anymore. Murray-Darling Basin reform is about the in-between years. It is about the in-between years because you need to keep the system healthy enough so it can approach the drought years with a level of resilience.

An example of building resilience is the iconic river red gums. We nearly lost vast tracts of red gums during the last drought—not simply because of the drought itself, but because the red gums had been living for years as though there was only ever drought. They had been dry for so long that they did not have a sufficient level of resilience when the drought actually hit.
For the health of the system and to flush salt out of the Murray—which is both an environmental requirement and a requirement to ensure water is suitable for productive use—we need to ensure regular and strong flows of water out of the river's mouth. That is why I have set the benchmark that the Murray mouth should be open nine years out of 10. This benchmark preserves the basic environmental standards that we need for a healthy working river system.

Considering total volumes without talking about the objectives risks delivering on the total volumes without delivering on the reform. It is essential to get the arguments back to the fundamentals of what we are trying to achieve in the Murray-Darling Basin. We want to restore the system to health. Murray-Darling Basin reform has been put in the too-hard basket for too long.

This government is committed to reform for the Murray-Darling Basin that will restore our rivers to health, support strong regional communities and sustainable food production. That is why we are making record investments in infrastructure projects to improve irrigation efficiency and get more water back to the environment. And Commonwealth environmental water is being used to help achieve a healthy, working Murray-Darling Basin.

When the Murray-Darling Basin Authority presents its draft plan for the basin, it will inevitably generate significant debate. But we should not expect a consensus position. In different parts of the Murray-Darling Basin, different communities have different things at stake. That is why when the Murray-Darling Basin Authority presents its draft plan, understandably there will be protests from some environmentalists saying that the numbers are too low and protests from the same people that were burning books a year ago saying that the numbers are too high.

The consultation conducted by the authority over the last 12 months has been significant, and I have also been working with representative groups and organisations as well as state governments across the Murray-Darling Basin. I would add that there has been further consultation conducted directly by this House, led by the Windsor inquiry, to which the government will provide its formal response shortly. I acknowledge the chair of that committee, the member for New England, and his presence in the chamber.

It is important to dispel a few myths that were put forward a year ago and that will no doubt be put forward by some again soon. Firstly, there is the myth that we are forcibly taking water from irrigators. This is wrong. If irrigators do not choose to sell their water or participate in our programs, the government has no interest in compelling them to do so. The only water the government has ever bought is water from someone who has an entitlement and decides to put all or part of their water on the market for sale at a price they choose themselves. If people do not sell water to the government, there are still other water traders on the market. The government has only bought a portion of what is put to it each time a tender is run. And if a person who sold the government water wants to re-enter the market to buy either temporary or permanent water, they can do so.

Secondly, there is a water market, whether the government is buying or not. The concept of the Swiss cheese effect within irrigation districts can occur at any time either through irrigators when, in the past, they have sold their entire entitlement to the government or when they have made a similar sale to other irrigators within the
What we will have in the Murray-Darling Basin Plan is a sustainable diversion limit that must be reached by 2019.

The best thing for communities is to steadily stage water recovery for the environment over time between now and 2019. There is no better time to pursue that transition than now, when allocations against entitlements are at or close to 100 per cent and people have more water because of the breaking of the drought.

But this is not only pursued through buyback. It is also pursued through significant infrastructure investment. The Murray-Darling Basin Authority has advised that 1,068 gigalitres has already been recovered which will count toward achieving the new sustainable diversion limits. Recently I signed an agreement with the Victorian water minister for the second stage of the Northern Victorian Irrigation Renewal Project. This project will provide a further 214 gigalitres of water for the environment through investment in infrastructure. This project takes the total to 1,282 gigalitres.

Based on the remaining investment from the Sustainable Rural Water Use and Infrastructure Program, we are projecting an additional 400 gigalitres of water which will be recovered through on- and off-farm infrastructure and environmental works and measures. This would take us to 1,682 gigalitres of water recovered for the environment with the remaining water needed to be recovered over the next eight years.

The myth that there is rush for communities to achieve the transition is wrong. Any transition will be gradual. The next drought will come and we must not stand still waiting for it. Over the next four years, there will be a prioritisation of funding for infrastructure projects compared to water purchases. These projects make more water available for the environment and deliver an extraordinary benefit in upgrading infrastructure for producers. Water recovery must continue at a steady pace. If we do not do that, we will let communities down horribly and they will feel the pain of required adjustment later.

Out of all this reform in the Murray-Darling Basin, at first glance, in the flood years it will not look that different. But we will have a situation in the in-between years where levels of resilience for the ecology of the rivers does not decline the way it used to. And when drought hits, allocations will go down for environmental water holdings just like they go down for irrigation water holdings, but the system will approach the drought in a standard of health that it has not experienced for generations.

We have a once-in-a-generation opportunity to get the reform right, and the responsibility will rest with all of us in this parliament. When the starter's gun fires and the draft plan for the Murray-Darling Basin is released on Monday, there will be people who will see a huge political interest to engage in misinformation, to claim water is being ripped from communities, to claim a whole lot of things. But we should not miss this opportunity, and let us not miss this opportunity. The right reform is better for irrigation, better for communities, better for people who drink from the Murray and better for their water supply.

It is better for the one river system that stretches across our continent. We can say we are not going to wreck it; we are going to restore it to health. The government is committed to tabling a final Murray-Darling Basin Plan in the parliament in 2012 that restores our rivers to health, supports strong regional communities and sustainable food production for the future.
I ask leave of the House to move a motion to let the member for Groom speak for 11 minutes.

Leave granted.

Mr BURKE: I move:

That so much of the standing orders be suspended as would prevent the member for Groom speaking for a period not exceeding 11 minutes.

Question agreed to.

Mr IAN MACFARLANE (Groom) (10:04): This will be news to me as I read it as well, so I am sure it will only go for 11 minutes! I thank the Minister for Sustainability, Environment, Water, Population and Communities for the opportunity to respond to his statement on the Murray-Darling Basin. It has been almost five years since John Howard announced that the Commonwealth government would seek to establish a Murray-Darling Basin Plan to finally put the management of the Murray-Darling Basin on a national basis. As the Prime Minister said at the time:

We could muddle through as has occurred in the past, but frankly, that gets us nowhere. Without decisive action we face the worst of both worlds. The irrigation sector goes into steady but inevitable decline while water quality and environmental problems continue to get worse.

I give credit to the Labor Party at the time for supporting what was a comprehensive and bold step to provide the necessary national leadership to solve this problem. As the minister has stated, these changes were never going to deliver consensus. Changes on this scale would always be difficult for some. Adjustments to lower water use were a necessary reality but never easy ones. But this is precisely why these changes need to happen in partnership with the basin communities.

There are 2.1 million people who live in the basin, and I am one. Mr Deputy Speaker Scott, you are another. I live right at the top, so I get first go at the water. I think of the South Australians every time I press the button! If it were a state it would be the equal fourth biggest state of our nation, on par with Western Australia. Another one million people in South Australia rely on the basin for reliable water supplies. Many of the 2.1 million people who live in the basin have invested their lives in providing 40 per cent of Australia's agricultural output, including almost 95 per cent of Australia's oranges, 93 per cent of Australia's almonds and 68 per cent of our tomatoes. I note that, despite these contributions, the minister on Insiders a fortnight ago remarkably stated that the Murray-Darling is not about food security. Minister, just because cotton and wine grapes are grown in the basin does not mean you can ignore the 90 per cent of the other agricultural output that is grown there.

Many others not involved directly in agriculture rely on the irrigation industry to provide the economic base of their jobs and their businesses. The minister says that purchases are made from willing sellers. That is true, but there is nothing willing about Paul Pierotti, whose furniture business sales in Griffith have dropped by 20 per cent since the release of the guide. There was nothing willing about the 10 per cent average drop in house prices in the months after the guide was released. As the Labor Party moves to another inevitable policy fiasco, there are people that are left behind. The irrigator can sell out and move to the coast, but the mother with a mortgage is left behind with a diminished asset but the same amount owing to the bank.

Unfortunately, the people of the Murray-Darling feel let down by a government that has promoted uncertainty through constant delays in the plan and has chased the political prize of water buyback targets rather than delivering water savings in a way...
that has fostered a true partnership between the government and basin communities. The government took 18 months to establish the authority alone. This year the draft to the Basin Plan has been delayed three times.

These are not just the political views of this side of politics. May I remind the House that these are the considered judgments of the House of Representatives Standing Committee on Regional Australia. The Labor Party, the coalition and the crossbenchers all signed off on the report on the Murray-Darling, which concluded:

The Committee heard of grave mistrust of this department—

that is, the minister's Department of Sustainability, Environment, Water, Population and Communities—

across Basin communities resulting from the failure of the department to identify and respond to community concerns on a range of issues. In addition, this department has demonstrated a consistent failure to deliver water programs, including strategic water buyback, which is in the best interests of productive communities. This department should no longer be responsible for delivering these programs.

I think that the last part deserves repeating and emphasis. The judgment of this House, including Labor Party members, is that the government has consistently failed to deliver its water programs.

Despite these damning allegations, the government has accepted only one of the 21 recommendations made by this committee. These water programs were absolutely essential in delivering a solution to provide environmental benefits at the least economic and social pain. Principal among these was the $5.9 billion that the coalition put aside to help modernise Australia's irrigation network. Such investments would deliver more water for the environment and irrigation communities. However, this government has spent just $245 million on projects which will actually deliver water into the Murray-Darling Basin environment. Only 33 gigalitres of water had been transferred to the Commonwealth Environmental Water Holder, which works out at $7,400 per megalitre of water saved.

Instead this government has raided the funds we set aside. From the $5.9 billion Infrastructure Fund that we established, this government has allocated over $2 billion to projects which have nothing to do with delivering water to the environment, including over $200 million for the bureaucratic expenses of its water manager and the expenses of the Murray-Darling Basin Authority, and $8 million for an advertising campaign in the Murray-Darling.

We must remember that it was always the coalition's plan, right from the start five years ago, to prioritise these investments over the buyback of water. That was because these investments gave communities the best chance to adjust to a future of lower water availability. Instead the government has adopted the exact reverse approach. The government had spent $1.54 billion on water buybacks by 30 June 2011. Labor has mismanaged the buyback program and has failed to end the non-strategic buyback of water, despite that being a recommendation of the House of Representatives committee.

In its election policy last year, the coalition promised to make the buyback program 'more strategic'. Every year Labor has spent more on water buybacks than planned and less on water-saving infrastructure than hoped for. It is $200 million ahead on water buybacks but $1.25 billion behind on infrastructure investments compared to its original plan. For every one bucket of water the government has saved through investment in infrastructure, it has bought back 24 buckets. The minister is absolutely wrong to say that the Basin Plan will start in 2019. It has started now. For the
town of Collarenebri, the purchase of $300 million of water from the Twynam Agricultural Group shut down its cotton gin. For them the plan is not starting in 2019; it is being felt right now.

I note that the minister suggests that the draft Basin Plan will be released on 28 November. It surprises me that so many members and senators already seem to have a copy of this draft under their arm. If the Murrumbidgee Irrigation Area had as many leaks as the authority, it would be a national disgrace. At the very time that the government should be partnering with local communities to deliver reform, these leaks to stakeholder groups and the media have just added to the angst and uncertainty. Why should Lateline get a copy of the plan before the people of Griffith? Why should the press gallery get a copy of the plan before the people of Renmark? Indeed, why should the opposition have a copy before the people of Dirranbandi?

I think that what was most remarkable about the minister's statement was that it barely mentioned the communities of the Murray-Darling. The coalition firmly believes that any Murray-Darling Basin Plan must deliver an equal balance between economic, social and environmental factors—that is, it must deliver a triple bottom line. Everybody accepted that the guide would have to be a social and economic disaster for regional Australia. That is why the government ran a thousand miles from it not long after it was released. It is up to the government now to regain the trust of the people of the basin. It is up to the government to prove that the draft that will be released next week is materially different from what was dumped on communities last year. But the minister has failed to do that this morning. There was no mention of how the government has listened to communities since last year. Only a few days before the plan's release, we still do not know when and where consultations will be held. Once again the government is keeping the people of the basin in the dark.

The plan that is released next week will be judged on some clear principles. First, the plan must return water to the environment, but the plan must be about environmental outcomes, not a number. The government must clearly show what the environmental benefits are and at what economic and social cost. Second, the plan must be based on an equal consideration of economic, social and environmental factors. It must deliver a triple bottom line. Third, the plan must provide a detailed plan for the economic and social future of basin communities and involve local communities in true consultation and engagement. Fourth, the plan must clearly show what environmental assets will be watered and when, and it must include a detailed environmental watering plan as required by the Water Act. Otherwise how can we decide how much water is needed if we do not know what we are to do with it?

Finally, the plan must take into account the natural limitations of water delivery in the basin. It is simply not acceptable to flood vast parts of private land for the purposes of environmental watering. The coalition will support a plan that can deliver on these outcomes. The problem is that the government is starting from a long way behind. They have lost the true trust of the people in the basin and they have lost the true trust of a vast number of Australians. (Time expired)

**People Trafficking**

Mr BRENDAN O'CONNOR (Gorton—Minister for Privacy and Freedom of Information, Minister for Home Affairs and Minister for Justice) (10:17): by leave—I am pleased to be speaking on the government's anti-people-trafficking
strategy. On Tuesday the government tabled the third report of the Anti-People-Trafficking Interdepartmental Committee. As Minister for Home Affairs and Minister for Justice, I am the lead minister for Australia's whole-of-government anti-people trafficking strategy. I oversee this strategy in collaboration with my ministerial colleagues—the Minister for Immigration and Citizenship, the Minister for Foreign Affairs and the Minister for the Status of Women—who have responsibility for particular aspects, including the people-trafficking visa framework, the Support for Victims of People Trafficking Program and Australia's aid program.

People trafficking is a serious, complex and international crime. It causes grave contraventions of human rights. All around the world, slavery and servitude remain the daily reality for many of our fellow human beings—and Australia is not immune. That is why President Obama, during his address to the Australian parliament on 17 November 2011, described a 'yearning for liberty and progress', a yearning for freedom. Indeed, President Obama described this yearning for an end to such criminal practices when he talked about those 'women of courage who go into brothels to save young girls from modern-day slavery'.

While most identified trafficking victims in Australia have been women in the sex industry, a growing number of people—both men and women—are being trafficked to Australia to work in other industries. For many in our community, the term 'people trafficking' conjures images of women in brothels being kept in sexual servitude. While this is the terrible reality for some, in Australia we are combating people being trafficked and exploited in different settings, including forced labour in construction, hospitality, agriculture and domestic labour. Globally, people trafficking takes many forms: forced or bonded labour, domestic servitude and forced marriage, sexual slavery, organ harvesting, and the exploitation of children. The Gillard government is committed to doing all that we can to eliminate people trafficking in all its forms in Australia and abroad.

**Australia's anti-trafficking strategy**

The Australian government has a comprehensive set of actions in place which targets people trafficking in all its forms, including for sexual and labour exploitation. Since Australia introduced its whole-of-government strategy in 2003, Australian authorities have identified 187 suspected victims. Fortunately, compared to many of our neighbours, the number of victims identified here is low. Our strong migration and border controls and our geographic isolation mean that opportunities to traffic people to Australia are limited. We are, however, a destination country for victims of trafficking, in particular for people trafficked from Thailand, Malaysia, the Philippines and South Korea.

While the number of victims is comparatively low, one victim is one too many. That it is why it is important to never lose sight of the impact exploitation has on each individual. In short, it is devastating.

People are brought here either forcibly or under false pretences with the promise of a good job or further education. The image of Australia as a land of opportunity is far from what trafficking victims encounter. They are subjected to appalling treatment, often locked up and made to work in slave-like conditions. They are cut off from family and friends.

The human face of this crime can be seen in a recent case. A young man was brought to Australia from India to work in a restaurant. When he arrived at his new job, he faced the following conditions: working
12 hours a day seven days a week with few breaks, and being forced to live and bathe at the restaurant. He had limited freedom of movement, was continually abused and his family back home was threatened.

In another case, a woman from the Philippines was brought to Australia for what she thought was a marriage. Instead she was kept as a slave. She was forced to work 12-hour days in a shop for little pay, and on returning to the residence of the offenders, where she lived, she worked as a domestic helper performing household chores and providing childcare services. She spoke little English and was culturally isolated. When she tried to flee her passport was confiscated.

Cases like these reinforce the need for the Australian government to do all it can to prevent people trafficking and practices akin to slavery, to equip our agencies to investigate and prosecute offences, and to support and protect the victims. This is a commitment that the government is delivering upon.

**Delivering for Victims**

Since 2007 the Australian government has provided more than $70 million to support a range of domestic, regional and international anti-trafficking initiatives. During the past year these initiatives have provided support to victims of trafficking for sexual exploitation and other forms of forced labour, and brought about the successful prosecution and conviction of a number of people traffickers. Australia provides a comprehensive range of support services for suspected victims of people trafficking. Since 2004, the Support for Victims of People Trafficking Program has assisted 187 people—167 of whom are women and 20 men. Of these, 151 were women trafficked into the sex industry, while the other 16 women and the 20 men were allegedly trafficked into other industries. A total of 80 clients were on the support program at some point during 2010-11, including 29 new clients referred to the program during the year. The Australian Red Cross provides the support program on behalf of the Australian government, and I thank them for their invaluable efforts.

A typical client of the support program is a woman whom I will call Ms J. Ms J was trafficked to Australia for the purpose of sexual exploitation and was referred to the support program in 2006. Ms J gave evidence against her alleged traffickers at trial and retrial. After assisting police and prosecutors, and due to the danger she faced in returning home because of that assistance, Ms J was granted a visa that allows her and her children to live in Australia permanently. Ms J has now been reunited with her children. She is studying and her children have settled into school, and the family now looks forward to a stable future.

In 2010-11, the Department of Immigration and Citizenship granted 42 witness protection (trafficking) (permanent) visas—28 to victims of trafficking and 14 to their immediate family members. This is the visa that allows trafficking victims such as Ms J to remain in Australia permanently if they have assisted the Australian Federal Police with a trafficking investigation or the Commonwealth Director of Public Prosecutions with a prosecution and if they are likely to be in danger if they are sent home.

Since 2007, the Australian Federal Police has undertaken more than 200 investigations into trafficking related offences. People-trafficking investigations are often long and complex and require significant resources. They often include close cooperation with counterparts in source countries in order to break transnational people trafficking syndicates. In 2010-11, the AFP undertook
Operation Burlywood with the Royal Malaysian Police, which resulted in the disruption of a major trafficking syndicate operating between Australia and Malaysia.

Since establishing its specialist trafficking in persons teams, Australian Federal Police investigations have led to the conviction of 14 people in Australia for trafficking and slavery offences. Three more matters are currently before the courts. In 2010-11, two people were convicted and a third person was sentenced. The couple convicted ran a brothel and brought five women to Australia from Thailand. The offenders forced all of their victims to work seven days a week, on average for 16 hours a day. The victims were forced to work and sleep in locked premises, and were not allowed to leave the brothel except in the company of the offenders or a trusted associate. Their passports were confiscated and they had their access to the outside world cut off. The offenders forced the victims to work during severe illnesses and infections. The couple were each convicted of 10 slavery charges at both trial and retrial, and in December last year were both sentenced to 12 years imprisonment.

These convictions are a clear warning to people who believe they can commit these abhorrent crimes with impunity: slavery and people trafficking will not be tolerated in Australia. They will be prosecuted with the full force of the law.

In addition to these strong criminal sanctions, a variety of important civil mechanisms exist to address exploitative conduct. For example, during 2010-11 the Fair Work Ombudsman undertook more than 585 investigations involving foreign workers and recovered more than $510,000 in unpaid entitlements from their employers. The Australian Building and Construction Commission also regulates compliance with wages and entitlements in its industry, and recovered $15,700 on behalf of foreign workers.

**Regional commitment and collaboration**

Internationally, Australia is a recognised regional leader in efforts to combat people trafficking and takes an active role in international efforts. Australia and Indonesia co-chair the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime. The Bali process provides a strong platform for cooperation between countries in our region with a shared interest in the prevention of irregular migration, including people trafficking.

Another key part of the government’s national and international strategy to prevent trafficking is addressing the factors that make people vulnerable to trafficking. In 2011-12, Australia will provide $4.8 billion in official development assistance to help reduce poverty and promote sustainable development. The aid program addresses violence against women and children, and includes a number of activities to help combat people trafficking and labour exploitation at the regional level. The aid program also supports NGO projects in the region that raise awareness, strengthen community resilience to trafficking and support victims.

Yesterday I convened the annual National Roundtable on People Trafficking. The roundtable brings together anti-people-trafficking NGOs, service providers, support organisations for victims of crime as well as legal, employer and union bodies to implement a whole-of-community approach to fighting this crime. The Minister for Immigration and Citizenship and the Minister for the Status of Women joined me at the roundtable.

At the roundtable, we were joined by the United Nations Special Rapporteur on
Trafficking in Persons, Joy Ezeilo. Ms Ezeilo is currently in Australia for a full program of meetings with agencies and NGOs which deal with people trafficking. The special rapporteur is responsible for assessing measures taken by countries to target people trafficking and to protect the human rights of trafficking victims. Australia strongly supports this mandate and the government welcomes this opportunity to discuss its successes and challenges with Ms Ezeilo.

**Government focus for 2012**

At last year's roundtable, the government released two discussion papers for public consultation, one on the criminal justice response to slavery and people trafficking, and one on forced and servile marriage. Both papers sought views on whether the existing offences in the Criminal Code sufficiently cover all forms of exploitation and all forms of slavery-like conduct. I was pleased by the level of community engagement on these issues and at this year's roundtable I released exposure legislation on these issues for comment by stakeholders.

Also at last year's roundtable, I announced funding for non-government bodies to undertake projects to raise awareness of labour exploitation and to provide outreach to groups and individuals who are vulnerable to this. This initiative is an important aspect of the focus we have put on labour trafficking and exploitation in recognition that the sex industry is not the only industry in which trafficking victims are exploited.

The Australian government has now provided five organisations with a total of just over $486,000 for this work. The Australian Council of Trade Unions, the Australian Hotels Association, the Australian Red Cross, Asian Women at Work and the Construction, Forestry, Mining and Energy Union are the five organisations who have been beneficiaries of the government support. And I would like to thank the agencies which make up the IDC, particularly those dedicated officers in the front-line agencies which provide direct support and outreach to victims. The Australian government remains committed to working in partnership internationally and domestically with nongovernment organisations to raise awareness, bring the perpetrators to justice and protect and support victims. During the coming year, the Australian government will continue to work to strengthen our framework to combat people trafficking in all its forms, to ensure the most comprehensive and robust response possible. Only by working together can we combat this heinous crime.

I ask leave of the House to move a motion to enable the member for Stirling to speak for 14 minutes.

Leave granted.

**Mr BRENDAN O'CONNOR:** I move:

That so much of the standing orders be suspended as would prevent the member for Stirling speaking in reply to the ministerial statement for a period not exceeding 14 minutes.

Question agreed to.

**Mr KEENAN (Stirling) (10:30):** If I may, I will begin, like other speakers have begun today, by paying tribute to the outgoing Speaker, who has now joined us in the chamber. I think all members of the House would acknowledge what a wonderful job he has done in his four years in the chair, and we certainly wish him well as he returns to being the more humble member for Scullin. We wish him well for his future parliamentary career and we acknowledge the authority and the grace with which he presided over the House. And, certainly, Mr Acting Speaker, we would hope that that authority and grace would be something that
could be vested in whoever is going to be elected as his successor.

I am very pleased to respond on behalf of the coalition to the statement from the Minister for Home Affairs as to the government’s response to people trafficking. The coalition welcomes moves to strengthen the law in relation to people-trafficking offences announced yesterday as part of the fourth national roundtable on people trafficking that the minister convened with his colleagues the Minister for the Status of Women and the Minister for Immigration. It certainly builds upon the strong work that was started under the previous Howard government and which has been continued since the government changed in 2007. We must however be careful to ensure that the government gets the balance right and that the people-trafficking net does not unintentionally capture those who do the right thing.

As this is a government whose record on delivery is littered with failure, blunder and error, this must be one area where the government finally gets it right. The minister refers to circumstances where those who have come to Australia have been promised educational opportunities or work opportunities and he refers to civil remedies available, including activities undertaken by the Fair Work Ombudsman and the Australian Building and Construction Commission. We should be careful to ensure that those who operate lawfully and do the right thing are not penalised or discouraged from pursuing lawful options.

Many employers, particularly in the agriculture, tourism and mining sectors, are complaining loudly about the shortage of skilled labour and the large number of vacant positions that simply cannot be filled. In my home state of Western Australia the labour shortage is particularly acute, and we would hate to see a repeat of the circumstances that we saw prior to the global financial crisis, where I was personally aware of businesses that literally closed their doors because of their inability to find labour so that they could run that business.

Additionally, the vocational and higher education sectors are large exporters of Australian services, and Australia has a strong international reputation for delivering a high-standard, quality education. The value of this to the Australian economy is between $17 billion and $19 billion every year; indeed, it remains one of our most important exports. We need to encourage the overseas education sector to grow and prosper, not to blunt it. Many in the sector, particularly private education providers, have complained that the Labor government changes have simply gone too far and have directly contributed to a decline in student enrolment numbers.

The always present danger is that this Labor government is addicted to doing the bidding of its union masters. Unions like the CFMEU and the AMWU, for example, have openly complained about the use of overseas labour and demand a return to protectionist labour market measures—measures that would be disastrous for Australia’s already flagging productivity. Caving in to these demands can have unintentional consequences, including the loss of productivity and the foregoing of opportunities for growth and expansion. Yes, the coalition agrees with the government that people should not come to Australia with false hope and under false pretences, with promises of jobs and qualifications. But at the same time there must be a balance struck between addressing the lawful desire to export education services and fill jobs that remain empty and ensuring that situations like those that the minister has just described are stopped and eliminated.
The contribution of the union movement to the roundtable, particularly as they are currently enjoying a return to 1970s policy positions, should be examined and carefully considered to ensure that there is no blurring of the line between the need to stamp out trafficking and exploitation and the desire to implement protectionist measures to pursue unrelated aims. That is why it is vitally important to get this right. Trafficking and exploitation are unacceptable in any circumstance and would never be condoned by any government or political party. But it is crucial for us to get these policy settings right and not to allow measures implemented to be viewed as a means to pursue other unrelated ends.

The opposition is well known for its strong stance on all matters relating to border protection. We equally have a longstanding interest and record in combating cross-border crime. We therefore welcome the opportunity to support any measures that will further this aim and further the important fight against trafficking that has resulted from the roundtable process on people trafficking. The coalition believe that we not only have to make laws that criminalise and punish this behaviour but also must ensure that we enforce these laws and that our police, immigration and border protection agencies have the resources to support them to do that job.

The coalition is particularly concerned about sustained and deep cuts to enforcement agencies, including the Australian Customs and Border Protection Service, which has been savaged under this government, the Australian Federal Police, the Australian Security Intelligence Organisation and the Australian Crime Commission—agencies which are integral to the fight against people trafficking and agencies that are going to find it harder to do that job with less money and fewer personnel. People trafficking is a complex crime and a major violation of human rights. It takes place for a variety of reasons, including sexual servitude, domestic labour, forced marriage and sweatshop labour. Women, men and children can be victims. While there is limited hard information on the number of people trafficked and the target industry in which they are trafficked, evidence suggests that the trafficking of women into prostitution is the major and certainly most visible form of trafficking taking place.

It is widely recognised that people trafficking has become well established and, sadly, an enormously lucrative business throughout the Asia-Pacific region. Australia, sadly, is viewed as a destination country for persons trafficked out of South-East Asia. There are several reports of immigrants, particularly from India, the People's Republic of China and South Korea, who voluntarily migrate to work in Australia but who are later coerced into exploitative conditions.

At this point I would like to acknowledge the work of the former, Howard government in this area. The former, coalition government's response to people trafficking in the Asia-Pacific region has included developing anti-trafficking initiatives between governments and providing aid to the region which is aimed at alleviating the economic and social conditions that allow trafficking to flourish. In particular, the Howard government and Indonesia co-chaired two regional ministerial conferences on trafficking and smuggling in the years 2000 and 2003, now commonly referred to as the Bali process, which the minister briefly touched on in his address. In October 2003 the former, coalition government announced additional anti-trafficking measures, with a $20 million package targeting sex trafficking in particular.
The package included a new Australian Federal Police unit, the Transnational Sexual Exploitation and Trafficking Teams; new visa arrangements for victims of trafficking; victim support measures including counselling and legal and medical support, to be administered by the Office for Women; improvements to legislation, making people trafficking punishable by up to 20 years in jail; and a promise to ratify the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Notably, Australia was already a signatory, and this treaty was subsequently ratified in 2005. In 2004, the former, coalition government produced an action plan to eradicate trafficking in persons in support of the 2003 announcement. In the last budget of the coalition government, a further $38.3 million over four years was allocated, including $26.3 million for new initiatives.

Since then, the coalition has continued to consider the issue a serious one and has supported a range of anti-people-trafficking measures, most of which have a sex-trafficking focus. The newly renamed Human Trafficking Teams of the Australian Federal Police are at the front line of tackling this problem. On behalf of the opposition, I wish to pay tribute to the teams’ men and women, who work so hard in very difficult circumstances, investigating trafficking cases and bringing them to court. Of course, we share their terrible disappointment when these prosecutions are not successful. We must remember that, where you find this type of crime, you will find other types of crime, and it is vitally important that the Australian Federal Police is properly resourced to do the job that is asked of it.

I am sure all members of this place will acknowledge that it is completely unacceptable for even one person to fall victim to this heinous crime of people trafficking. The coalition broadly supports the minister’s statement and believes that Australia does have a very important regional leadership role to play in this area and will continue to support any moves that this parliament adopts to combat this hideous crime.

COMMITTEES
Cyber-Safety Committee
Appointment

Mr SHORTEN (Maribyrnong—Assistant Treasurer and Minister for Financial Services and Superannuation) (10:41): I move:

That the House concur with the resolution of the Senate.

The Joint Select Committee on Cyber-Safety was established by resolution of the House on 29 September 2010 and the Senate on 30 September 2010. The committee tabled an interim report on 20 June 2011. The resolution of the Senate enables the committee to report from time to time but requires it to present its final report no later than 30 April 2013. I commend the resolution to the House.

Question agreed to.

Publications Committee
Report

Mr HAYES (Fowler) (10:42): I present the report of the Standing Committee on Publications sitting in conference with the Senate Standing Committee on Publications. Copies have been placed on the table and I seek leave to move a motion in relation to the report.

Leave granted.

Mr HAYES: I move:

That the report be agreed to.

This morning concluded the last meeting of the joint Publications Committee meetings for the year. I would like to thank my parliamentary colleagues who serve on that
committee from both this House and the other place. Much of the committee’s work goes unreported, other than the fact that the committee works very efficiently and effectively. As a consequence, not much is known or heard of about the Publications Committee.

As much as politicians would like to take responsibility for that, the staff of the committee do a fantastic job ensuring the efficiency and effectiveness of the committee in a way that delivers service to this place and the Senate. The staff, Mr Dennis Pecar, Ms Anna Gadzinski and Mr Matt Keele, have shown themselves to be thoroughly dedicated to their task and have demonstrated all their responsibilities in such a way that we should all be proud of their professionalism. Regularly when we talk about reports in this place we tend to actually talk about the substance and probably less about those who actually do contribute in such a real way to make these reports so effective. In the case of the Publications Committee I, together with my parliamentary colleagues serving on that committee, have not only faith but total admiration for the dedication and professionalism shown by the committee’s secretariat.

Question agreed to.

National Broadband Network Committee

Report

Mr OAKESHOTT (Lyne) (10:45): On behalf of the Joint Standing Committee on the National Broadband Network I present the committee’s report entitled Review of the rollout of the National Broadband Network—second report, together with the minutes of proceedings.

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

Mr OAKESHOTT: by leave—This is the second report to examine the detailed performance measures provided by NBN Co. and government. It allows direct comparisons to be made between the foundation documents of NBN Co.’s corporate plan 2011-13 and shareholder ministers’ letter to NBN Co. of 17 December 2011.

The committee noted the financial result of a lower than expected capital expenditure and higher than expected operating expenditure than set out in the NBN Co. corporate plan. These figures could be an early warning that it is costing NBN Co. more to do less than was forecast in the corporate plan.

The committee, however, has accepted that there are reasons for the differences, but it will watch these figures closely. Value for money for taxpayers is the critical key performance indicator in turning this good concept into an even better reality.

Because there are unresolved issues between various stakeholders and the Australian Competition and Consumer Commission, the NBN rollout time frame set out in NBN Co.’s corporate plan has slightly slipped. Providing certainty for markets, investors and consumers demands greater attention from government to resolve outstanding regulatory issues so that no further slippages occur.

If these outstanding matters can be addressed quickly, 2012 does have the potential to be the year of the NBN. The move from test sites to broader rollout will engage more people, and see more retail engagement and more innovative strategies and products introduced into Australia.

Regional and remote Australia will then finally have the opportunity, through the next steps of satellite, wireless and fibre-to-the-
premises, to be better engaged in the economy and services.

The committee's last recommendation called for better engagement with the NBN for low-income households and other disadvantaged groups, so that these opportunities can turn into real, ongoing and substantial change for the better in rural and remote communities.

Before making some general comments, I would like to summarise our other recommendations. The first of these asks the Department of Broadband, Communications and the Digital Economy to revise the presentation of its six-monthly reports on KPIs to enable information to be compared across years.

Recommendation 2 requests the department to review its clearance processes to ensure that answers to questions on notice asked by the 57 committee members are provided on the due date.

Two recommendations deal with a subject close to my heart, the rollout of the NBN in regional and remote Australia. Recommendation 3 urges NBN Co. to publicise as a matter of urgency its policy and costings for extensions to its planned rollout of fibre, so that isolated communities are aware of how much NBN Co. would charge them.

Recommendation 4 emphasises the importance of NBN Co.'s consultation about the rollout of the NBN. During its hearing in Broken Hill in July, the committee heard from several witnesses from that region about the lack of information from NBN Co. about the NBN generally and about likely connection dates.

While we are aware that the NBN is at an early stage of rollout, it should be clear that four of our five recommendations seek to improve the flow of information from NBN Co. and the department.

This focus arose from two concerns.

Firstly, while regional and remote Australia particularly needs reliable and fast broadband, communities all over the country have until recently had no idea when they might be connected to the NBN. While NBN Co. has a public education program, it was only with the release of its 12-month national rollout plan, on 18 October, that many communities had definite information on when they might be connected to the NBN.

The committee notes that NBN Co. plans to release its three-year indicative rollout 'early next year'. Annual updates, combined with education and consultation programs, may provide communities with greater certainty about likely connection dates.

Secondly, some of the delays in receiving material from the department have been unacceptable. The committee was concerned that, if these persisted, delays in the receipt of material on KPIs would continue to hamper its work of reviewing the rollout of the NBN.

While this report was being cleared through the committee, we became aware of a major change to the term of the interim agreement that retail service providers have to sign with NBN Co. Neither the department nor NBN Co. saw fit to advise us of this significant matter, as just one example of the process at the moment that the committee is concerned about.

I would like to thank all committee members, all 57 of them as I mentioned before, for continuing to focus on Australia's need for speed in the development of information communication technology over and above all other policy or political considerations, and what is one of the hotly contested issues in this place.

I would also thank the secretariat, who are here today, again for their work on what is a challenging public policy oversight role. As
it is the appropriate time of year at present, I say Merry Christmas to all in the secretariat and thank you for your ongoing work.

I commend the report to the House.

Mrs D’ATH (Petrie) (10:51): by leave—I rise to make a brief statement on the second report of the Joint Committee on the National Broadband Network on the rollout of the NBN. As the deputy chair of this committee, I would like to associate myself with the words of the chair, the member for Lyne, in tabling this report. This is the first report to deal more comprehensively with what has occurred to date in relation to the NBN rollout. The first report released by the committee was really a brief overview, while we awaited the first report of NBN Co.. This second report considers the NBN Co.'s report. Importantly, it notes that many of the rollout's milestones and targets have been met. In many areas there have been delays, as the chair has mentioned, and there are issues about competition and providers. We will continue to work through those issues in future reviews and reports.

Certainly, 2012 is going to be an important year for the NBN Co. rollout. We have welcomed the 12-month plan released by NBN Co., which is outlined in the second report. Importantly NBN Co. has advised the committee that early in the new year it will be releasing its three-year plan, which is eagerly awaited by the committee and the broader community. Everyone is very interested in knowing what the plan is for that rollout—which suburbs and households will get the benefit over the next three years of the NBN coming to their town. In this area people are not asking why we are doing it, but how quickly can we get it. That is why this three-year plan is so important.

The decisions of the ACCC are going to be very important in 2012. We are waiting on a number of those decisions—matters that are currently under consideration which will impact on the future of the NBN Co. rollout. I suspect that will be the subject of the committee's third report, which is due in June 2012. There are positive signs already as witnesses in the second report say that, due to structural separation, there are new providers coming in to providing greater competition. We hope to see more of that and it is something that is positive for the broader community.

Like the chair, I would also like to thank the secretariat and all members of the committee for all of their work this year. As deputy chair, I would also like to thank the chair of the committee for all of his work in trying to manage all the committee members. It is an interesting committee and a very important one. The NBN Co. rollout has major implications and benefits, not just for households but also for businesses, for education, for health. That is why this inquiry and these reports are going to be very important over the coming years as the NBN rolls out. I look forward to continuing my work with the committee. Once again, I thank all of those who have been involved, not just in the development of the second report but also in the ongoing work of the committee.

Mr Turnbull (Wentworth) (10:56): by leave—I join the chairman, the member for Lyne, and the deputy chairman, the member for Petrie, of the Joint Committee on the National Broadband Network in thanking the secretariat and wishing them and all the 57 members of the committee—as the chairman reminded us we have—a very Merry Christmas and a break from surveying the NBN for at least a few weeks over the holiday period.

However, I must observe that the quality of the reporting and accountability of the NBN Co. remains inadequate. This has been
the subject of some criticism and commentary in the report. There are fundamental questions associated with the rollout of the NBN that the NBN Co. has declined to respond to in any meaningful or cogent way. The NBN is so expensive because of the decision taken by the government to build this new telecommunications network, this new broadband network, by connecting households directly with fibre. It is well understood that the vast bulk of the cost of any new telecommunications rollout is the civil works and, obviously, the more of that civil work component there is, the more expensive it is. That is why in most markets around the world—almost all markets, in fact—telcos and governments are using a variety of technologies to get the most cost effective upgrade of broadband services that they can.

The committee has sought to get some coherent, detailed answers from the NBN Co. as to why it is not considering other technological approaches, in particular the approach of fibre to the node, which, as the House has heard me say before, in the UK will nonetheless deliver 80 megabytes per second speeds for the cost of a third or less of fibre to the home. That speed is way in excess of the speeds demanded or needed by households at the present time or for the foreseeable future. This is a fundamental question. The NBN Co.'s response has been simply to say: 'The government has told us to do fibre to the home and that's that.' Having said that and particularly in the constrained-capital circumstances of today with so many financial risks abounding, any company would and should be constantly reviewing the way in which it is seeking to achieve its objectives with a view to determining whether there are more cost effective approaches. One of the other issues associated with this that the report touches on but only briefly is the use of the hybrid fibre coax networks. Telstra's and Optus's hybrid fibre coax networks, which were built originally to deliver pay television and still do so in the case of Telstra's, pass about 30 per cent of Australian households. The Telstra network in Melbourne is currently running at 100 megabits per second and it is offering that very high-speed service. For a relatively modest additional cost, Telstra is going to upgrade its HFC network in other cities to 100 megabits per second. That is hardly surprising; everywhere in the world pay TV cable networks are used for the delivery of broadband services and, even where there is fibre-to-the-home cable, HFC cable is a very important competitor and a provider of facilities based competition.

Every other market encourages the cable to provide competition. Even in markets where fibre-to-the-home networks have been built, governments encourage the HFC owners to provide continuing facilities based competition. Not so in Australia; as we have seen with the Telstra agreement and the legislation supporting it, the NBN Co. will be a fixed line monopoly, and the government has spent billions of dollars to pay Telstra and Optus not to use their HFC network to provide broadband and voice services once the NBN is rolled out. This is not only an extraordinary act in terms of anti-competitive conduct and really quite at odds with policy everywhere else in the world where governments seek to promote that type of facilities based competition, but also extraordinarily wasteful.

I will conclude on the issue of waste. We should consider that 30 per cent of Australian households will very shortly be able to access 100 megabits per second broadband via the HFC networks that have already been built and paid for. In Melbourne and in other cities that is already available through Optus and Telstra. That
HFC network, at the expense of billions of dollars of taxpayers money, is to be rendered obsolete and effectively decommissioned so as not to provide broadband services in order to enable the NBN Co., spending yet more billions of dollars of taxpayers money, to build a fibre-to-the-home network which will provide, so it is promised, 100 megabits per second. In other words, billions of dollars will be spent so that households will have access to bandwidth at a speed which is exactly the same as they can get today from the HFC. That really sums up the wastefulness of this project.

The challenge that the committee faces is getting genuine accountability from the NBN Co. So far in the public hearings we have only heard from the Chief Executive, Mr Quigley, and I have to say getting information from the NBN Co. has been like drawing teeth. The NBN Co. has to do better than that. If it were a publicly listed company it would be much more transparent and much more accountable. The great irony of all of this is that, because the taxpayers of Australia own this company, it is reluctantly accountable and accountable to a much lesser degree than if it were owned by a bunch of pension funds or foreign pension funds and listed on the Australian Stock Exchange. Our resolution as a committee for the new year should be to try to get the same level of transparency and accountability from the NBN Co. as a publicly listed company does—as, for example, Telstra provides. In doing so we should hope—and this may be a triumph of hope over experience, but it is the festive season, the season of hope—that the government would support us in that endeavour.

Mr HARTSUYKER (Cowper) (11:04): by leave—I take this opportunity to make a few remarks in relation to the report of the National Broadband Network committee because the committee has the very important function of informing the parliament of the progress of the project. I think the report fails insofar as it does not address the key issues of time, cost and revenue—the three keys to this project—in a meaningful way so that the Australian people can draw meaningful conclusions as to how the project is going in relation to the original corporate plan and in relation to its budget.

It is vitally important that the ultimate format of the report reflect this progress. As a committee of the parliament, we have a responsibility to advise taxpayers and the parliament on where the project sits in relation to its progress. My concern is that in a number of key areas the report is deficient. It provides a great deal of information, most of which is already publicly available, and it aggregates that information in a useful format as far as it goes. But there are a couple of key points which are missing. The first point is in relation to the cost of the project and the risk to which the taxpayer is exposed.

We saw the abandonment of the initial tendering process for major contracts back on 1 April this year. The NBN Co. had gone out to the market, had received prices from 14 tenderers within the industry but was unable to get a tender which met its budget expectations. That tender process was abandoned and subsequently a deal was concluded with Silcar. NBN Co. advised the deal was within the budget parameters. The committee and the parliament do not know how that was achieved. We do not know what ‘within budget' strictly means. We all take a literal interpretation of what ‘within budget' means, but we do not know the sorts of risks that the Australian taxpayer has been exposed to in order to meet that within the budget classification.

We may have substantial risk in relation to extension of time. We may have
substantial risk in relation to industrial disputation or escalation of labour rates. We may have substantial risk in relation to the increased cost of materials. We just do not know. I think it is incumbent on NBN Co. and on the government to allow the sort of reporting which would enable the committee to do its job and to report back to the parliament on that very important issue.

On the issue of time—a vitally important issue—the report fails to be provided by NBN Co. with accurate programming information so that the parliament and the Australian people can monitor the progress of the project against the projections that NBN Co. makes, and so that the parliament and the people of Australia can be aware of any potential risks in relation to time blow-outs on the project, which ultimately manifest themselves in cost blow-outs. We do not have that sort of detailed programming information across each of the sites or across each of the individual projects within the project itself; we just do not have that detail. We have some general narrative as to which projects are progressing or which projects have been commenced, but we do not have a detailed programming document that allows the reader to sit down and say, 'Well, the work in Kiama is three weeks ahead of schedule,' or 'The work in Armidale has been completed on time,' or whatever the case may be. The reader of this report cannot determine the status of the project in relation to time.

The third point I would like to touch on is the issue of take-up rates. The report is grossly inadequate in relation to the take-up of the project. Senator Conroy has been out in the media arguing that, because only two per cent of the people in Armidale have sought to take up the NBN within a particular area, that is irrelevant with regard to the fact that ultimately there will be a switchover and ultimately those people will be forced onto the NBN—so what is the worry?

The worry is that the current take-up rates are a very good test marketing exercise and a very good indication of the likely demand for upmarket packages. If people are not rushing to get the basic package of 12 megabits per second, it stands to reason that there is not going to be a great deal of demand for packages beyond 12 megabits per second, and therefore the additional revenues necessary to underpin the project will not be received.

I think that these are three very important points that need to be addressed in ongoing reports. I certainly hope that will be the case. I certainly hope that the NBN Co. will be far more transparent in its dealings with the committee into the future and I look forward to improved information being provided to the parliament in future reports.

The ACTING SPEAKER: Does the member for Lyne wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr OAKESHOTT: I move:

That the House take note of the report.

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

Report and Reference to Main Committee

Mr OAKESHOTT: by leave—I move:

That the order of the day be referred to the Main Committee for debate.

Question agreed to.

Public Accounts and Audit Committee Report

Mr OAKESHOTT (Lyne) (11:10): On behalf of the Joint Committee of Public Accounts and Audit I present the following

I ask leave of the House to make a short statement in connection with the reports.

Leave granted.

Mr OAKESHOTT: On 9 February 2011 the committee agreed to conduct an inquiry into the national funding agreements between the Commonwealth and the states and territories. The inquiry focused on the implementation of the Intergovernmental Agreement on Federal Financial Relations. This agreement came into effect on 1 January 2009 with its key features including: rationalisation of the number of agreements, a shift from an inputs focus to an outcomes focus, and increased flexibility for the states and territories. The committee has an ongoing interest in achieving value for money for the Australian taxpayer and felt that the distribution of the $45.5 billion in payments for specific purposes under the intergovernmental agreement deserved some parliamentary scrutiny.

We found that there was overall support for the new framework and its underlying principles and intent. The committee believes that the new agreement is a significant milestone in federal financial relations and that it has the potential to alleviate some of the historic confusion and discontent within Commonwealth-state relations.

However we also found that the implementation of the agreement leaves much to be desired. In particular there were shortcomings with the performance reporting framework, the establishment of key performance indicators and the collection and quality of data. The committee's inquiry also found that the cultural change needed across the Public Service has been slow and that inadequate parliamentary oversight also needs attention.

Performance reporting is critical to measuring success, and the committee believes that more work needs to be done. To start with, valid key performance indicators must be developed, followed by the timely collection of better quality data and, finally, this data must be interpreted in a meaningful way. It is essential that KPIs are measurable, relevant and directly related to outcomes. While initiatives are underway to improve performance reporting, more needs to be done. The committee has recommended that efforts are made to streamline reporting by developing a single report for use by multiple agencies and establishing a core set of standard data requirements across key areas.

The need for cultural change is another crucial element to ensure the full implementation of the framework's principles. We are aware that cultural change across the Public Service will take time, but it is urgent that the change is actively promoted and encouraged. We have made recommendations to encourage and enforce the application of the underlying principles of the new framework including using staff training to foster cultural change.

Parliamentary scrutiny plays an important role in ensuring value for money for the Australian taxpayer. National funding agreements are typically negotiated at an executive-to-executive level, only sometimes receiving parliamentary oversight after signing. As the committee, we found that despite high-level mechanisms for parliament and the public to scrutinise this funding, these mechanisms do not provide an
adequate picture of national funding agreements. The committee has therefore made a range of recommendations to enhance scrutiny of the overall process. This includes the tabling of key reviews and reports such as those by the COAG Reform Council and the Productivity Commission. Government statements in reply should also be tabled and the committee has asked for an annual statement by the Prime Minister outlining the contribution of national funding agreements to the wellbeing of all Australians.

The Commonwealth and the states and territories are always going to hold differing perspectives on the best way for funds to be transferred and the balance of roles and responsibilities across jurisdictions. We have even seen some of that played out publicly over the last week. We believe, though, that if implemented effectively the federal financial relations agreement will provide a means to reconcile these differences. It is therefore important to acknowledge the problems identified with the implementation of the framework during this inquiry and also a number of related external reports with similar findings. With this in mind, the committee urges the Commonwealth government to seize the opportunity to take consolidated action to address the issues raised within the framework. With these changes, Australia will be well positioned to continue on the reform pathway in the coming decade.

On Auditor-General's reports Nos 16 to 46, the Joint Committee of Public Accounts and Audit, as prescribed by its act, examines all reports of the Auditor-General and reports the results of the committee's deliberations to the parliament. This report details the findings of the committee's examination of the 2009-10 financial statements of the Australian government entities plus three performance audits selected for further scrutiny from the 31 audit reports presented to the parliament between November 2010 and May 2011.

The Public Accounts and Audit committee reviewed several audits by the Auditor-General to gain a broad perspective on the operational effectiveness of Australian government departments and agencies, including audits of the financial statements of Australian government entities: the Digital Education Revolution program, the National Secondary Schools Computer Fund, maintenance of the Defence estate and management of student visas.

We were pleased to see another year of positive results for the financial statement audits of Australian government entities. However, to further improve transparency, the committee has asked the Department of Finance and Deregulation to look into improved cross-agency and cross-jurisdictional financial reporting as part of the Commonwealth financial accountability review.

The National Secondary School Computer Fund looks set to meet its target of providing all students in years 9 to 12 with a computer by the start of the 2012 academic year, but evaluation mechanisms are still unclear. The committee has recommended the Department of Education, Employment and Workplace Relations publicly release the 2012 mid-program review findings within three months of completion. With $20 billion at stake and reports of deteriorating assets due to management issues and a lack of funding, the committee also heard that the management and maintenance of the Defence estate was improving. To ensure progress continues, we have recommended Defence provide a status report to the committee within six months. We have also asked for a progress report on the student visa program from the Department of
Immigration and Citizenship and the Department of Education, Employment and Workplace Relations within six months in light of the recent release of the government's response to two major reviews impacting the program and a history of incomplete or unimplemented reviews and evaluations.

Overall, this inquiry has demonstrated that Australian government departments and agencies are well positioned to continue meeting their financial management obligations. It is also clear that the departments reviewed are making progress in addressing outstanding issues highlighted in the ANAO reports. However, there are still areas of concern. We have seen examples of rushed implementation of programs at the expense of whole-of-project planning and reviews undertaken at significant cost to the taxpayer that remain either incomplete or only partially implemented. I encourage other departments and agencies across the Australian Public Service to learn from the findings of these inquiries. In doing so, I stress to all agencies the importance of reflecting not only on their own performance but also on the challenges, achievements and creativity of others so as collectively find new and better ways to deliver services to Australians.

Finally, on the review of the 2009-10 Defence Materiel Organisation major projects report, by convention the Public Accounts and Audit Committee regularly tables government responses to its reports in the form of executive minutes. In tabling the government response to the committee's report No. 422, I wish to note the committee's initial concerns with the content of the response. In particular, I note the response to the key recommendation of the report is not to be delivered until March 2012 when the committee requested it by 31 August 2011—a delay of around six months. The committee will be taking up these issues with the minister.

In closing, I sincerely thank each committee member for the bipartisan spirit in which work continues to be done on these inquiries and the ongoing focus on better public administration for Australians. As well, as it is Christmastime and because a lot of work has been done, I also thank the secretariat of the JCPAA for their good work and welcome the impending birth of the first baby of the committee secretary Mr David Brunoro. I commend the reports and the government response to the House.

The ACTING SPEAKER: Does the member for Lyne wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr OAKESHOTT: I move:

That the House take note of the report.

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

Report and Reference to Main Committee

Mr OAKESHOTT: by leave—I move:

That the orders of the day be referred to the Main Committee for debate.

Question agreed to.

BUSINESS

Orders of the Day

Mr ALBANESE: I move:

That the following Main Committee orders of the day, private Members' business, be returned to the House for further consideration:

No. 7—Occasional Care Child Care Funding,
No. 8—Dairy Industry, and
No. 9—Boycotts, Divestment and Sanctions campaign against Israel.

Question agreed to.
Rearrangement

Mr ALBANESE: by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the following orders of the day, private Members' business, being called on, and considered immediately in the following order:

Motion relating to the bombing of Darwin;
Motion relating to the dairy industry;
Motion relating to the Boycotts, Divestment and Sanctions campaign against Israel;
Motion relating to occasional care child care funding; and
Motion relating to GST revenue for Western Australia.

Question agreed to.

PRIVATE MEMBERS' BUSINESS

Bombing of Darwin

Debate resumed on the motion:

That this House:

(1) acknowledges 19 February 1942 as the day Darwin was bombed and marks the first time Australia was militarily attacked by enemy forces;

(2) reflects upon the significant loss of life of Australian Defence personnel and civilians during the attacks and casualties of the bombings;

(3) recognises that the attack remained a secret for many years and that even today, many Australians are unaware of the bombing of Darwin and the significant damage and loss of life which resulted;

(4) also recognises the campaign of coordinated bombings against northern Australia involving 97 Japanese attacks from Darwin, to Broome and Wyndham in the west, to Katherine in the south, to Townsville in the east over the period February 1942 to November 1943; and

(5) calls for 19 February of each year to be Gazetted as 'Bombing of Darwin Day' and be named a Day of National Significance by the Governor-General.

Mrs GRIGGS (Solomon) (11:23):

Before I begin my remarks on the motion, I would first like to pay special tribute to the former Speaker, the member for Scullin. I thank him for his humour and patience with all of the new members of this House.

I am delighted that the Prime Minister, the Minister for Veterans' Affairs and the Labor Party have finally come on board to support this motion on the bombing of Darwin moved by the coalition earlier this year. My motion was never about politics; it is all about my community. My local community is passionate about the commemoration of the bombing of Darwin and about ensuring that all Australians understand our contribution to the defence of Australia in the darkest days of World War II.

The bombing of Darwin was the first time Australia was attacked by enemy forces. Bombing raids by Japanese forces over Darwin continued for many months and extended to other northern Australian cities, including Broome, Cairns and Townsville. More than 250 people were killed in the attack on Darwin and many more were injured. A United States Navy destroyer, the USS Peary, was also sunk in Darwin Harbour, one of eight vessels sunk that day. More bombs were dropped by the Japanese on Darwin than on Pearl Harbour 10 weeks earlier. The significance of this event was further highlighted only last week by US President Obama, who visited my electorate to lay a wreath on the USS Peary memorial site, and he noted that the bombing of Darwin in 1942 was Australia's Pearl Harbour.

Since my first days in this parliament I have been a vocal advocate of Australians better understanding the bombing of Darwin and the role Territorians played in the defence of Australia during World War II. I thank the Leader of the Opposition for working closely with me on this initiative, which is something I worked on prior to and
after my election to parliament some 15 months ago. Today's outcome is also a significant event for Dr Tom Lewis of the Darwin Military Museum. He has worked tirelessly for a number of years to raise awareness of this event and he was one of the key members of the public who lobbied me to make sure that I brought it to the attention of the House.

I also acknowledge Darwin Lord Mayor Graeme Sawyer and his aldermen, who have also been instrumental in ensuring that I raise awareness of this very, very important date in our history. I am delighted that this motion is going to be supported and that it has come in time for the 70th anniversary of the bombing of Darwin. I acknowledge the efforts of all the people who have raised awareness of this event. I thank my colleagues Senator Scullion and Senator Ronaldson, who were able to have the same motion passed in the Senate. From now on, 19 February each year will be recognised by all Australians as a day of significance.

I thank the House and in particular my coalition colleagues for their support. I commend the motion to the House.

**Question agreed to.**

**Dairy Industry**

Debate resumed on the motion:

That this House notes the importance of the dairy industry to the health and well being of Australia.

**Question agreed to.**

**Israel**

Debate resumed on the motion:

That this House:

(1) condemns the:

(a) Boycotts, Divestment and Sanctions campaign against Israel; and

(b) targeting of Max Brenner chocolate cafes as part of this campaign;

(2) rejects this tactic as counterproductive to the promotion of the rights of Palestinians;

(3) reiterates Australia's support for the two-state solution and the right of the Israeli and Palestinian people to live peacefully within internationally recognised borders; and

(4) urges the leaders of the Israeli and Palestinian people to resume direct negotiations.

**Question agreed to.**

**Child Care**

Debate resumed on the motion:

That this House:

(1) notes that:

(a) in the 2010-11 Budget, the Gillard Government has not considered the implications of removing Commonwealth funding for Occasional Care Child Care; and

(b) the consequence of ceasing this funding has caused Australian families real hardship as they struggle to find alternative sources of child care;

(2) acknowledges that:

(a) there are no other Commonwealth funded forms of child care to fill this void; and

(b) withdrawal of this funding has resulted in job losses in the industry; and

(3) calls on the Government to reinstate Commonwealth funding for Occasional Care Child Care.

**Mr Bandt:** I seek leave to briefly speak again in this debate to move an amendment.

Leave not granted.

**Question agreed to.**

**Goods and Services Tax**

Debate resumed on the motion:

That this House:

(1) notes that:

(a) Goods and Services Tax (GST) revenues are distributed to the States and Territories in accordance with a formula driven by Horizontal Fiscal Equalisation (HFE) principles and are legislated for in the Federal Financial Relations Act 2009;
(b) for 2010-11, Western Australia received just 68 per cent of what it would have received if GST revenue was distributed across Australia on a per capita basis—the lowest relativity applied to any State since the formula was introduced; and

(c) every other State and Territory, by contrast, received not less than 91 per cent of what it would have received if GST revenue was distributed evenly across Australia; and

(2) calls on the Government to amend the Act to stipulate a minimum GST revenue-sharing relativity of 75 per cent, which would allow continuing respect for the principles of HFE, but with proper recognition for population, and without Western Australia being unfairly penalised for its disproportionate contribution to our national economic prosperity.

to which the following amendment was moved:

That the House: deletes paragraph (2) of the motion and substitutes:

(2) calls on the Government to refer the matter of the minimum share of GST allocated to Western Australia to the GST Distribution Review for further consideration and analysis.

Question put:

That the amendment (Dr Washer's) be agreed to.

The House divided. [11:34]

(The Acting Speaker—Hon. Peter Slipper)

AYES

Roy, WB
Scott, BC
Simpkins, LXL
Somlyay, AM
Truss, WE
Turnbull, MB
Washer, MJ

Ayes.....................40

NOES

Adams, DGH
Bandt, AP
Bowen, CE
Brodtmann, G
Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
Dastyari, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Geoghegan, S
Gray, G
Griffin, AP
Hayes, CP
Jenkins, HA
Katter, RC
King, CF
Livermore, KF
Macklin, JL
Melham, D
Murphy, JP
Oakeshott, RJM
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Rudd, KM
Shorten, WR
Smith, SF
Snowdon, WE
Symon, MS
Vamvakoc, M
Windsor, AHC

AYES

Baldwin, RC
Bishop, BK
Briggs, JE
Coulton, M (teller)
Entsch, WG
Gambaro, T
Hartsuiker, L
Jensen, DG
Kelly, C
Marino, NB
Matheson, RG
O'Dowd, KD
Pyne, CM

Ayes.....................40

NOES

Albanese, AN
Bird, SL
Bradbury, DJ
Burke, AE
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Crook, AJ
D'Ath, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Grierson, SJ
Hall, JG (teller)
Hsieh, EN (teller)
Jones, SP
Kelly, MJ
Leigh, AK
Lyns, GR
Marles, RD
Mitchell, RG
Neumann, SK
O'Connor, BPJ
Parke, M
Pilcher, TJ
Rishworth, AL
Roxon, NL

Ayes.....................40

NOES

Abbott, AJ
Andrews, KL
Ciobo, SM

Ayes.....................40

PARIS

Gillard, JE
O'Neil, DM
Thomson, KJ

Ayes.....................40
Question negatived.

The ACTING SPEAKER: The question now is that the motion be agreed to.

A division having been called and the bells having been rung—

The ACTING SPEAKER: As there are fewer than five members on the side of the ayes, I declare the question negatived in accordance with standing order 127. The names of those honourable members who are in the minority will be recorded in the Votes and Proceedings.

Question negatived, Mr Crook and Mr Katter voting aye.

Mr Katter: Mr Acting Speaker, I really think I should count for two, you know!

The ACTING SPEAKER: I am sure that no-one would ever suggest that the honourable member for Kennedy does not make his presence felt!

BILLs

Parliamentary Service Amendment (Parliamentary Budget Officer) Bill 2011
Tax Laws Amendment (2011 Measures No. 8) Bill 2011
Higher Education Support Amendment Bill (No. 2) 2011
National Residue Survey (Excise Levy Amendment (Deer) Bill 2011
Indigenous Affairs Legislation Amendment Bill (No. 2) 2011
Defence Legislation Amendment Bill 2011

Returned from Senate

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

Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate’s amendments—

(1) Clause 2, page 2 (table item 2), omit the table item, substitute:

2. Schedule 1 The day after the end of the period of 6 months beginning on the day this Act receives the Royal Assent.

(2) Schedule 1, item 17, page 7 (line 2), omit "If there is any inconsistency in", substitute "In".

(3) Schedule 1, item 19, page 7 (lines 18 and 19), omit paragraph 60CC(3)(k), substitute:

(k) if a family violence order applies, or has applied, to the child or a member of the child’s family—any relevant inferences that can be drawn from the order, taking into account the following:

(i) the nature of the order;
(ii) the circumstances in which the order was made;
(iii) any evidence admitted in proceedings for the order;
(iv) any findings made by the court in, or in proceedings for, the order;
(v) any other relevant matter;

(4) Schedule 1, item 22, page 9 (line 21), omit "if there is any inconsistency".

(5) Schedule 1, item 45, page 15 (line 9), omit "Subject to item 47, the", substitute "The".

(6) Schedule 1, item 45, page 15 (line 11), omit "whether instituted before," substitute "instituted".

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CHAMBER
Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (11:46): I move:

That the amendments be agreed to.

Today this chamber considers amendments to the Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011 passed by the Senate last night. This government is unequivocally of the view that family violence and abuse of children are entirely unacceptable. The amendments respond to recommendations of the Senate Legal and Constitutional Affairs Legislation Committee. These amendments will simplify the bill, deliver certainty for litigants and ensure relevant information about the risk of family violence and abuse of children can be considered by the courts.

Amendments (2) and (4) simplify the provisions outlining the relevant weighting to be given in assessing the primary considerations used to determine a child’s best interests. They continue to support the principle that the protection of children from harm should be given the most weight in decision making. They do not alter the focus on the child having a meaningful relationship with both parents, particularly where there is no risk of harm to the child. Amendment (2) amends the provisions which govern how the family courts determine what is in the best interests of a child. Amendment (4) ensures that people who are resolving their parenting arrangements outside the family courts, who are the vast majority of parents, also receive clear and consistent advice about how they should determine their child’s best interests.

Amendment (3) provides for the courts to look, in appropriate cases, at both current and past family violence orders that apply to the children or members of their family. It also recognises that the relevant evidence to consider in assessing a child’s best interests relates to the circumstances which led to the making of a family violence order rather than the mere existence of the order itself. Amendments (1), (5) and (6) will in combination deliver certainty to the litigants in the family law system about what law will apply to their parenting proceedings.

There will be a clear start date for the amendments in schedule 1 of the bill. This will be six months after royal assent. This time frame reflects the need of the family courts to update their rules and to allow the government to implement an education campaign on the effect of the changes in this bill. The other amendments to item 45 of the bill have the effect of applying the changes prospectively to those matters instituted on or after the commencement date. Without this amendment, only a very limited degree of certainty could be provided to litigants. These are important reforms to protect children and families from family violence and child abuse. I commend the amendments to the House.

Question put.

The House divided. [11:54]

(The Acting Speaker—Hon. Peter Slipper)

Ayes ...................... 72
Noes ...................... 68
Majority ................. 4

AYES

Adams, DGH  Albanese, AN
Bandt, AP  Bird, SL
Bowen, CE  Bradbury, DJ
Brodman, G  Burke, AE
Burke, AS  Butler, MC
Byrne, AM  Champion, ND
Cheeseman, DL  Clare, JD
Collins, JM  Combet, GI
Crean, SF  Danby, M
D’Ath, YM  Dreyfus, MA
Elliot, MJ  Ellis, KM
Emerson, CA  Ferguson, LDT
Ferguson, MJ  Fitzgibbon, JA
Garrett, PR  Georganas, S
Gibbons, SW  Gray, G
Grierson, SJ  Griffin, AP
Hall, JG (teller)  Hayes, CP
AYES

Husic, EN (teller)  Jenkins, HA
Jones, SP           Kelly, MJ
King, CF            Leigh, AK
Livermore, KF       Lyons, GR
Macklin, JL         Marles, RD
Melham, D           Mitchell, RG
Murphy, JP          Neumann, SK
Oakeshott, RJM      O’Connor, BPJ
Owens, J            Parke, M
Perrett, GD         Plibersek, TJ
Ripoll, BF          Rishworth, AL
Rowland, MA         Roxon, NL
Rudd, KM            Saffin, JA
Shorten, WR         Sidebottom, PS
Smith, SF           Smyth, L
Snowdon, WE         Swan, WM
Symon, MS           Thomson, CR
Vannvakinou, M      Wilkie, AD
Windsor, AHC

NOES

Turnbull, MB
Van Manen, AJ
Washer, MJ

Tudge, AE
Kelly, EA
Leigh, AK
Lyons, GR
Marles, RD
Mitchell, RG
Neumann, SK
O’Connor, BPJ
Parke, M
Plibersek, TJ
Rishworth, AL
Roxon, NL
Saffin, JA
Sidebottom, PS
Smyth, L
Swan, WM
Thomson, CR
Wilkie, AD
Zappia, A

PAIRS

Gillard, JE
Abbott, AJ
McClelland, RB
Haase, BW
O’Neill, DM
Andrews, KL
Thomson, KJ
Ciobo, SM

Question agreed to.

REGISTER OF MEMBERS' INTERESTS

Ms BURKE (Chisholm) (11:59): As required by resolution of the House, I table copies of notifications of alterations of interests received during the period 7 July 2011 to 23 November 2011.

BUSINESS

Rearrangement

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (11:59): I move:

That notice No. 2, government business, be postponed until a later hour this day.

Question agreed to.

COMMITTEES

Public Works Committee

Reference

Mr GRAY (Brand—Special Minister of State for the Public Service and Integrity and Special Minister of State) (12:00): I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development and construction of housing for the Department of Defence at Ermington, New South Wales.

Defence Housing Australia proposes to develop a 16.3-hectare infill broadacre site in the Sydney suburb of Ermington, New South Wales.
Wales. The site was formerly a naval stores depot. I commend the motion to the House.

Question agreed to.

Public Works Committee

Reference

Mr GRAY (Brand—Special Minister of State for the Public Service and Integrity and Special Minister of State) (12:01): I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Development and construction of housing for the Department of Defence at Rasmussen, Townsville, Queensland. Defence Housing Australia, DHA, proposes to develop a 99-hectare site in the Townsville suburb of Rasmussen in Queensland. The site is owned by DHA. I commend the motion to the House.

Question agreed to.

BUSINESS

Rearrangement

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (12:01): I understand that it would suit the convenience of the House to suspend proceedings—certainly, it would suit the convenience of the Clerk, who has a responsibility to fulfil if there is a short suspension—until the ringing of the bells. My understanding from the Clerk is that that will be in just under half an hour.

Sitting suspended from 12:03 to 12:43

PARLIAMENTARY OFFICE HOLDERS

Speaker

The Clerk: Honourable members, I have received the following communication from Her Excellency the Governor-General:

I desire to inform the House of Representatives that I have received a letter dated 24 November 2011 from Mr Jenkins MP tendering his resignation as Speaker of the House of Representatives, and that I have accepted his resignation.

Accordingly, I invite the House to elect a new Speaker.

The next business is the election of a Speaker.

Mr MELHAM (Banks) (12:44): Mr Clerk, I move:

That the honourable member for Fisher, Peter Slipper, do take the chair of this House as Speaker.

Mr Clerk, I was first elected to this place on 24 March 1990 and I have had the opportunity to observe seven Speakers during that time. I want to say something in the first instance about the immediate past Speaker. I regard Mr Jenkins as having served with distinction in this House—Honourable members: Hear, hear!—Mr MELHAM: doing himself and his party proud and more importantly doing this parliament proud. Honourable members: Hear, hear! Mr MELHAM: I am proud also to call him a friend.

In relation to Mr Slipper, I moved on 28 September 2010 his nomination as Deputy Speaker of this place, and he was successful in that nomination. He has been Deputy Speaker since that time. If one goes to the Parliamentary Handbook one will see that he is eminently qualified to occupy the position of Speaker. He has been on the Speaker's panel since 18 February 2008. He was Parliamentary Secretary to the Minister for Finance and Administration from 21 October 1998 to 26 October 2004. He was acting parliamentary secretary to the Prime Minister from 14 March 2002 to 7 October 2003.

But I particularly want to talk about his service since he has been Deputy Speaker of this place, since 28 September 2010, and I do
it through the prism of having served on the
Privileges Committee, having served on the
Procedures Committee of this House and
having a strong love of the procedures of this
place. Mr Slipper has impressed—because it
has been a difficult position. He has not been
intimidated. He has acted with independence
and impartiality. He has, I think, incurred the
wrath of some of those opposite with some
of his actions, because he has observed the
rules of this place.

So when one looks to who is to replace
former Speaker Jenkins, one has to say: who
is best capable of keeping the House in
order? I say, without hesitation, that Mr
Slipper, the member for Fisher, fits that
bill—and fits it impeccably in terms of his
service to this House.

I observed a press conference today that
seemed to indicate that the opposition
believe that the Speaker should come from
the government side of the House—as if it
were some convention, writ large. Let me
say to all members of the House: that is fine
but let us not rewrite history and let us not
rewrite what those opposite have done.
One of the first acts I was involved in when I was
first elected to this parliament was the
election of the then Speaker for that
parliament. We actually had an election. The
Liberal Party actually nominated one of their
own for Speaker—Mr Dobie, who was
defeated 79 to 67 on 8 May 1990. So the
view of the Liberal Party at that stage was
that they felt that one of their own was better
to be Speaker, and it became a matter for the
House. So it was not an unopposed position.
Was it an accident in 1990? No; it was
repeated.

Opposition members interjecting—

Mr MELHAM: I am arguing here why
Mr Slipper qualifies for the position of
Speaker, notwithstanding that he is not a
member of this government. On 4 May 1993
there was another election for Speaker where
Mr Dobie was again put up, and he was
defeated by Speaker Martin by 78 to 63. So
this notion—this recent invention—that the
Speaker has to be a member of the
government is not what the opposition used
to think.

You have to have a long memory in this
game and, fortunately, because I have almost
22 years of experience in this place, I
remember some events past—and we have
also got the honourable member for
Berowra, the Father of the House, who
knows it was usual in the early days for the
opposition to put up one of their own. I do
not decry that; there is nothing wrong with
that. But I am not going to stand here and
allow it to be unchallenged that something is
wrong because the Speaker does not come
from the governing party.

So, Mr Clerk, I say to you that I believe in
the time that Mr Slipper has occupied the
position of Deputy Speaker he has shown
that he is worthy of being elected to the
position of Speaker in the way that he has
run this place. I believe he will be a good,
independent Speaker, which is what this
House needs.

The Clerk: Is the motion seconded?

Mr DANBY (Melbourne Ports) (12:49): I
second the motion. I have the honour of
seconding this nomination of Mr Slipper.
First of all, I would like to join the member
for Banks in my sincere regret that Mr
Jenkins, the member for Scullin, is leaving
his position. I would like to restate that he
has not just done the parliament proud but
also done his party proud. We have all, in the
very difficult circumstances of a hung
parliament, had as Speaker a man whom I
believe has exercised his responsibilities
with all the neutrality and goodwill that he
can.
Anyone who has observed Mr Slipper as Deputy Speaker in the period of this very difficult hung parliament would have to say—whether one knew him well beforehand or not—that he has also exercised a knowledge of procedure and fairness to a very great extent. If one observed his knowledge of standing orders and procedures, one would know that he is, just as the member for Banks described him, a man who, with his knowledge of procedure, is perfectly fit for the role of Speaker.

As many people in this House know, when you are a parliamentarian you make unlikely friendships. There are people on both sides of politics who become knowledgeable of each other. Over the last years I have got to know Peter Slipper—and his very charming wife Inge, who I hope is here to participate in this honour to him—and I have observed a man who has been attacked by his local media but who in this parliament has behaved extremely honourably and has discharged his duties well. Despite his reputation in the local newspapers—which have seemed to me to have political axes to grind—he has a great affinity with human rights. He and I have travelled together to India and into the foothills of the Himalayas to meet His Holiness the Dalai Lama. Mr Slipper, in the role of Speaker, will have to exercise a great deal of diplomatic dexterity, which I am confident, with his knowledge of international affairs and of people of other places, he will exercise. That is a very important role for the Speaker along with his performance in the House.

Mr Chester: Only two minutes to go, Michael!

Mr DANBY: I am pleased to get all of the interjections from across the aisle. They interject because they find the political circumstances of this nomination very uncomfortable, and I can understand that. I am not going to extend their discomfort any further. I have the great honour of seconding the nomination of Mr Slipper, the member for Fisher, as the Speaker, joining my good friend the member for Banks in that nomination.

The Clerk: Does the honourable member for Fisher accept the nomination?

Mr Slipper: Mr Clerk, I accept the nomination.

The Clerk: Is there any further proposal?

Mr PYNE: Mr Clerk, I nominate the honourable member for Chisholm, Ms Burke, and I move:

That the member for Chisholm do take the chair of this House as Speaker.

Mr Clerk, it is my honour to move the nomination of the member for Chisholm, because that is the orthodox political position of the Westminster parliamentary system. This is the first time that a government has not nominated one of their own to be Speaker of this parliament. I heard the member for Banks trying to find some kind of alibi for what he knows has been an extraordinary day in Australian politics, and I respect the member for Banks. Without reflecting on the member for Fisher, I say that the member for Banks, the member for Melbourne Ports and all members of this parliament with any experience know that it is utterly unprecedented for the government not to follow the Westminster tradition of nominating one of their own members to be Speaker of the parliament.

The member for Banks referred to precedents in past years of members of the opposition who have been nominated for Speaker, but the point that he did not make is that on all of those occasions a member of the government was also nominated and that on all of those occasions the opposition could not possibly be successful in its
nomination. The tradition of the Westminster system has always been in this country that a member of the government is nominated and a member of the opposition is nominated and that the person who comes second in those ballots usually takes the role of either Deputy Speaker or Second Deputy Speaker. My good friend the member for Cook in those days, Mr Dobie—I happened to be in the parliament in 1993; I have been here almost as long as the member for Banks—was nominated and he knew full well that he would not be elected as Speaker. This is the first time in this country that the government has decided to nominate a member of the opposition, and we all know why.

I nominate the member for Chisholm today because the member for Chisholm is, quite correctly, a member of the government and should take the chair as Speaker. The member for Chisholm has been the Deputy Speaker before in this parliament, from 2008 to 2010. Since that time—since the government did not re-elect her as Deputy Speaker after the minority parliament began—she has served on the Speaker’s panel. I have served with the member for Chisholm on parliamentary committees in this parliament for many years. The member for Chisholm is a member of integrity and honesty who would fill the role of Speaker with absolute aplomb. She deserves to be nominated by the government for Speaker, not by the opposition, but I will nominate her in the absence of the government following the Westminster traditions upon which this parliament is based.

It grieves me that the former Speaker, Mr Jenkins, has retired today as Speaker of this parliament. I have had a topsy-turvy relationship with the member for Scullin over the period that I have been Manager of Opposition Business, but I think he has always been fair and reasonable. I have sometimes been known to say to him that, if I were him, I would have thrown me out more often than he did!

In praising the member for Scullin, can I say how disappointed I am, on behalf of the opposition and on my own behalf, that he has chosen to retire prematurely. He should have, in my view, served out his term as Speaker until whenever it finished. He was doing the job as well as anybody could be expected to do in a minority parliament. I will not reflect on the reasons for his resignation. I accept the statement that he has made to the parliament today. In doing so, I conclude my remarks and urge members of the House to support the member for Chisholm.

The Clerk: Is the nomination seconded?

Mr Hartsuyker: Mr Clerk, I second the nomination of the member for Chisholm.

The Clerk: Does the member for Chisholm accept the nomination?

Ms Burke: Given that it was such a gracious nomination, I am loath to say it, but I do not accept the nomination.

The Clerk: Is there any further proposal?

Mr PYNE: I move:

That the member for Lyons, Mr Adams, do take the chair of this House as Speaker.

I am disappointed that the member for Chisholm has refused the nomination. She would have been assured of my support and the support of the opposition. I believe she would have fulfilled the role with all the capacity that she has brought to this parliament since she was elected.

But, in the absence of the member for Chisholm accepting nomination, it gives me great pleasure to nominate the member for Lyons as Speaker of this House. I do so because the conventions of this parliament are that a member of the government takes the role of Speaker, in our Westminster tradition.
Mr Melham: Mr Clerk, I have a point of order.

Mr PYNE: Member for Banks, the Clerk will not entertain a point of order during these speeches and you should not place him in that position, as you well know.

As we know in this parliament, the Westminster tradition dictates in this country that a member of the government is nominated for, and usually elected as, Speaker. The member for Lyons has served in this parliament since 1993. He was elected in the same election as I was elected and he has been re-elected on many occasions since that time. He has been a member of the Speaker's panel of this place since 1996. For 15 years he has been a member of the Speaker's panel of this place and, of course, in the Tasmanian state parliament he was the Chairman of Committees and Deputy Speaker from 1980 to 1981, and as a former member, of course, of the Tasmanian House of Assembly from 1979 to 1982.

He has served as chairman and deputy chairman of many parliamentary committees. He is eminently qualified to fulfil the role of Speaker in this parliament. I am almost trepidatious in nominating the member for Lyons, knowing how he would like to deal with the opposition if he so took the role of Speaker in this parliament. I know that, if he fulfilled the role, he would do so fairly and reasonably.

I know, most importantly, his No. 1 qualification for Speaker of this parliament is that he comes from the government. Everyone in this parliament knows that the Westminster tradition in this country has been that the government nominates the Speaker and the government fills the role of Speaker. That is as it should be and that is why I nominate the member for Lyons.

The Clerk: Does the honourable member for Lyons accept the nomination?

Mr Adams: No, I decline the nomination, Mr Clerk.

The Clerk: Is there any further proposal?

Mr PYNE: I move:

That the honourable member for Braddon do take the chair of this House as Speaker.

Surely there is one member of the Labor Party who regards themselves as worthy to take the chair as Speaker of this parliament. Surely there is one member of the Labor Party who believes they could fill the role of Speaker in this minority parliament. Is there no-one in the Labor Party who believes that they would be capable of filling the role of Speaker in this parliament?

I nominate the member for Braddon, another member of the Speaker's panel who would fill the role of Speaker eminently well. I know his view of the opposition but I put it to him: does he have the courage of his own convictions? Does he believe that he could only be a member of the Speaker's panel or does he truly believe that he should take the great office of Speaker of this parliament and maintain the Westminster tradition which has been established in this place for 110 years?

The Clerk: Is the motion seconded?

Mr Hartsuyker: I second the motion.

The Clerk: Does the honourable member for Braddon accept the nomination?

Mr Sidebottom: No, I decline the invitation, thank you.

The Clerk: Is there any further proposal?

Honourable members interjecting—

The Clerk: Order! Order!

Mr PYNE: I move:

That the honourable member for Cunningham, Ms Bird, do take the chair of this House as Speaker.
The member for Cunningham has been a member of the Speaker's panel since 18 February 2008. I would put it to her that she is eminently worthy to fulfil the role of Speaker of this parliament. I would put it to her, as I did to the member for Braddon, that surely she believes she has the capacity to be the Speaker of this minority parliament. Surely her colleagues would share the confidence the opposition does that the member for Cunningham can fulfil the role of Speaker in this parliament.

Again I state for the record that the No. 1 qualification of the member for Cunningham to fulfil the role of Speaker of this parliament is that she is a member of the government. If the government truly believe in this parliament and in the Westminster traditions upon which it is based, they would not be trashing the Constitution, trashing the standing orders or trashing the conventions of this parliament for 110 years, and not nominating a member of their own side to take the role of Speaker of this parliament. So, I put it to the member for Cunningham: take the role of Speaker of the parliament and do the job that we know you are capable of doing and that you should have the confidence that you are capable of doing.

The member for Capricornia has been a member of the Speaker's panel since 20 October 2010. She has fulfilled that role with integrity and ability. I would put it to her that the opposition will support the member for Capricornia should she accept the nomination and take the role as Speaker of this parliament.

I have said before, and I will say again for the record, the Westminster tradition of this parliament dictates that the government fulfil the role of Speaker of this parliament and nominate one of their own. In the absence of the government having the courage and the political acumen to fulfil the role that they should of upholding the Westminster traditions, it falls to the opposition to do so.

The Clerk: Is the motion seconded?
Mr Hartsuyker: I second the motion.

The Clerk: Does the honourable member for Capricornia accept the nomination?
Ms Livermore: No, I do not.

The Clerk: Is there any further proposal?
Mr PYNE: I move:
That the honourable member for Capricornia, Ms Livermore, do take the chair of this House as Speaker.

This is an extraordinary day in the Australian parliamentary system when the opposition is forced to move that members of the government take the role as Speaker of this parliament because the government would instead trash the traditions of this place by electing a member of the opposition. I do not wish to reflect on the member for Fisher by nominating other members, in this case the member for Capricornia. What I am trying to say to the parliament and to the people is that surely the Labor Party believe that there is one of their number who has the ability, the honour and the integrity to accept the role of Speaker of this parliament.

The member for Capricornia has been a member of the Speaker's panel since 20 October 2010. She has fulfilled that role with integrity and ability. I would put it to her that the opposition will support the member for Capricornia should she accept the nomination and take the role as Speaker of this parliament.

I have said before, and I will say again for the record, the Westminster tradition of this parliament dictates that the government fulfil the role of Speaker of this parliament and nominate one of their own. In the absence of the government having the courage and the political acumen to fulfil the role that they should of upholding the Westminster traditions, it falls to the opposition to do so.

The Clerk: Is the motion seconded?
Mr Hartsuyker: I second the motion.

The Clerk: Does the honourable member for Capricornia accept the nomination?
Ms Livermore: No, I do not.

The Clerk: Is there any further proposal?
Mr PYNE: I move:
That the honourable member for Hindmarsh do take the chair of this House as Speaker.

It has been my privilege to know the member for Hindmarsh as a fellow South Australian since he was elected to this place. He attempted on numerous occasions to be elected as the member for Hindmarsh and was finally successful on his third try. Since
that time he has been a member of the Speaker's panel in this parliament and he has fulfilled the role with all the ability he has been able to muster to do the job as well as he can.

Mr Clerk, you would assume that the member for Hindmarsh would have the confidence in his own ability to accept the nomination to be Speaker of this parliament, to take the chair. I know in his heart of hearts he is well aware that he would be capable of being Speaker of this parliament, and I would be very proud to have a fellow South Australian sit in the chair and preside over the House.

In fact, Mr Clerk, it would be most unusual if the member for Hindmarsh was not to take the role as Speaker of this parliament, because it would be the first time in this country's history that the government did not support one of their own to be Speaker of this parliament. Today will mark the day in Australia's history that the Westminster tradition was overturned in this country by the Labor Party simply because the Labor Party always puts political interests ahead of what is good for the parliament and for the country. Political interests have determined the day's proceedings by the Labor Party, but the Labor Party will come to rue this day. They will come to rue the precedent that they have created. I would urge the member for Hindmarsh to recognise the very serious act of vandalism that the Labor Party is visiting on this parliament and on our conventions and seriously consider accepting the nomination of the opposition to take the chair as Speaker of this House.

The Clerk: Is the motion seconded?

Mr Hartsuyker: I second the nomination of the member for Hindmarsh.

Mr Georganas: I am sorry to disappoint the member for Sturt, but I decline.

The Clerk: Is there any further proposal?

Mr Pyne: I move:

That the member for Reid, Mr Murphy, do take the chair of this House as Speaker.

The member for Reid has been a member of the Speaker's panel since 20 October 2010 and he has been in this parliament first as the member for Lowe since 1998 and now as the member for Reid following a redistribution in New South Wales in 2010. The member for Reid is well known to this side of the parliament for his integrity and for his honesty and for his intention to always uphold the values and principles upon which he came into the parliament. I know that the member for Reid has on many occasions agreed with positions the opposition has taken, particularly on life issues, over the time that he has been in the parliament.

I know the member for Reid would be truly disappointed, surprised and probably quite hurt by the way that the Labor Party has today decided to traduce the Westminster traditions of this parliament. I know that the member for Reid would have a very high regard for the member for Chisholm. I know that the member for Reid would be one of the people who would have been urging the Labor Party upon the retirement of Speaker Jenkins to support the member for Chisholm to be Speaker in this place. But in the absence of the member for Chisholm accepting the nomination of the opposition, I think it does fall to the member for Reid to search inside himself and recognise that today's act by the Labor Party—which this unprecedented act—will ring as a day of infamy in this parliament. Therefore, to protect the traditions of this parliament, to protect the Westminster system upon which our democracy relies, the member for Reid should recognise his own ability to take the role as Speaker of the parliament and accept
the nomination of the opposition that I move with pride today.

The Clerk: Is the motion seconded?

Mr Hartsuyker: I second the nomination of the member for Reid.

Mr Murphy: I thank the member for Sturt, but I have never confused ambition with ability and it is my melancholy duty to decline the nomination.

The Clerk: Is there any further proposal?

Mr PYNE: I move:

That the member for Calwell, Ms Vamvakinou, do take the chair of this House as Speaker.

The member for Calwell and I have not always agreed on every issue, I think it is fair to say, particularly on issues to do with the Middle East, but I know that if the member for Calwell was prepared to recognise her own ability and understand that she could be the Speaker of this place then she would accept the nomination of the opposition to take the chair of this House as Speaker. The member for Calwell is another member of the Labor Party who serves on the Speaker's panel and has done so in this minority parliament. You would assume, Mr Clerk, that every member of the Speaker's panel who is a member of the Labor party would recognise that they were worthy enough to be members of the Speaker's panel and thereby one day to be Speaker of this parliament. Is there no-one in the Labor Party who believes that they have the ability or the honour to take the role as Speaker of this parliament?

I would appeal to the member for Calwell, who has been in this parliament since 2001, for 10 years, to recognise that by accepting this nomination today as Speaker of the parliament she would be supporting the traditions of this place that she has vowed to uphold before. She has given many speeches in this place—as has the member for Chisholm, the member for Reid, the member for Hindmarsh, the member for Capricornia, the member for Lyons—about the importance of the Westminster tradition, the importance of the parliamentary system and the importance of democracy to this place. Fine words, but today is the day to back them with action—not to come into this place with syrupy words and drop those words into Hansard but to back them with action when they are put to the test. I put all these members to the test today and I am putting the member for Calwell to the test and ask her if she will back her good intentions with the action to support the traditions of this parliament.

The Clerk: Is the motion seconded?

Mr Hartsuyker: I second the nomination of the member for Calwell.

Ms Vamvakinou: Mr Clerk, honour and integrity I have very much, but I decline the member for Sturt's nomination.

The Clerk: Is there any further proposal?

Mr Windsor: Mr Clerk, I would like to nominate the member for Sturt. It may be the only way we'll shut him up.

The Clerk: Is there any further proposal?

Mr PYNE: Mr Clerk, I move:

That the member for Petrie, Mrs D'Ath, do take the chair of this House as Speaker.

In doing so, can I say that the nomination by the member for New England unfortunately underlines what high farce this parliament has become. The member for New England's attempt at humour underlines what high farce the Labor Party has brought this parliament to. Far from being amused by the member for New England's attempt at humour underlines what high farce the Labor Party has brought this parliament to. Far from being amused by the member for New England's action, all the members of the Labor Party who have signed up to this deal today should hang their heads in shame that the parliament has become such high farce that here in Canberra, inside the beltway, the Labor Party thinks it is
amusing to trash the traditions of the Westminster system in this country.

The Labor Party thinks it is fun and amusing to entertain the nomination of me, a member of the opposition, as the Speaker of this parliament when the whole point of this debate today is that a member of the government should take the role of Speaker of the parliament in the Westminster system. It is no surprise that that nomination was not seconded, because nobody else was silly enough to second the motion of a member of the opposition to take the role of Speaker except the member for Banks and the member for Melbourne Ports, who have done just that today. Their parliamentary careers will be remembered by the fact that they took part in this grubby action today. I had more respect for them than they have demonstrated they deserve today.

I nominate the member for Petrie, Mrs D'Ath, who has been on the Speaker's panel since 20 October 2010 and was elected to parliament in 2007. I hope that she, at least one member of the Labor Party, will take the nomination. Can I find one member of the Labor Party who believes in themselves enough to uphold the traditions of the Westminster system and take the role of Speaker of this parliament?

The SPEAKER: Honourable members, I wish to express my grateful thanks for the high honour the House has been pleased to confer upon me.

Ms GILLARD (Lalor—Prime Minister) (13:18): Mr Speaker, on indulgence, I seek to make some remarks about the former Speaker, Harry Jenkins, and also to you. I quote in this parliament the words of Winston Churchill, who once described himself in the following terms:

I am a child of the House of Commons. I was brought up in my father's house to believe in democracy.

Those words could well have been written by anyone about Harry Jenkins. He certainly is a child of his father's house, a very distinguished Speaker in this parliament, and he certainly is a child of this House as well, having served as a very distinguished Speaker in some remarkable days. Harry Jenkins served as Speaker of this parliament when Kevin Rudd delivered the historic apology to the stolen generations. He served as Speaker in this parliament during the days of some of the sharpest contests and most difficult debates that our nation needed to have about its future. He served in this parliament as the parliament's face to the world as we have welcomed leaders from around the world, most recently President Obama and, before President Obama, Her Majesty the Queen. On all occasions Harry Jenkins, as Speaker of this House, has carried out his duty with honour, with dignity, with a strict non-partisan approach which brought him credit from all sides of the parliament.

Perhaps the only flaw in the speakership of Harry Jenkins was identified today by the member for Sturt. I would have taken the advice and thrown the member for Sturt out
of the chamber on more occasions! But, with those words of gentle chiding, former Speaker Harry Jenkins has served this parliament well. He is a child of this House. He is someone who learnt a love of democracy in his family home, but he is also a child of the Labor Party. He grew up in a Labor home with Labor values. He has witnessed for those values all of his adult life as he has served his constituents in the seat of Scullin. Harry Jenkins, as the member for Scullin, has decided that it is time to return home, back into the active service of the Labor Party, and we welcome him back into the Labor family in a very warm embrace. We look forward to working alongside him in 2012. He was a great Speaker and is a great Labor Party man and a great friend to all of us on this side of the parliament.

Mr Speaker, the only difficulty you face is stepping into the shoes of a man so distinguished—perhaps I should have joked 'slippers'—but we anticipate that you will as Speaker guide this parliament in the way that you have guided it in the chair as Deputy Speaker. We have seen you, when you have exercised the role of Deputy Speaker, show a fierce sense of balance and appropriateness in this parliament. You have had the courage to take some difficult actions when they have been called upon to maintain order in the House. I am sure that we will continue to see that from you as you step now into the position of Speaker, and from the government side of this parliament we will provide you with the support required as you carry out the duties of Speaker.

Mr ABBOTT (Warringah—Leader of the Opposition) (13:22): Mr Speaker, I rise like the Prime Minister to speak in praise of the former Speaker and to acknowledge your elevation to high office. I say very genuinely that Speaker Jenkins was an adornment to that high office. Speaker Jenkins was an admirer and an upholder of the best traditions of this parliament and, I have to say, he will be much missed as he leaves the chair.

He has been in my judgment one of the very best Speakers to grace the chair of this parliament. Certainly he is the equal of the best of the Speakers that I have served under in my 18 years in this chamber. As the Prime Minister said just a few moments ago, he was a really outstanding Speaker with a really strong love of the parliament, which begs the question: why has Speaker Jenkins left the chair? Just why has this great man with a great love of this chamber and a great love of its traditions left the chair?

I respect the observations that the Speaker himself made from the chair this morning, that he has left the chair because he wants to more fully participate in the councils of the Labor Party and he wants to more fully participate in the life of his Labor colleagues. Doesn't that look to be the case, Mr Speaker, as he sits in that rather lonely position close to the gangway? Doesn't that look to be exactly what has happened, that he has gone to rejoin his comrades? I think that probably the loneliest man in this parliament right now is our former Speaker.

But I say this of our former Speaker: our former Speaker was born and bred in the Labor Party, and if there is one institution which he loves as much as he loves this parliament, it is in fact the Labor Party. I know that as a very loyal son of the Labor Party he would have accepted the dictation of his Labor superiors with a very heavy heart. That is what he would have done. He would have accepted it and, as a man who is also a creature of party and lover of party, I respect him all the more for doing it. You leave the great chair of this parliament, Member for Scullin, with our respect, with our affection and with our best wishes for
your future inside the parliament and outside the parliament.

What has happened today in this parliament is extraordinary and unprecedented—absolutely extraordinary and unprecedented—and in the end this is about the judgment of one person, the person sitting opposite, the Prime Minister of this country. This is happening because she has made the judgment that the government needs to shore up its numbers in this place. That is why this is happening. She wanted the former Speaker gone to shore up her position in this parliament, and she should be judged accordingly. This is the Prime Minister's decision, sure, and it has just been ratified by the parliament as inevitably as it was going to be. This is her decision and her judgment, and she will stand or fall on this judgment.

Mr Speaker, we have known each other for many years. We have shared good times and not-so-good times. You have been an extremely effective and efficient Deputy Speaker of this parliament. You certainly have the technical skills and the knowledge of this parliament to be effective in this chair. We congratulate you. We wish you well and we express the hope and the confidence that you will serve without fear or favour.

Mr OAKESHOTT (Lyne) (13:27): Very briefly, on behalf of the crossbenchers—although the member for Melbourne may say some short words also—I would like to acknowledge the service of the former Speaker. Everyone who was here at 3 am to see section 88 pulled out at such an ungodly hour would agree that it was one for the purists, an example of the technical skills of the former Speaker as well as the personality of the man.

I was recently on a Q&A panel on ABC with William McInnes, who, I think, did a better interpretation of Harry Jenkins than anyone in this chamber could do. Quite often we look at personality with regard to the role; however, it is those technical skills that make the job and over the past year, in what has been a challenging parliament, those technical skills have been on full display and are the mark of the man.

As far as events of today are concerned, we are all counting numbers and wondering exactly what did happen overnight. I am assured that it is a voluntary move.

An opposition member: Who gave you that assurance?

Mr OAKESHOTT: The former Speaker gave me that assurance. But we are all watching closely. It does change numbers and it does change dynamics. There are still issues such as private health insurance, poker machines and a whole range of other issues that we as a parliament need to deal with throughout 2012. I hope that agreements currently in place remain in place and that this is a parliament that does want to do reform for the future.

Concerning the Speaker in the chair now, based on latest mail, I not only welcome an independent Speaker in the chair, I gather that I also welcome a new Independent member in this parliament. I congratulate you on the role that you are taking on and wish you all the best in sticking to the standing orders and making this place operate as objectively as possible.

Mr BANDT (Melbourne) (13:29): Having been dobbed in by the member for Lyne, on behalf of the Australian Greens I also acknowledge what I think has been extraordinary work, in a very interesting and novel parliament, from the member for Scullin and I welcome you to the chair, Mr Speaker.

The SPEAKER: I thank the member for Melbourne.
Mr TRUSS (Wide Bay—Leader of The Nationals) (13:30): Mr Speaker, may I also congratulate you on your election to office. You are and always have been in this parliament my electorate neighbour and I wish you well in the high office which you have now been elected to. You follow Mr Jenkins into this position. Mr Jenkins has been a remarkable Speaker. I certainly hold him in the highest regard. He has held the office of Speaker in perhaps the most difficult and challenging of all parliaments, one in which neither he nor the government could be absolutely assured of their numbers—they did not lose too often but never could absolutely be assured of the numbers. He carried the responsibilities of the office well and really added to the parliament because of his own manner and the way in which he held the office. He demonstrated always good humour, tolerance and wise judgment. In a sense, he was born to be Speaker and he fulfilled every possible expectation that I am sure his family, his party and, indeed, this parliament could have expected of him.

He gained, in my view, his great authority in the chair because of his superlative understanding of the standing orders and the accuracy of his rulings. We may not have always been in agreement with them, but he always had an arguable case. It is his superior understanding of the standing orders that means he deserves to be numbered amongst the very greatest of Speakers that our parliament has known. For you, Mr Speaker, it is almost an impossible task to follow your predecessor. We respect the office and we wish you well in the position you hold.

The SPEAKER: I thank the leader.

Ms GILLARD (Lalor—Prime Minister) (13:32): I have been advised that the Governor-General will set a time for receiving you as Speaker of the House.

The SPEAKER: I thank the Prime Minister.

Deputy Speaker

Mr BYRNE (Holt) (13:32): I move:

That the honourable member for Chisholm, Ms A. E. Burke, be elected Deputy Speaker of this House.

Mr Speaker, I start by adding my congratulations on your elevation to the chair. I am delighted to nominate Anna as Deputy Speaker of this House. Anna was previously Deputy Speaker in this place between 12 February 2008 and 28 September 2010. Anna served in this role with great distinction, great tolerance and great dignity. Anna was first elected as the federal member for Chisholm at the 1998 election. Anna's electorate knows that she is an incredibly hardworking, diligent and tenacious member of parliament. I know her electorate will be pleased that she has again been nominated as Deputy Speaker. Anna's motto on her website is: I am here to help. She believes in it and has demonstrated it. She does everything she can to assist members of the local community, no matter how large or small their problems or their concerns.

One of Anna's distinguishing features is that she is a highly successful campaigner and advocate. For instance, in 2005 she played a major role in this place in protecting people from unwanted telemarketing calls by moving a private member's bill in parliament to create a national Do Not Call Register, which pressured the former government into adopting her policy. In recent times Anna has campaigned against human trafficking. Anna has become a leader on this important issue. Between 500,000 and four million people are trafficked internationally each year. In recent weeks she has met with various groups in her electorate to discuss
the 'Don't Trade Lives' campaign. For me, it has always been great to see Anna's passion and commitment when she takes on an issue like this which concerns many Australians.

Anna has also been active in several other local and national campaigns and has been widely praised for her efforts to raise awareness of anaphylaxis and eating disorders. Currently, Anna is Chair of the Standing Committee of Privileges and Members' Interests in which position she presented the Draft code of conduct for members of parliament—discussion paper, November 2011, to the House yesterday. She also sits on the Standing Committee on Climate Change, Environment and the Arts, the Standing Committee on Petitions and is on the Speaker's panel.

It is and has been a great honour, Anna, to work with you. You are respected for your passion, your dedication and your hard work—all skills I know you will bring to bear in your role as Deputy Speaker. It is a great honour, Anna, for me to nominate you as Deputy Speaker and I wish you every success in this position.

Mr GIBBONS (Bendigo) (13:35): I endorse the words of the member for Holt in seconding this nomination of the member for Chisholm for Deputy Speaker. I would also like to indicate my respect for the retiring Speaker, Harry Jenkins. I think he has been a great Speaker for this place. He served in the role with great distinction. Of course, we all know that is a family tradition. I give him my best wishes.

The member for Maranoa has been on the Speaker's panel for almost 10 years. He was a minister for five years and he was the Minister Assisting the Minister for Defence for three years. In fact, he has been the Second Deputy Speaker since 12 February 2008. I think all members of the parliament would agree with me that the member for Maranoa is that, in order to display any consistency, you would expect the member for Chisholm not to be able to take the role of Deputy Speaker if she is not capable of being the Speaker of the parliament. I nominate the member for Maranoa for that reason and also because the member for Maranoa is exactly the kind of person who should fill the role of Deputy Speaker in this parliament.

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Deputy Speaker and who has the ability and the intention to back their worthiness for that role then he will fulfil the role with great ability.

It would surprise me if the Labor Party were to elect the member for Chisholm as the Deputy Speaker when the member for Chisholm has already indicated to the parliament that she does not believe she is capable of being the Speaker. So I would ask the parliament to elect the member for Maranoa as the Deputy Speaker and, if he should be elected, I wish him the best in that role.

The SPEAKER: Is the motion seconded?

Mr Hartsuyker: I second the nomination of the member for Maranoa.

The SPEAKER: The time for nominations has expired. In accordance with standing order 14, the bells will be rung and a ballot taken.

The bells having been rung and a ballot being taken—

Mr Albanese: On a point of order, Mr Speaker, it is apparent that one member of the House did not vote. This was a process whereby the ballot was called open and the ballot closed. If members of the House of Representatives do not know how to vote then it is unreasonable that, if an ordinary citizen turns up at an electoral polling booth at five past six, they do not get to just put by hand a ballot paper to the returning officer. There was a process before the House. People were given ballot papers. They got to write their name on the ballot paper. They then got to put it in a box.

The SPEAKER: I do not think this is necessary. After consulting the Clerk, because only one ballot paper was distributed to each member of this House, it is my ruling that the ballot paper from the honourable member for Bowman will be received.

Honourable members interjecting—

The SPEAKER: Order! I want to advise honourable members that it will be my intention not to give warnings prior to sending people out under standing order 94(a), although I would usually expect to give a warning prior to a naming—usually.

The ballot having been taken—

The SPEAKER: Order! The result of the ballot is: Ms Burke, 72 votes; Mr Scott, 71 votes. Therefore, Ms Burke is elected Deputy Speaker of the House of Representatives.

CONDOLENCES

Larkham, Mrs Maureen

Ms GILLARD (Lalor—Prime Minister) (13:59): Turning to another topic—on indulgence, if I may—firstly, Mr Speaker, I congratulate Anna Burke on her election as Deputy Speaker. We all know what a fantastic job she did on the last occasion, and I know she will do a fantastic job on this occasion too.

Mr Speaker, dealing with a separate topic and with something that I know is of concern to you and to Ms Burke, I acknowledge the sad news that we have received this morning of the death of Maureen Larkham. Members will remember Maureen as chief attendant in the Main Committee. One of the reasons I looked over at the Deputy Speaker is that she has presided there on many occasions. The parliamentary assistants from around the parliament will remember Maureen very honourably. She was a friendly person, she was valued as a mentor to many of them and she played a role in assisting them with starting their careers in this place. Our thoughts are with her husband, Geoff, her children and her grandchildren today. On behalf of all members of the House, I say to...
all of our attendants pursuing their duties in this parliament that we are very sorry to hear this news of loss and we are grieving with them. We are very much focused on this loss and also on the circumstances of her family at this time.

The SPEAKER: I am sure that all honourable members associate themselves with the remarks of the Prime Minister.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:01): Mr Speaker, on indulgence, I wish to briefly add to the remarks of the Prime Minister. It is a sad thing to lose a member of the parliamentary family and Maureen Larkham was a member of the parliamentary family, not a member of parliament but one of those people who make the parliament work. Maureen was legendary as someone of kindness, of gentleness and of decency in a parliament which is not always kind or gentle or decent. She stood for all the things that we like to think characterise the people of our country whose welfare we try to advance in this parliament.

I note that Maureen was very close to one of my own staff members, Di Honan. Maureen recently attended Di's wedding and I know Di has been particularly affected by Maureen's passing. Our thoughts are with the family of Maureen—her husband, Geoff; her children, Rebecca and Stephen, the rugby international; and her grandchildren. She will be missed.

PARLIAMENTARY OFFICE HOLDERS

Ms BURKE (Chisholm) (14:02): Mr Speaker, on indulgence—and I will be very quick because I really have not had time to think about this, given the magnitude and the quickness of what transpired this morning: I put on the record my gratitude and thanks to the former Speaker, Harry Jenkins. I learned a great deal under him in the previous parliament. It was an honour to serve with him. I remind the opposition that the Westminster tradition is very robust and there are many parliaments that do not have a Speaker from the government presiding over them at this time. You need only look at many of our state parliaments to understand the Westminster tradition extends to democracy that turns up many variations of parliaments. I am deeply honoured to be doing this role and I look forward to working with everybody in the House.
knew how he fully recognised that it was I who was interjecting. When I was elected as Deputy Speaker I found out that Mrs Wendy Jenkins, Harry's mother and Dr Harry's wife, used to sit in the Speaker's gallery and apparently point me out as the offender.

During the time I have been in this parliament I have been ejected from the House on five occasions—not as often, of course, as the Leader of the House at, I think, 34 times or the member for Sturt at 32 times. I do not know whether the honourable member for Dickson is looking to add to his 18 times. This is a robust place, but I would like to see members be as well behaved as possible.

I am not offended by the fact that my friend the honourable member for Sturt saw fit to nominate numerous other people. I have a very high regard for his ability, and I am looking forward to working with all members of the House, regardless of where they stand. I do intend to be an independent Speaker in the Westminster tradition and I hope that this is establishing a principle which will be followed by Speakers in other parliaments. I am doing this for a number of reasons. I strongly believe that the Speaker ought to be independent. In this parliament the Speaker has not attended party room meetings, and the Deputy Speaker followed a similar practice. I think we have moved a long way towards an independent Speaker. I will, in fact, be an independent Speaker in the Westminster tradition. I noticed that on four occasions in September 2010 the Leader of the Opposition said that that was his preference as far as a model for the Speakership is concerned. Consequently, after 17 years membership of the National Party, 19 years membership of the Liberal Party and three years membership of the Liberal-National Party, I will be relinquishing my party membership. I must say that I have been encouraged in this opportunity to serve the parliament in a new way by the actions of some people in the Liberal-National Party in recent times.

I will endeavour, as I did as Deputy Speaker, to discharge my duty as Speaker in a nonpartisan manner. Frankly, I have got to admit that I am not perfect and I have made some mistakes, as some of the colourful stories about me reveal. But I pledge to serve the parliament and the institution and its members to the best of my capacity.

I would like to thank my wife, Inge, and my children, Nicholas and Alexandra. I would like to thank my staff. I would also like to thank colleagues on both sides of the House for their support over my 21 years service as a member of the Australian parliament. It is a very great privilege to serve in this parliament representing the electorate of Fisher on the Sunshine Coast and I am looking forward to continuing to serve that electorate in the future.

I would like to conclude by saying that my door will always be open to all members. I look forward to working with everyone, regardless of which side of the parliament people happen to be sitting on, because this institution is greater than any of us.

Mr BRUCE SCOTT (Maranoa—Second Deputy Speaker) (14:09): Mr Speaker, on indulgence, before we move on to other matters before the House today can I say it is a great honour to serve in this place in whatever capacity. As I have just been re-elected as the Second Deputy Speaker I want to thank my nominators and colleagues and to thank the House. What is always important in these situations is that the rule of the democracy under which we all live is observed, and I thank those who have shown confidence in me to continue in this role.

It has been a great honour to serve as the Second Deputy Speaker with the now very humble backbencher and former Speaker, the
member for Scullin. Harry, you have gained the respect not only of this House but of the population at large across Australia. Wherever I travel I find people have become avid watchers of question time and I think it is because you are in the chair. They have registered that you have a great sense of humour. And I have had people comment to me: 'The Speaker's hair was a bit ruffled today. Were you a bit rough on him?' I say that in good humour, because that is the sort of humour you have had and you have brought to this place a true sense of what it means to be fair in all your rulings. I thank you for the way your door has always been open to me and for the way you have served as the Speaker of the House.

I also have to say that after the recent visit we made to western Queensland and the far reaches of Maranoa I still get mail from people saying, 'When are you bringing the Speaker back again?' Maybe now you might like to consider a visit out there again, because they respected you and appreciated the time you gave to visit as the Speaker in the busy role you had. I thank you on their behalf as well as mine.

I congratulate the member for Chisholm. Member for Chisholm, I worked with you in the last parliament when you were the Deputy Speaker and in this parliament I have appreciated the way you have cooperated on the Speaker's panel. So I respect the work you have done in the past and I certainly look forward to working with you in this parliament.

Mr Speaker, I congratulate you on this high office you now hold. I acknowledge the comment you have just made that your door is open to anyone and that you have already indicated that you want to operate as a truly independent Speaker. I look forward to continuing to work with you as I have in this parliament when you have been the Deputy Speaker. I look forward to continuing that relationship and working in this parliament with you as the Speaker of the House of Representatives. I thank you for the indulgence.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:12): Mr Speaker, on indulgence, I congratulate you on your election to high office. As the Leader of the House I have worked well with you as the Deputy Speaker and I look forward to continuing to work with you as the Speaker—notwithstanding that so far, I note, the scoreboard reads: one point of order defeated and none carried. I hope to get the occasional win from my points of order over the years. I also want to note that the 34 occasions that you have reminded the House I have been excluded from it were prior to my holding the high office of Leader of the House of Representatives.

Mr Speaker, I think you have demonstrated an ability to chair in an impartial fashion. I have always appreciated the fact that your rulings have been sincere. Your knowledge of the parliament and your respect for this great institution of parliament I think makes you an ideal candidate for Speaker.

To the member for Maranoa: I congratulate you on your re-election as the Second Deputy Speaker. I have also had the privilege of being welcomed by you into your outstanding electorate, which is very different from the inner city area of Sydney that I represent. You are someone who brings credit to this parliament by the way
that you carry yourself as the member for Maranoa and also as the Second Deputy Speaker. I have the utmost respect for you as a member of parliament. I say to the former Speaker, Harry Jenkins: it is often a difficult job to be Manager of Opposition Business or Leader of the House in any parliament and dealing with the Speaker. You have had, however, an extremely difficult job, presiding over a parliament in which the government has not had an absolute majority in this House. You have done so with integrity. You have done so in a way that has lifted up the standards of this parliament.

I look forward now to being able to have a beer with you as a caucus colleague. It is terrific to welcome you back into the Labor family. It is a Labor family in which the name 'Jenkins' is one of the most distinguished names that we have. I congratulate you on your service to this parliament and look forward to your return as a servant not only of this parliament but also of the great party to which I belong.

QUESTIONS WITHOUT NOTICE

The Speaker

Mr PYNE (Sturt—Manager of Opposition Business) (14:15): My question is to the Prime Minister. Prime Minister, what discussions, meetings and arrangements have you or your office or any members of your cabinet been party to in relation to the departure of the member for Scullin as Speaker and the elevation of the member for Fisher?

Ms GILLARD (Lalor—Prime Minister) (14:16): I have to say that the question is an unexpected one given the tenor of remarks made when we dealt with your election, Mr Speaker, and the farewells to the member for Scullin. In answer to the question: the former Speaker, the member for Scullin, came to see me at 7.30 this morning and advised me that he would be tendering his resignation at 9 am. In relation to discussions with the current occupant of the Speaker's office, I have had no discussion with the Speaker, other than the public remarks I have made in this place.

MOTIONS

Prime Minister

Censure

Mr ABBOTT (Warringah—Leader of the Opposition) (14:16): by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving the following motion forthwith:

That this House censure the Prime Minister for presiding over a deceptive, dysfunctional and directionless government.

An opposition member: Are you going to stay, Albo?

Mr ABBOTT: Look who has suddenly decided to stay in the chamber today!

Opposition members interjecting—

Mr ABBOTT: This is the fourth anniversary of the Rudd-Gillard government. This very day marks four years since the Rudd-Gillard government won an election. Not only is it the birthday no-one wants to celebrate; it is the birthday no-one opposite even wants to remember—do they? They do not even want to remember it. The reason they do not want to remember it is that they do not want to think of the Minister for Foreign Affairs getting any kudos or any credit or any spotlight.

So what they have done today, rather than humbly note their achievements—if that be...
what they are called—over the last four years, is that they have actually celebrated their fourth birthday in such a typical way, with one of the most squalid manoeuvres, one of the most sordid political fixes, that this parliament has seen in many a long year. I thought when I caught wind of what was happening earlier today that maybe this was the work of a new genius imported from Scotland—Macbeth to the rescue of Lady Macbeth. That is what I thought: Macbeth to the rescue of Lady Macbeth. But, no, it is all her work.

What we have seen in this parliament today is all of a piece with the lack of judgment, the lack of principle and the lack of standards that we have seen from this Prime Minister ever since she came into office—and which we would not have seen, for all his faults, from the former Prime Minister. The member for Griffith had his faults, but he did not lack standards, he did not lack idealism and he did not lack commitment to the Labor Party of the sort that we have seen from this Prime Minister.

What has happened today is that an honourable man, the member for Scullin, has been sacrificed to protect the political life of a failing Prime Minister. That is what has happened today. He has been made to walk the plank. Does anyone really believe what the Prime Minister has just told this parliament?

**Opposition members:** No.

Mr ABBOTT: 'Oh, Harry; 7.30 in the morning. Oh, Harry; what a surprise. What a surprise, Harry—out of the blue.' Oh, no; this is as ruthless an exercise in power politics as the exercise in power politics which despatched the former Prime Minister. The Sussex Street death squad have been out again. The Sussex Street death squads that did for the Prime Minister have now done for the Speaker of this parliament. And why have they been out? They have been out because the Prime Minister's hold on a majority in this parliament has never been more tenuous. That is why the former Speaker was told he had to go—to protect the tenuous hold on a parliamentary majority of this Prime Minister.

The Prime Minister knows that she is on notice from the member for Denison. She knows that, if she cannot deliver for the member for Denison, she loses her hold on this parliament—and she knows that she will never be able to deliver for the member for Denison, because her caucus will not wear it. This Prime Minister knows that the member for Dobell is in diabolical trouble. She knows that. And isn't it all of a piece with this Prime Minister that she should brazenly, day in and day out in this parliament, say that she has full confidence in the member for Dobell. Well, we will see what the New South Wales Police have to say about the member for Dobell in just a little while. Standing orders need to be suspended because the government are in crisis. First they lost their way, then they lost their majority and today, absolutely unprecedentedly, they lost their Speaker. The budget is in chaos. That is why there will be a crisis mini-budget outside of the parliament next week. They are running away from the parliament about the budget crisis, just as they are running away from the parliament about the boats crisis—the boats crisis that they created; the boats crisis that they cannot solve. This is a Prime Minister who talks about offshore processing of boat people. How many boat people has she processed offshore?

**Opposition members:** Zero!

Mr ABBOTT: Zero—a big, round number. The only person she has processed offshore is Kevin Rudd, the foreign affairs minister, dispatched overseas and
deliberately buried, today being the fourth anniversary of his election as Prime Minister.

I have been saying for quite some time that minority government is an experiment that has failed, and the resignation of the Speaker this morning exactly proves that point. We should not have had the former Speaker going to the Governor-General today to tender his resignation; we should have had the Prime Minister going to Yarralumla to tender her resignation. She is a Prime Minister who has lost control of this parliament in so many respects, has lost control of much of the political agenda but, above all else, has lost control of the principles and decency which should animate any Prime Minister of this great country.

Not since 1975 have we seen the extraordinary manoeuvrings that we have seen in this parliament today. This is a government which cannot get its legislation through the parliament. This is a government which has impropriety hovering over it. This is a government which has lost its Speaker. This is a government which never had any mandate. This is a government which should now do the decent thing and resign. That is what this government should do.

I want to quote some words of the Prime Minister, uttered in this place just over one year ago. She said:

As we have seen in other political cultures, short-term tactical victories lead only to longer term strategic defeat as our system declines in public esteem.

We know what the government are doing today. They are running around this building; they are up there in the press gallery saying, 'Aren't we clever! Oh, gee, we're clever. We are so clever. We have manoeuvred a good and honourable man out of the speakership to put someone else into the speakership, which gives us an extra vote in this parliament. Aren't we clever!' That is what this Prime Minister and her minions are saying. Shame on you, Prime Minister. You have shedded any principles, any honour, any integrity that you had. That is what you have done.

I have to say: the Australian public are not fooled by a Prime Minister who has given away her party to the Greens, who has sacrificed her standards to protect the member for Dobell and who has now sacrificed the most honourable Speaker this parliament has seen in many a long day. I say to the Prime Minister: you must explain yourself. You must explain exactly what you knew and when you knew it and exactly what conversations you had with the member for Scullin. Tell us about this conversation. Just how did it go? Do you really expect the Australian people are going to believe that the member for Scullin simply rang up at 7.30 this morning and said, 'I love my colleagues so much that I want to go to caucus meetings again—that's how much I love them: I want to go to caucus meetings again'? Prime Minister, you can maintain this pretence. You can brazen it out today, as you do so often, but the Australian public do not believe you and they want you gone. *(Time expired)*

**The Speaker:** Is the motion seconded?

**Ms JULIE BISHOP** (Curtin—Deputy Leader of the Opposition) (14:27): I second the motion. This censure motion is necessary because the Australian public deserve better than this pitiful excuse for a government. This great country deserves better from its national government, this shambolic disgrace. This is a government that is in daily crisis. It reels from chaos to crisis. In its desperation to cling to power, there is no principle it will not trash and no conviction it will not walk away from. There is no
convention it will not break. Grubby, secret deals behind closed doors—

Government members interjecting—

The SPEAKER: Order! Honourable members on my right will remain silent!

Ms JULIE BISHOP: might be the way that Labor operates within the union movement. It might be the way that the Labor Party operates within its factions—grubby, secret deals—but it is no way to run a country. The naked arrogance of this government is now on full display.

A Speaker who has done an outstanding job has resigned in the middle of a fine career. In relation to the Speakership, we have no idea what was offered or, indeed, what was threatened. The government came into this chamber and trashed a very important convention that has underpinned our democratic traditions. The role of the Speaker is not some plaything of the faceless men of the Labor Party. It is a key institution within our parliamentary democracy. It is a position that must be treated with the utmost respect. The tradition of this place calls for the Speaker to be nominated from the ranks of the government. Today the Prime Minister showed her disrespect for those traditions and for the foundations of our democracy and, through her disrespect for the parliament, her disrespect for the Australian people.

But should we be surprised? There is a long history of this Prime Minister treating the parliament and the Australian public with contempt. Just a few days ago, the Prime Minister struck a secret deal with the Greens to pass its mining tax—buying votes for support on the floor of the House. The Prime Minister then forced the parliament to vote on the legislation throughout the night without the full knowledge of the deal that she had struck with the Greens. Little wonder that international investors are talking about sovereign risk in Australia.

Government members interjecting—

The SPEAKER: Order! I have asked honourable members on my right to remain silent, including the member for Melbourne Ports, who is not in his seat.

Ms JULIE BISHOP: The shambles today will only add to international unease about this government and the lack of trust and confidence in it. The last time sovereign risk was an issue for investors in this country was in the dying days of the Whitlam government, universally regarded as the worst government in our nation’s history—that is, until now. This pitiful excuse for a national government is giving the Whitlam government a run for its money. The track record of this Prime Minister reveals a pattern that underpins the worst government in living memory.

The Prime Minister promised the member for Griffith, repeatedly, that she was a loyal deputy and would not challenge him for the leadership. The member for Griffith was betrayed. When the end came, it was swift, it was brutal, it was ruthless. The Prime Minister kept him occupied in a meeting while her factional bullies worked the phones that evening. She gave the member for Griffith her word. She gave him her commitment that he could keep the job, until she got the word that the factional bullies had given her the numbers. It was a brutal execution of a first-term Prime Minister who was publicly treated with the trademark contempt of this Prime Minister. Then she trashed his reputation. Not content with betraying him, she trashed his reputation and said, ‘He had lost his way.’ And do not forget the key reason for the downfall of the member for Griffith was his abandonment of his emissions trading scheme, the very course of action that this Prime Minister
Machiavelli would have been proud of the web she weaved in order to deceive.

Then we had the Prime Minister announce she would establish an East Timor processing centre, only to deny it, and then to re-embrace it. This twisting and turning led the veteran journalist Laurie Oakes to describe her behaviour as 'silly and slippery and slimy and shifty'. Little did Mr Oakes realise that he had defined this Prime Minister's career. At the same time as she scrapped the resources rent tax, she introduced a mining tax—a secret deal done behind closed doors. To this day, after ramming that tax through the chamber, we have no idea of the details of that secret deal—more secrecy, more contempt for the Australian people and the Australian parliament.

Then there was her infamous promise six days before the election, 'There will be no carbon tax under a government I lead.' And then, desperate to cling to power, she trashed her promise to the Australian people. When it came to a choice between honouring her commitment to the Australian people or clinging to power, she chose power. No wonder people are saying, 'If Australia's a lucky country, how come only— (Time expired)

**The SPEAKER:** Order! The Deputy Leader of the Opposition will resume her seat. The question is that the motion be agreed to. I now give the call to the honourable Prime Minister.

Ms **GILLARD** (Lalor—Prime Minister) (14:32): Thank you very much, Mr Speaker, and I thank the opposition for that welcome. What we have heard from the opposition today is a typical set of opposition contributions full of abuse, full of bluster, full of conspiracy theories. Of course, one thing we never hear from the opposition is consistency, and one thing we never hear from them is a contribution on the nation's future.

Firstly, on the question of inconsistency, how breathtaking is it that within one hour the Leader of the Opposition can be on his feet praising the member for Scullin as an honourable man—

*Mr Christensen interjecting—*

**The SPEAKER:** The honourable member for Dawson will remain silent.

Ms **GILLARD:** and then less than an hour later he can be on his feet in this parliament casting aspersions on the honour of the member for Scullin. An honourable man came into the parliament this morning and explained to the parliament and to the people of Australia the decision he had made.

*Mr Pyne interjecting—*

**The SPEAKER:** The honourable member for Sturt will remain silent for the rest of the Prime Minister's contribution.

Ms **GILLARD:** An honourable man—as described by the Leader of the Opposition. An honourable man came into the parliament this morning and gave an explanation for a decision he had come to. A man of honour, whose name and reputation should not be besmirched by the Leader of the Opposition and the Deputy Leader of the Opposition in this parliament today.

*Mr Dutton interjecting—*

**The SPEAKER:** The member for Dickson will remain silent as well for the rest of the Prime Minister's contribution.

Ms **GILLARD:** It is grossly inappropriate and grossly offensive and completely inconsistent. They are one time on their feet praising the member for Scullin, the next time on their feet trying to trash his well-known honourable reputation.
Secondly, on the question of who should serve as a Speaker in this parliament, once again from the Leader of the Opposition we see absolutely no consistency. The Leader of the Opposition is on the record, having published his view, that he supports an independent Speaker in the Westminster tradition.

*Mr Abbott interjecting—*

*Ms Gillard:* Of course, the Leader of the Opposition is now yelling abuse because he does not know anything else to do, with his track record of negativity, and he hates it when his inconsistencies are exposed.

*Ms Julie Bishop interjecting—*

*The Speaker:* The Deputy Leader of the Opposition will remain silent.

*Ms Gillard:* This is an inconsistency and Australians should know it. The Leader of the Opposition has said publicly that during the life of this parliament we should have an independent Speaker in the Westminster tradition. For him to come into this parliament and to suggest that to have the current Speaker here is somehow in breach of the Westminster tradition just shows how he will spin anything, misrepresent anything, to try and reinforce his views.

Let us look at what is happening in Westminster today. In Westminster today, the current Speaker of the House of Commons is a Conservative but was elected under the last Labour government. That is what is happening in the House of Commons today.

*Opposition members interjecting—*

*The Speaker:* The members on my left will contain themselves, including the member for Casey.

*Ms Gillard:* So before anybody in the opposition tries to get out and peddle this misrepresentation that somehow the Westminster tradition requires someone from the same side as the government to sit in the Speaker's chair is complete nonsense and another part of the fabric of deceit that they are out there in the Australian community with.

More worrying in many ways than the relentless spin and bluster and abuse from the Leader of the Opposition with his bizarre conspiracy theories, more concerning than that, is his lack of ideas for this nation's future.

*Mr Simpkins interjecting—*

*The Speaker:* The honourable member for Cowan will remove himself from the chamber under the provisions of standing order 94(a).

The member for Cowan then left the chamber.

*Ms Gillard:* Every occasion in the last 12 months where he has been asked to put the nation's interest in front of his political interest, he has put his political interest first. Let us look at what has happened this week with the minerals resource rent tax.

*Ms Julie Bishop interjecting—*

*The Speaker:* The Deputy Leader of the Opposition has been asked to remain silent.

*Ms Gillard:* A man wedded to opposition, wedded to negativity, incapable of saying anything except no, a man with no idea for the nation's future, has come into this parliament and, on more than 20 occasions, has opposed Australians getting benefits that working families need, more superannuation, better infrastructure and more jobs around the country.

*Mr Dutton interjecting—*

*The Speaker:* The member for Dickson will remove himself from the chamber under standing order 94(a). I had
already asked him to remain silent for the rest of the Prime Minister's contribution.

*The member for Dickson then left the chamber.*

**Ms Gillard:** This negativity and betrayal of the interests of Australian working people builds on top of his betrayal of their interests in how he has conducted himself in the debate about a clean energy future.

*Mr Tony Smith interjecting—*

**The Speaker:** The member for Casey should be very careful.

**Ms Gillard:** He is a man who is on the public record as supporting putting a price on carbon.

*Mr Morrison interjecting—*

**The Speaker:** The member for Cook will remain silent.

**Ms Gillard:** Twisting and turning in his relentless negativity, he does a weathervane routine—he is fully in support of putting a price on carbon. He is musing publicly about a carbon tax.

*Ms Julie Bishop interjecting—*

**The Speaker:** The Deputy Leader of the Opposition is skating on very thin ice. I have asked her to remain silent.

**Ms Gillard:** Then he decides it is in his political interests to oppose carbon pricing, and now of course we know that if he was ever prime minister he would keep carbon pricing. He is in favour of it, just like every other living Liberal leader. Let us look again at the things that have been done this year, opposed by the Leader of the Opposition.

*Mr Tony Smith interjecting—*

**The Speaker:** The member for Casey will remove himself under the provisions of standing order 94(a).

**Ms Gillard:** The new health funding system, which means more doctors, more nurses, more beds and more local control was opposed by the Leader of the Opposition before the Council of Australian Governments meeting had even come to an end.

*Mr Morrison interjecting—*

**The Speaker:** The member for Cook will remain quiet for the rest of the Prime Minister's contribution.

**Ms Gillard:** Before he could even know what the agreement was going to hold, he was out there opposing more doctors, more nurses, more beds and more local control in our health system.

**Opposition members interjecting—**

**Ms Gillard:** He is opposed to the Australian people having the technology of the future, the National Broadband Network. He would rip that up out of the ground. He was opposed to rebuilding Queensland, incapable himself—

**Opposition members interjecting—**

**Ms Gillard:** of producing the figures that would enable the nation to make appropriate provision to rebuild Queensland. You cannot scream you are in favour of rebuilding Queensland if you cannot identify where the money is coming from! He is a man with no vision for the economy at this period of time.

*Mr Christensen interjecting—*

**The Speaker:** The member for Dawson will remove himself from the chamber under the provisions of standing order 94(a). The Prime Minister will resume her seat.

*The member for Dawson then left the chamber.*
Mr Abbott: Mr Speaker, I rise on a point of order, the standing order against offensive words: the Prime Minister has claimed that I was opposed to the rebuilding of Queensland after the floods. That is a lie and it is offensive and she should not be allowed to say it.

Honourable members interjecting—

The SPEAKER: There is no point of order. The Leader of the Opposition will resume his seat.

Ms GILLARD: There is the glass jaw that the Leader of the Opposition is famous for. He thinks he can come into this parliament and say anything he likes about other members in this parliament, but should you criticise him, the glass jaw is out! You are not in favour of—

Honourable members interjecting—

The SPEAKER: Order! The Prime Minister will resume her seat.

Mr Pyne: Mr Speaker, I rise on a point of order: it is quite frankly beyond the pale for the Prime Minister to claim falsehoods in this speech. She should at least attempt to explain why standing orders should not be suspended so that she can be censured.

The SPEAKER: The Manager of Opposition Business will resume his seat. I would counsel the Prime Minister to be quite cautious.

Ms GILLARD: To those opposite in their relentless negativity, in their campaigns of saying no to the interests of the Australian people, I say that the Australian nation needs us in this parliament to understand the biggest questions that the nation confronts: how to realise a clean energy future; how to have economic growth without also growing our carbon pollution, without also doing damage to our environment. In this, the Asian century, as the resources sector of our economy is turbocharged, how do we make sure there are opportunities and jobs around the nation? How do we make sure that there is opportunity for all? How do we make sure during this time of economic and social change, as our society ages, that we ensure there are appropriate health services and services for people with disabilities—

The SPEAKER: The Prime Minister will resume her seat.

Ms Julie Bishop: Mr Speaker, I rise on a point of order: is it any wonder that the Prime Minister does not take these censure motions when she does not understand—

The SPEAKER: The Deputy Leader of the Opposition will resume her seat.

Ms Julie Bishop interjecting—

The SPEAKER: I warn the Deputy Leader of the Opposition!

Ms GILLARD: When I talk about the nation's future, those opposite interrupt. What we have seen today, and as this parliament closes, is a government dedicated to ensuring the Australian people have a stronger and fairer future while a bitter and divided opposition engaged in the longest dummy spit in Australia's history. (Time expired)

Mr Bowen: Mr Speaker, I rise on a point of order: during the Prime Minister's contribution the honourable member for Hume used a grossly disorderly and offensive expression in relation to the Prime Minister and I would ask you to require him to withdraw it.

The SPEAKER: I did not hear what the honourable member for Hume allegedly said. If he made the statement as claimed by the minister he would assist the processes of the House if he were to withdraw.

Mr Schultz: I am not quite sure, Mr Speaker, what offensive comment I made or what is being referred to, but if it suits the House I withdraw.
The SPEAKER: Order! The time allocated for this debate has expired.

Question put:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition from moving the following motion forthwith:

That this House censure the Prime Minister for presiding over a deceptive, dysfunctional and directionless government.

The House divided. [14:48]

(The Speaker—Hon. Peter Slipper)

Ayes..............................65
Noes..............................73
Majority.........................8

AYES
Abbott, AJ
Andrews, KJ
Billson, BF
Bishop, BJ
Broadbent, RE
Chester, D
Coulton, M (teller)
Entsch, WG
Forrest, WG
Gambbaro, T
Griggs, NL
Hawke, AG
Hunt, GA
Jensen, DG
Keenan, M
Laming, A
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
Neville, PC
O'Dwyer, KM
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Scott, BC
Somlyay, AM
Stone, SN
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

Alexander, JG
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Cobb, JK
Crook, AJ
Fletcher, PW
Frydenberg, JA
Gash, J
Hartsuyker, L
Hockey, JB
Irsons, SJ
Jones, ET
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Mirabella, S
Moylan, JE
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Secker, PD (teller)
Southcott, AJ
Tehan, DT
Tudge, AE
Van Manen, AJ
Washer, MJ

NOES
Adams, DGH
Bandt, AP
Bowen, CE
Brodmann, G
Burke, AS
Byrne, AM
Cheeseeman, DL
Collins, JM
Crean, SF
D'Ath, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Gray, G
Griffin, AP
Hayes, CP
Jenkins, HA
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Mitchell, RG
Neumann, SK
O'Connor, BPJ
Parke, M
Plibersek, TJ
Rishworth, AL
Roxon, NL
Saffin, JA
Sidebottom, PS
Smyth, L
Swan, WM
Thomson, CR
Willie, AD
Zappia, A

Albanese, AN
Bird, SL
Bradbury, DJ
Burke, AE
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Danby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzygibbon, JA
Georganas, S
Gillard, JE
Grierson, SJ
Half, JG (teller)
Husic, EN (teller)
Jones, SP
King, CF
Livermore, KF
Macklin, JL
Melham, D
Murphy, JP
Oakeshott, RJM
Owens, JE
Perrett, GD
Ripoll, DF
Rowland, MA
Rudd, KM
Shorten, WR
Smith, SF
Snowdon, WE
Symon, MS
Vamvakian, M
Windsor, AHC

PAIRS
Andrews, KL
Ciobo, SM
Haase, BW

O'Neill, DM
Thomson, KJ
McClelland, RB

Question negatived.

Ms GILLARD (Lalor—Prime Minister) (14:53): I ask that further questions be placed on the Notice Paper.

Honourable members interjecting—
The SPEAKER: Order! I am on my feet, the member for Sturt. You do not want to build a tally further!

CONDOLENCES
Scanlon, Ms Kate

Ms GILLARD (Lalor—Prime Minister) (14:53): This is a matter that I was speaking to the member for Braddon about yesterday. As people would be aware, we did lose the life of a young Australian woman in the train fire in India. The member for Braddon is the representative of that local community in this place. He is someone who knows the family. There are parents and a family grieving for this lost Australian. She was there with three companions, also from Tasmania, and I did want to take this opportunity to say that I believe the thoughts of every member of the House will be with that family and with that very tight-knit local community.

DOCUMENTS
Presentation

Mr ALBANESE: Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings. I move:

That the House take note of the following documents:

Aboriginal and Torres Strait Islander Affairs—House of Representatives Standing Committee—Doing time - Time for doing: Indigenous youth in the criminal justice system—Government response.


Department of Defence—Special purpose flights—Schedules for the period January to June 2011.

Department of Finance and Deregulation—Reports—Former parliamentarians’ expenditure on entitlements paid by the department for the period January to June 2011.

Parliamentarians’ expenditure on entitlements paid by the department for the period January to June 2011.

Parliamentarians’ overseas study travel reports for the period January to June 2011—Volume 1.

Volume 2.


Finance—Advance to the Finance Minister—Issues from the Advances under the annual Appropriation Acts—Report for 2010-11.


Debate adjourned.

COMMITTEES

Regional Australia Committee

Government Response

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:55): I table the government response to the House of Representatives Standing Committee on Regional Australia report, Of drought and flooding rains: inquiry into the impact of the Guide to the Murray-Darling Basin Plan in regional Australia.

BUSINESS

Leave of Absence

Mr ALBANESE: I move:

That leave of absence be given to every Member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.

Question agreed to.
COMMITTEES

Government Response

The SPEAKER: For the information of honourable members, I present a schedule of outstanding government responses to reports of House of Representatives and joint committees, incorporating reports tabled and details of government responses made in the period between 7 July 2011, the date of the last schedule, and 23 November 2011. Copies of the schedule are being made available to honourable members and it will be incorporated in Hansard.

The document read as follows—

The Speaker's Schedule of Outstanding Government Responses to Reports of House of Representatives and Joint Committees (also incorporating reports tabled and details of Government responses made in the period between 7 July 2011, the date of the last schedule, and 23 November 2011)

24 November 2011

The Speaker's Schedule of Outstanding Government Responses to Committee Reports

The attached schedule lists committee reports tabled and government responses to House and joint committee reports made since the last schedule was presented on 7 July 2011. It also lists reports for which the House has not received a government response. Schedules of outstanding responses will continue to be presented at approximately six monthly intervals, generally in the last sitting weeks of the winter and spring sittings.

The schedule does not include advisory reports on bills introduced into the House of Representatives unless the reports make recommendations which are wider than the provisions of the bills and which could be the subject of a government response. The Government's response to these reports is apparent in the resumption of consideration of the relevant legislation by the House. Also not included are reports from the Parliamentary Standing Committee on Public Works, the House of Representatives Committee of Privileges and Members' Interests, and the Publications Committee (other than reports on inquiries). Government responses to reports of the Public Works Committee are normally reflected in motions for the approval of works after the relevant report has been presented and considered. Reports from other committees which do not include recommendations are only included when first tabled.

Reports of the Joint Committee of Public Accounts and Audit primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. Responses to administrative recommendations are made in the form of an Executive Minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recommendations are required to provide an Executive Minute within 6 months of tabling a report. The committee monitors the provision of such responses.

November 2011

<table>
<thead>
<tr>
<th>Description of Report</th>
<th>Date Tabled or Published</th>
<th>Date of Government Response</th>
<th>Responded in Period Specified</th>
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<tr>
<td>Aboriginal and Torres Strait Islander Affairs (House, Standing)</td>
<td></td>
<td></td>
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<tr>
<td>Indigenous Australia at work: Successful initiative in Indigenous employment</td>
<td>13-08-07</td>
<td>No response to date</td>
<td>No</td>
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<td>Open for business: Developing Indigenous enterprises in Australia</td>
<td>20-10-08</td>
<td>No response to date</td>
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<td>Everybody's Business: Remote Aboriginal and Torres Strait Islander Community Stores</td>
<td>16-11-09</td>
<td>No response to date</td>
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<td>Doing time – Time for doing: Indigenous youth in the criminal justice system</td>
<td>20-06-11</td>
<td>Time has not expired</td>
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<td>Agriculture, Resources, Fisheries and Forestry (House, Standing)</td>
<td></td>
<td></td>
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<td>Seeing the forest through the trees: inquiry into the future of the Australian Forestry Industry</td>
<td>23-11-11</td>
<td>Time has not expired</td>
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<td>Australian Commission for the Law Enforcement Integrity (Joint, Parliamentary)</td>
<td></td>
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<td>Inquiry into the operation of the Law Enforcement Integrity Commissioner Act 2006 (Final Report)</td>
<td>07-07-11</td>
<td>Time has not expired</td>
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<td>Report on the inquiry into integrity testing</td>
<td>21-11-11</td>
<td>Time has not expired</td>
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<td>Christmas Island Tragedy (Joint, Select)</td>
<td></td>
<td></td>
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<td>Joint Select Committee on the Christmas Island tragedy of 15 December 2010</td>
<td>29-06-11</td>
<td>12-10-11</td>
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<td>Communications, Information Technology and the Arts (House, Standing)</td>
<td></td>
<td></td>
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<td>Digital Television: Who's Buying It?</td>
<td>13-02-06</td>
<td>21-11-11</td>
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<td>Community Television: Options for digital broadcasting</td>
<td>12-02-07</td>
<td>No response to date</td>
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<tr>
<td>Report: Tuning in to community broadcasting</td>
<td>20-06-07</td>
<td>No response to date</td>
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<td>Corporations and Financial Services (Joint, Statutory)</td>
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<td>Inquiry into the review of the Managed Investments Act 1998</td>
<td>12-12-02</td>
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<td>Structure and operation of the superannuation industry</td>
<td>07-08-07</td>
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<td>Better shareholders – Better company: Shareholder engagement and participation in Australia</td>
<td>23-06-08</td>
<td>No response to date</td>
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<td>Aspects of agribusiness managed investment schemes</td>
<td>07-09-09</td>
<td>No response to date</td>
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<td>Description of Report</td>
<td>Date Tabled or Published</td>
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<td>28-04-11</td>
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<td>23-11-11</td>
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<tr>
<td>(Joint, Select)</td>
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<td>High-wire act: Cyber-safety and the young – Interim report</td>
<td>20-06-11</td>
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<td>Economics</td>
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<td>(House, Standing)</td>
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<td>(House, Standing)</td>
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<td>16-11-09</td>
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<td>(House, Standing)</td>
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<td>School libraries and teacher librarians in 21st century Australia</td>
<td>23-05-11</td>
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<td>Electoral Matters</td>
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<td>(Joint, Standing)</td>
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<td>Inquiry into the implications of the Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections</td>
<td>25-02-10</td>
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<td>Report on the conduct of the 2010 Federal Election and matters related thereto</td>
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<td>17-08-05</td>
<td>No response to date⁴</td>
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<td><strong>Employment and Workplace Relations</strong>&lt;br&gt;(House, Standing)&lt;br&gt;Making it Fair: Pay equity and associated issues related to increasing female participation in the workforce</td>
<td>23-11-09</td>
<td>No response to date</td>
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<td>17-09-07</td>
<td>No response to date</td>
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<td><strong>Family, Community, Housing and Youth</strong>&lt;br&gt;(House, Standing)&lt;br&gt;Housing the Homeless: Report on the inquiry into homelessness legislation</td>
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<td>No response to date</td>
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<td>Avoid the Harm – Stay Calm: Report on the inquiry into the impact of violence on young Australians</td>
<td>07-07-10</td>
<td>23-11-11</td>
<td>No</td>
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<td><strong>Foreign Affairs, Defence and Trade (Joint, Standing)</strong>&lt;br&gt;Human Rights in the Asia-Pacific: Challenges and opportunities</td>
<td>19-04-10</td>
<td>No response to date</td>
<td>No</td>
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<td>Inquiry into Australia's Relationship with the Countries of Africa</td>
<td>23-06-11</td>
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<td>Review of the Department of Foreign Affairs and Trade Annual Report 2009-10</td>
<td>21-07-11</td>
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<td>Inquiry into Australia's trade and investment relations with Asia, the Pacific and Latin America</td>
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<td>Time has not expired</td>
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<td><strong>Gambling Reform</strong>&lt;br&gt;(Joint, Select)&lt;br&gt;First Report: The design and implementation of a mandatory pre-commitment system for electronic gaming machines</td>
<td>06-05-11</td>
<td>No response to date</td>
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<td><strong>Health and Ageing (House, Standing)</strong></td>
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<td>Weighing it up: Obesity in Australia</td>
<td>01-06-09</td>
<td>No response to date</td>
<td>No</td>
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<td>Regional health issues jointly affecting Australia and the South Pacific: Delegation Report</td>
<td>18-03-10</td>
<td>No response to date</td>
<td>No</td>
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<td>Roundtable forum on burns prevention in Australia</td>
<td>16-07-10</td>
<td>No response to date</td>
<td>No</td>
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<td>Before it's too late: Report on early intervention programs aimed at preventing youth suicide</td>
<td>04-07-11</td>
<td>Time has not expired</td>
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<td><strong>Industry, Science and Innovation (House, Standing)</strong></td>
<td></td>
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<td>Seasonal forecasting in Australia</td>
<td>23-11-09</td>
<td>No response to date</td>
<td>No</td>
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<td><strong>Infrastructure and Communications (House, Standing)</strong></td>
<td></td>
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<td>Broadening the debate: Inquiry into the role and potential of the National Broadband Network</td>
<td>25-08-11</td>
<td>Time has not expired</td>
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<td>Find the right balance: Cabin crew ratios on Australian aircraft</td>
<td>21-11-11</td>
<td>Time has not expired</td>
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<td><strong>Infrastructure, Transport, Regional Development and Local Government (House, Standing)</strong></td>
<td></td>
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<td>Rebuilding Australia's coastal shipping industry: Inquiry into coastal shipping policy and regulation</td>
<td>20-10-08</td>
<td>No response to date</td>
<td>No</td>
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<tr>
<td><strong>Intelligence and Security (Joint, Statutory)</strong></td>
<td></td>
<td></td>
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<tr>
<td>Review of Administration and Expenditure: No 8 – Australian Intelligence Agencies</td>
<td>21-06-10</td>
<td>22-09-11</td>
<td>No</td>
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<td>Annual Report of Committee Activities 2009-2010</td>
<td>20-06-11</td>
<td>Response not required</td>
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<td>Review of the listing of AQAP and the re-listing of six terrorist organisations</td>
<td>22-08-11</td>
<td>Response not required</td>
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<td>Annual Report of Committee Activities 2010-2011</td>
<td>21-11-11</td>
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## Description of Report

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<th>Date of Government Response</th>
<th>Responded in Period Specified</th>
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<tr>
<td><strong>Law Enforcement (Joint)</strong>&lt;br&gt; Inquiry into the adequacy of aviation and maritime security measures to combat serious and organised crime</td>
<td>16-06-11</td>
<td>03-11-11</td>
<td></td>
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<tr>
<td>Examination of the annual report of the Australian Federal Police 2009-10</td>
<td>22-08-11</td>
<td>Response not required</td>
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<td>Examination of the annual report of the Australian Crime Commission 2009-10</td>
<td>22-08-11</td>
<td>Time has not expired</td>
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<td><strong>Legal and Constitutional Affairs (House, Standing)</strong>&lt;br&gt;A Time for Change: Yes/No? Inquiry into the Machinery of Referendums</td>
<td>08-02-10</td>
<td>No response to date</td>
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<td><strong>Migration (Joint, Standing)</strong>&lt;br&gt;Immigration detention in Australia: A new beginning – Criteria for release from immigration detention</td>
<td>01-12-08</td>
<td>No response to date</td>
<td>No</td>
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<td>Immigration detention in Australia: Community-based alternatives to detention</td>
<td>25-05-09</td>
<td>No response to date</td>
<td>No</td>
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<tr>
<td>Immigration detention in Australia: Facilities, services and transparency</td>
<td>18-08-09</td>
<td>No response to date</td>
<td>No</td>
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<td>Enabling Australia: Inquiry into Migration Treatment of Disability</td>
<td>21-06-10</td>
<td>No response to date</td>
<td>No</td>
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<td><strong>National Broadband Network (Joint, Standing)</strong>&lt;br&gt;Rollout of the National Broadband Network – First Report</td>
<td>31-08-11</td>
<td>Time has not expired</td>
<td></td>
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<tr>
<td><strong>National Capital and External Territories (Joint, Standing)</strong>&lt;br&gt;Inquiry into the changing economic environment in the Indian Ocean Territories</td>
<td>11-05-10</td>
<td>03-11-11</td>
<td>No</td>
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<td>Etched in stone? Inquiry into the administration of the National Memorials Ordinance 1928</td>
<td>23-11-11</td>
<td>Time has not expired</td>
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<tr>
<td><strong>Parliamentary Budget Office (Joint, Select)</strong>&lt;br&gt;Inquiry into the proposed Parliamentary Budget Office</td>
<td>23-03-11</td>
<td>01-08-11</td>
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<td>Description of Report</td>
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<td>Date of Government Response</td>
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<td><strong>Petitions</strong></td>
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<tr>
<td>(House, Standing)</td>
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<td>Electronic Petitioning to the House of Representatives</td>
<td>16-11-09</td>
<td>No response to date</td>
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<td>The work of the First Petitions Committee 2008-2010</td>
<td>21-06-10</td>
<td>No response to date</td>
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<td><strong>Primary Industries and Resources</strong></td>
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<td>(House, Standing)</td>
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<td>Farming the future: The role of Government in assisting Australian farmers to adapt to the impact of climate change</td>
<td>15-03-10</td>
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<td><strong>Procedure</strong></td>
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<td>(House, Standing)</td>
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<td>Motion to suspend standing orders and condemn a Member: Report on events of 10 October 2006</td>
<td>07-12-06</td>
<td>No response to date</td>
<td>No</td>
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<td>Building a modern committee system: An inquiry into the effectiveness of the House Committee system</td>
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<td>No response to date</td>
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<td>Interim report No. 1: Monitoring and review of procedural changes implemented in the 43rd Parliament</td>
<td>23-05-11</td>
<td>No response to date</td>
<td>No</td>
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<td>Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament – Referral of bills to committees by the House Selection Committee</td>
<td>04-07-11</td>
<td>Time has not expired</td>
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<td><strong>Public Accounts and Audit</strong></td>
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<tr>
<td>(Joint, Statutory)</td>
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<tr>
<td>Report 417: Review of Auditor-General's reports tabled between February 2009 and September 2009</td>
<td>22-06-10</td>
<td>No response to date</td>
<td>No</td>
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<td>Report 418: Review of Auditor-General's Reports Nos. 04 to 38 (2009/10)</td>
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<td>No response to date</td>
<td>No</td>
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<td>Report 419: Inquiry into the Auditor-General Act 1997</td>
<td>22-12-10</td>
<td>13-09-11</td>
<td>No</td>
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<td>Report 421: The role of the Auditor-General in scrutinising government advertising</td>
<td>03-03-11</td>
<td>09-09-11</td>
<td>No</td>
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<td>Report 423: Review of Auditor-General's reports Nos 39 (2009-10) to 15 (2010-11)</td>
<td>04-07-11</td>
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<td>Date Tabled or Published</td>
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<td>Report 424: Eighth biannual hearing with the Commissioner of Taxation</td>
<td>04-07-11</td>
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<td>Report 426: Ninth biannual hearing with the Commissioner of Taxation</td>
<td>23-11-11</td>
<td>Time has not expired</td>
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<td></td>
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<td>(Parliamentary Standing)</td>
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<td>Inquiry into the development of a digital repository and electronic distribution of the Parliamentary Papers Series</td>
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<td>Of drought and flooding rains: Inquiry into the impact of the Guide to the Murray-Darling Basin Plan</td>
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<td><strong>Social Policy and Legal Affairs</strong></td>
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<td>Reclaiming public space: Inquiry into the regulation of billboard and outdoor advertising</td>
<td>04-07-11</td>
<td>Time has not expired&lt;sup&gt;15&lt;/sup&gt;</td>
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<td>Advisory report on the Extradition and Mutual Assistance in Criminal Matters Legislation Amendment Bill 2011</td>
<td>12-09-11</td>
<td>19-09-11&lt;sup&gt;16&lt;/sup&gt;</td>
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<td><strong>Treaties</strong></td>
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(118th Report) 17-08-11 Response not required
Treaty tabled on 5 July 2011
(119th Report) 15-09-11 Response not required
Treaties tabled on 5 July and 16 August 2011
(120th Report) 12-10-11 Response not required
Treaty tabled on 16 August 2011
(121st Report) 01-11-11 Response not required
Treaties tabled on 23 August, 13 and 20 September
and 13 October 2011 22-11-11 Response not required

Electoral Matters Committee

The SPEAKER: I have received a message from the Senate informing the House of the following resolution agreed to by the Senate:

That the time for the presentation of the report of the Joint Standing Committee on Electoral Matters on the funding of political parties and election campaigns be extended to 12 December 2011.

PERSONAL EXPLANATIONS

Mr O’DOWD (Flynn) (14:57): Mr Speaker, I seek to make a personal explanation on indulgence.

The SPEAKER: Does the honourable member claim to have been misrepresented?

Mr O’DOWD: Yes.

The SPEAKER: Proceed.

Mr O’DOWD: Yesterday the minister said that I had never met him or discussed the Calliope Crossroads. That is wrong. I seek leave to table this photograph taken on 17 April 2011. It might jog his memory.

The SPEAKER: The honourable member has concluded his personal explanation. He will resume his seat and I am required to ask whether leave is granted.

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:59): Given that the government is putting $150 million into the Calliope Crossroads, a photo with me is not the basis of $150 million. If so, I would be a very popular person to sit next to.

Honourable members interjecting—

The SPEAKER: Order! The member for Sturt will resume his seat. I did not quite hear the leader—did he grant leave? No? Leave is not granted.

Mr Pyne: Mr Speaker, I have a point of order to you. As the new Speaker, I seek guidance from you as to whether you will be allowing the Leader of the House to simply approach the dispatch box and start bellowing across the chamber at the opposition without properly seeking the call and being given it.

The SPEAKER: I will not tolerate that in future. I think the honourable member who made that point ought to sometimes look in a mirror.

QUESTIONS TO THE SPEAKER

Parliamentary Language

Mr SCHULTZ (Hume) (15:00): Mr Speaker, I seek clarification from you in the
matter of words I used in this chamber today, to which you—

Government members interjecting—

The SPEAKER: Order! Honourable members on my right—every single one of you—will remain silent.

Mr SCHULTZ: made the comment that you did not hear. The words that I seek clarification on in relation to unparliamentary words are the gender centred words of 'woman', 'man' and 'horrible'. I seek your clarification on whether those words are unparliamentary.

The SPEAKER: The honourable member asks a question of me, but that matter was resolved when the honourable member withdrew the words complained of. So that is the end of that particular matter. Had he in fact argued at the time or had he put to me that the words he uttered were not unparliamentary, then obviously I, as the occupant of the chair, would have taken that into account. I did not hear the words and I asked if indeed he said the words complained of would he be prepared to assist the processes of the House by withdrawing. The honourable member gallantly withdrew those words, and that was the end of the matter.

Mr SCHULTZ: Mr Speaker, I totally concur with what you have just said. The point I am making is secondary to that apology I made to keep order in the House. What I am seeking from you is a clarification of whether gender words 'woman' and 'man' are unparliamentary and whether the word 'horrible' is unparliamentary. I am seeking a separate ruling from you on that.

The SPEAKER: My ruling on that is the words 'man', 'woman' and 'horrible' are not unparliamentary.

PERSONAL EXPLANATIONS

Mr RIPOLL (Oxley) (15:02): Mr Speaker, I congratulate you on your elevation to high office. I am seeking to make a personal explanation.

The SPEAKER: Does the honourable member claim to have been misrepresented?

Mr RIPOLL: Yes, I do.

The SPEAKER: Please proceed.

Mr RIPOLL: On the ninemsn website yesterday, 23 November, in a story under the heading 'Cliches and insults, repaid with interest' it was implied that I was not ready for the commencement of sitting yesterday or for the vote on a division. I quote:

Not everyone was ready for such early hostilities. Labor's lycraed Bernie Ripoll and Liberal Bob Baldwin in sporty shorts turned up for the votes.

Rather than being late or not ready, I was on time—three minutes early for the vote and carried out my duties fully. I do not want to comment on the readiness of the member for Paterson, but I would like to point out that he wears the lycra well; I was not wearing any.

QUESTIONS TO THE SPEAKER

Parliamentary Behaviour

Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Childcare and Minister for the Status of Women) (15:07): Mr Speaker, I seek clarification on the point that the member for Hume made earlier—

The SPEAKER: Is this a question to me?

Ms KATE ELLIS: It is a question to you, if you would like.

Opposition members interjecting—

Ms KATE ELLIS: Okay, I have a question to you. Do you think it would be appropriate in this House that we set a standard that (1) we try and lessen the insults and (2) we say that it is totally inappropriate to have gendered insults continually thrown across the chamber and, on a day when we
are all saying we are encouraging respect for women, we stand up against it?

The SPEAKER: As the Speaker, I am the arbiter of what is parliamentary and what is unparliamentary. I would counsel all honourable members on both sides to observe civilities because, if that does not occur, our chamber might often appear to have a lot fewer than 150 members.

**MATTERS OF PUBLIC IMPORTANCE**

**Gillard Government**

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

Mr Briggs interjecting—

The SPEAKER: The member for Mayo is warned. I have received a letter from the honourable the Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The urgent need for better policies after four years of divided and directionless government.

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

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

Mr ABBOTT (Warringah—Leader of the Opposition) (15:05): This is the fourth anniversary of the election of the current government. It is the birthday that no-one wants to celebrate. Members opposite do not want to celebrate it because they do not want to acknowledge the fact that someone else led them to the election other than the person who currently leads them and the public certainly do not want to celebrate because the public know that this is a government which has been an absolute, complete and utter failure.

What we have had from this government is four years of waste, four years of broken promises and four years of mounting pressure on the forgotten families of Australia. It is interesting, isn't it, the one person who has been completely scarce around this parliament today is the one person who had the popular appeal to lead the Australian Labor Party into government just four years ago this day? I wonder what the member for Griffith is doing to celebrate. Perhaps he is taking the knife out of the back of the member for Scullin and saying, 'This is the same knife that went into my back just over a year ago.' Perhaps having looked at the knife that has gone into the back of the member for Scullin, discovering it is the same knife that went into his back a year or so back, he is sharpening it up for a bit of use himself in the New Year. I suspect that might be what is happening.

The fact is: this is a government of monumental incompetence. Some of the incompetence of this government has passed into popular folklore as just about beyond any ordinary imagination. There were the pink batts that this government could not put into roofs for free without houses catching fire right around Australia. There were the school halls that could not be built without rip-off after rip-off. There is the National Broadband Network that is digging up a street near you, whether you want fibre, need fibre or are prepared to pay extra for fibre once it finally arrives. There was the live cattle fiasco, because this is a government that panicked in the face of a television program. Above all else, hovering over this government like a constant symbol of failure, are the boats that keep arriving, day in and day out, because this government did not have the common sense to leave well enough alone and accept the policies that actually
worked. Having changed those policies, having restarted the boats, the government now lacks the honour and the decency to put back into place the policies that have been proven to work.

This is a government which has been replete with broken promises. Within the first six months of this government, the promises started breaking and there has been an absolute cavalcade of broken promises since. I could spend 15 minutes talking about the broken promises of this government: the childcare centres that never got built, the so-called superclinics that have not been built, the 2½ thousand trades training centres that are yet to be rolled out, the Fuelwatch which stopped watching and the GroceryWatch which had its eyes closed and eventually got everything closed. There is the private health insurance rebate that was never going to be means-tested and which now is being means-tested. There is the baby bonus that was never going to be means-tested and now is being means-tested.

Above all, there is the broken promise that will haunt this government and this Prime Minister to her political grave: that notorious statement, 'There will be no carbon tax under the government I lead,'—that notorious statement that she made five days before the election, to win votes, and then trashed after the election to hold onto office. What a shameful, embarrassing and unprincipled Prime Minister, who would make a categorical statement to win votes and then trash any concept of democratic legitimacy by overturning that commitment in order to do her sordid, squalid deal with Bob Brown and the Greens—the first of many sordid, squalid deals which have been done by this government and this Prime Minister over the last 14 months. If there is one thing that this government lacks, it is integrity. It is the lack of competence, lack of honesty and lack of decency which are causing the Australian people to suffer.

We all know how prices have gone up, because this is a government that cannot manage the economy properly. Since the end of 2007, power prices are up 60 per cent. Water prices are up 58 per cent under this government. Gas prices—and you would know this, Mr Speaker, from your own constituents telling you—are up 36 per cent. Education costs are up 21 per cent, health costs are up 24 per cent, rent is up 23 per cent, and food and groceries are up a whopping 33 per cent because this is a government which cannot be trusted with economic management. Above all else, this is a government which cannot be trusted with public money, because this government inherited a $20 billion surplus and turned it into a $50 billion deficit. This is a government which inherited $70 billion in net Commonwealth assets and has so far built up $107 billion of net Commonwealth debt. And the government says that it is going to move into surplus next year. Four years of the biggest deficits in our history and now it says, on the basis of nothing—because it will not face this parliament to have the crisis minibudget that our country needs—that it is going to bring us back into surplus next year.

There is a better way. The better way is the coalition's strong plan for a better economy for a better Australia. Our objective can be stated quite simply and quite clearly. It is lower taxes, better services, more opportunities to work and, above all else, stronger borders. If we are going to be a self-respecting country, if we are going to be a truly sovereign nation, we must have strong and secure borders.

The first task of a government, apart from securing the borders of the country, is to ensure that it lives within its means. On this
side of the House there is the experience, there is the competence and there is, above all else, the will to get wasteful government spending under control. It is in our DNA to get wasteful government spending under control. We did it before, between 1996 and 2007, and we can do it again. Sixteen members of my front bench were ministers in the last government to get the fiscal position of the Commonwealth under control. We will not need to learn on the job. We will not need to wear L-plates, like the government are still wearing. In fact, they are not wearing plates, they are F-plates now—‘fail’ plates. In fact, they have been deregistered. That is what has happened to them. We can do it because we have done it. We have done it before, we can do it again, and one of the reasons why the Australian people are now so hungry for a change of government is that they know there is an alternative that can get the fiscal situation under control.

We will not just talk. We showed before the last election that we could go through the Commonwealth budget, line by line, item by item, program by program, and identify serious savings. Before the last election we identified $50 billion worth of savings. We did it before; we can do it again. We appreciate that the task is hard. We appreciate that the challenge is great. We appreciate that the political difficulties are there. But we will not shirk them, because we know from experience of what is happening in Europe right now that a terrible judgment is pronounced against countries and peoples that keep on spending, keep on borrowing and keep on taxing when it is going to do damage to them—and it will do damage to them.

We have a clear plan not just to get government spending under control but to make our economy more productive. I have identified a six-point plan for higher productivity. It involves a bigger workforce. It involves more productive public institutions. It involves a serious attack on red tape, with serious savings for small businesses based on a model that has been working for some years now in the state of Victoria. It involves investing serious money in infrastructure that really will bring economic and social benefits to our country.

We will spend the money in Auslink on projects which have passed cost-benefit analyses and which always have published cost-benefit analyses. This government, having promised that nothing would be done without a serious cost-benefit analysis, has not published a single one. It is no wonder that the former Minister for Finance and Deregulation, the former member for Melbourne, resigned as soon as the current Prime Minister took office; he was made a fool of, because his promise was never adhered to and he knew that it never would be adhered to under this Prime Minister.

There will be a review of competition law to ensure that businesses large and small compete on a genuinely level playing field. There will be more productive workforces. We will build on the legacy of the former Howard government and have genuine participation reform in this country. There will be continuous activity for unemployed people under 50. We will extend welfare quarantining from the Northern Territory to long-term unemployed people right around Australia. We will reform the disability pension to ensure that older people in particular are not parked forever on the pension when they could still have opportunities for work. We will cut off the dole for young people in places where unskilled work is readily available, because Warren Mundine is right. Warren Mundine, the former National President of the Labor Party, is right: it is much better to have people showing the world what they can do
than to have policies in place which encourage them to show the world what they cannot do.

We took really outstanding policies to the last election. You know, Mr Speaker, because you were advocating for the policies that we took to the last election. I hope you might find it in your heart to continue advocating for those policies. There were incentives to employers who took on young long-term unemployed people and kept them there. There were incentives to employers who took on seniors and kept them there. The seniors of this country should not just be social and cultural contributors; they ought to be economic contributors too if that is their wish. There should be no age of statutory senility. There should be no bar to older people contributing to our economy if that is what they want to do. The older people of this country have the skills, the work culture and, in many cases, the readiness to do more, and we should give them the encouragement that they need.

Since the election, my front bench colleagues have announced better water management policies, including new dams, because why shouldn’t the north of Australia become a food bowl for Asia? Why do we constantly set limits on ourselves because members opposite are in thrall to Bob Brown, the real Prime Minister of this country?

We came forward with a $2 billion mental health policy. It was so successful that even this current government was shamed into doing something at budget time. I am proud of the antidumping policy on which my friend the shadow minister, the member for Indi, has done so much work assisted by the shadow minister for resources. That will put in place the same effective antidumping regime which has protected the industries of Europe and North America.

We can do better than this government. The Australian people are feeling down because they know we can do better. This is a great country. It deserves a better government, and we stand ready to give it to them. (Time expired)

Mr CLARE (Blaxland—Minister for Defence Materiel) (15:20): Mr Speaker, I congratulate you on your election as Speaker today.

I have to say the thing I like about the Leader of the Opposition is that you always know what he is going to say in these debates. He is a bit like McDonald's: wherever you go to McDonald's, you always know it is going to be the same. Whether it is Manuka McDonald's, Bankstown McDonald's in my electorate or the Caloundra McDonald's in the Speaker's electorate, you always know what you are going to get. A Big Mac always tastes the same. The thickshake always tastes the same. The fries always taste the same. It is a bit like that with the speeches of the Leader of the Opposition. Just like McDonald's, they are always cheap and nasty, and if you swallow too much of it then you get that negative feeling in the pit of your stomach. He is the Ronald McDonald of Australian politics: just cheap and nasty insults, and if you hear too much of him then you might just throw up.

There is nothing positive, no ideas, no plan for Australia's future—just oppose everything that moves. It is just rancid, unrelenting negativity. Imagine what would happen if one day he said yes to something. Streamers would fall from the public gallery, confetti would rain in this place, a mariachi band would come from the press gallery, and I would probably have to order some Super Hornets to fly over Canberra to celebrate the great event. But the chances of that happening are not very high.
He is so negative that he even opposes a mining tax that the big miners support. He is so negative that now he opposes not only this government's policies but his own policies. He has a policy of cutting carbon emissions by five per cent by 2020, and a couple of months ago, when he was in Queensland, he said that policy is crazy. So he is so negative now that he thinks his own policies are crazy. His policy on asylum seekers is to place asylum seekers in Nauru. There is legislation before this parliament that would allow him to do that if he ever became Prime Minister, and he is opposing that. So he opposes not just government policy but now even his own policies.

He is so negative, Mr Speaker, that he even opposed you and issued an order that no-one from the coalition should stand for the position of Speaker, and he had no-one on that side of politics support your nomination or your election as Speaker of this parliament. He is that negative. He opposes our policies, he opposes his own policies and he even opposes you.

This is a debate about public policy. Let me tell you a little bit about what this government has been doing. We have put a price on carbon. After a debate that has now taken almost 20 years, it is this government that has been able to put a price on carbon. We are rolling out the National Broadband Network. We are delivering the first Paid Parental Leave scheme in Australia's history. We are delivering a national health agreement and $5.8 billion in a flood package to help rebuild Queensland and Victoria. We are delivering a budget that delivered 99 per cent of our election promises and keeps on track for a return to surplus in 2013. Finally, this week we have legislated through this parliament to introduce a minerals resource rent tax.

The Leader of the Opposition comes here and talks about the importance of good policy. I will tell you what good policy is: good policy is making sure that we stop Australia going into recession, and good policy is making sure that we do not have an unemployment rate such as you find in the United States or in Europe, of 10 or 20 per cent. It is about making sure you do not have a million people on a dole queue and all the strife that you see in other parts of the world. That did not happen here in Australia, because of the action that this government took, because we made the right economic decisions with the right policies—policies that were opposed by the Liberal Party and by the National Party and criticised by them all along the way. That is the difference that a Labor government makes.

There are five pillars that this country is built on, and each of them has been built by the Australian Labor Party, and this government is building on each and every one of them. The first pillar is the US alliance. Our alliance with the United States has been signed by a Liberal Prime Minister, but it was built by a Labor one. Prime Minister John Curtin forged it in the darkest days of World War II. This relationship not only turned the tide of war in the Pacific but has underpinned Australia's security ever since. It was built by the Labor Party, and it is this government that is building on that with the announcement that we made with the President of the United States here only a week ago.

The second pillar that modern Australia is built on is our open and competitive economy, responsible for more than 20 years of uninterrupted economic growth built by the Hawke government and the Keating government. They are the ones who floated the dollar, opened our banks to competition, cut tariffs, developed competition policy and introduced superannuation for the first time.
for all Australian workers. It is this government that is building on that pillar. We are doing that by rolling out the NBN, by introducing a price on carbon and by increasing the superannuation that all Australian workers will receive from nine per cent—where the Howard government chose not to implement what the Keating government had promised—to 12 per cent. This makes sure that the average Australian worker out there—someone who is 30 now and on 50 grand a year—will have an extra $108,000 in their pocket when they retire.

The third pillar on which Australia is built is fair industrial relations. This is the party that helped to establish workers compensation, the old age pension and the disability pension, and we are building on that by getting rid of one of the worst pieces of legislation ever introduced into this parliament, Work Choices. The member for Mayo knows it well because he is the architect of it. He is Dr Frankenstein, the man who created the monster that killed his own boss. We are the party that is building on that pillar, building a fairer workplace by getting rid of Work Choices and introducing the Fair Work Act.

Mr Briggs: It's going very well!

The SPEAKER: I remind the honourable member for Mayo that he is under warning.

Mr CLARE: The fourth pillar on which modern Australia is built is access to health care. The Whitlam and Hawke governments built the Medicare system, and every step of the way the Liberal Party tried to destroy it. They opposed it when Fraser was in opposition, and then when Fraser got in they got rid of Medibank. We introduced Medicare under the Hawke government. They opposed it at every election ever since. It is this government that is building access to health care, and we are doing it now, building on that pillar. We have increased hospital funding by 50 per cent and provided the biggest increase in mental health funding in Australia's history, and we are now developing the National Disability Insurance Scheme that is underway.

The fifth pillar on which Australia is built, of course, is an education system that gives access to everyone. The Whitlam government made university available for many Australians for whom it would never have been available before. During the Hawke and Keating governments, the number of people that finished high school jumped dramatically, from the 50s to the 70s per cent. It is this government that is building on that as well by making sure that more people get access to university and more people finish school, increasing participation rates at school from 75 per cent to 90 per cent. What drove all of these Labor governments in the past are the same things that drive the men and women behind me now. It is the purpose that has always driven the Labor Party to improve the lives of ordinary working people and to build a stronger society, a stronger economy and a fairer country. That is what this Labor government is about. That is what Labor governments have always been about.

The Leader of the Opposition, in his constant stream of bile and unrelenting negativity, talks about policies. Maybe we need to talk about not just better policies but better judgment. In the Australian last month the Leader of the Opposition said:

Napoleon said that one quality he wanted in his generals was luck. Well, I think the one quality the public want in their Prime Ministers is judgment.

Too right. The problem is that the Leader of the Opposition does not have any. In particular, he does not have any economic judgment. Remember: this is the bloke who in his first big speech on economics a few
years ago said that the stimulus that stopped us from going into recession 'wasn't necessary'. This is the bloke who said Work Choices was 'one of the greatest achievements of the Howard government'. This is the bloke who made Barnaby Joyce his chief financial adviser. It is like putting Homer Simpson in charge of the nuclear power plant. And this is the bloke who still opposes the mining tax even though BHP and the other big miners support it. His economic judgment is worse than that of Herbert Hoover. At least Herbert Hoover was awake. At least Herbert Hoover was not asleep when he made the worst economic decisions that caused the Great Depression. When the greatest economic crisis since the Depression hit, where was the Leader of the Opposition? He was not on this side of the chamber voting for the stimulus that stopped a recession. He was not on that side of the chamber voting against it, which would have caused a recession. He was upstairs in his room asleep, sleeping through not one division but five. He topped it this week by almost sleeping through 32 divisions. As the Leader of the House said, he only woke up to vote no and that is all he did.

His judgment on other things is no better. Look at health and education. When he was Minister for Health and Ageing, he ripped $1 billion out of our hospital system. What was his promise on education at the last election? He promised to rip $2 billion out of education. His personal judgment is not much better either. Remember: this is the bloke who told people to donate to the Liberal Party during the Queensland floods instead of donating money to help the people of Queensland. Remember: this is the bloke who attacked Bernie Banton during the 2007 election just weeks before he died of asbestosis. This is the bloke who tried to stop an expectant father from being at the birth of his own child only a couple of months ago.

The Leader of the National Party may not like it, but he knows it is true and he must pose in his own mind—like the member for North Sydney, a man who did not agree with that action—what sort of a man would try to stop another man from being at the birth of his child?

The problem that the Leader of the Opposition has as well is he also stands for nothing. Remember John Howard used to say, 'Love me or loathe me, at least you know where I stand.' You cannot say that about this Leader of the Opposition because he flips and he flops. He changes his position on everything. One minute climate change is crap; the next minute it is real. One minute he has a policy that says he will cut it by five per cent; the next minute he says that is crazy. One minute he says Work Choices is one of the greatest achievements of the Howard government; the next minute he says it is dead and buried. Apparently, one of the Leader of the Opposition's favourite quotes is from Ralph Waldo Emerson, the great American essayist. Emerson said:

…consistency is the hobgoblin of little minds.

His former boss John Hewson used to say of the Leader of the Opposition that he was all over the place—black one day, white the next. He got that right. The Leader of the Opposition said that superannuation is a con job 15 years ago. Now he says he is going to support it. He said paid parental leave would only happen over his dead body. Remember that one! Now he says he has his own scheme. He bags the Australian economy here in this place and then he goes to London and says that we are the envy of the world. He calls on the Australian government to establish the Nauru solution and then when we put legislation in that would allow him to do that he votes against that too.

How has this disciple of John Howard ended up opposing the policies of John
Howard? Because he is a man who does not believe in anything. When you do not believe in anything you get things wrong. He has come into this place and said that the carbon price would be the death of the coal industry. He said the mining resource rent tax would kill the mining boom stone dead. Last time I was here I reminded the House that one in six members of the opposition have bought shares in coal and resource companies over the last few months since we made that announcement. I have had the Stasi in my office check. There is a sudden silence from the opposition about buying shares. I wonder how that happened. *(Time expired)*

Mr TRUSS (Wide Bay—Leader of The Nationals) (15:35): The honourable member opposite, in amongst his personal insults, tried to rewrite history so that Labor could take credit for every good thing that has happened in this nation. They have to monumentally rewrite history to do that, but of course the Labor Party spin machine usually does not want facts to get in the way. I acknowledge that Labor governments have done some good things over the years. The sad thing, on this the fourth anniversary of this Labor government, is that this government is not in their league. This is a government that is an embarrassment to its own history and it is certainly an embarrassment to our nation. It is a government that will be recognised for its failures, for its inability to deal with simple policy issues, for waste and mismanagement. Dirty deals done in the middle of the night are the hallmark of this government. Treachery and betrayal are its stock in trade. Even the chaotic events of this morning carry the unseemly stench of a government that, along with those who provide comfort to the government in this place, is consumed by self-interest and hanging on to power at any cost. No matter how worthy a person may be, if he needs to be turned into a carcass to achieve an objective then the Sussex Street mob are prepared to do whatever it takes. History will judge all involved.

Two years ago our current Prime Minister said that Labor had lost its way. Of course she was right. Labor had lost its way, but now it is clear it has even lost the map—in fact, the whole atlas is lost. They have no idea where to go or what they should be seeking to achieve. Today as we commemorate the fourth anniversary of this government, its four disastrous years, it is Australian families who have suffered the most. For them, these four years have been a really hard, long slog. They are paying a high price for four years of Labor's broken promises, their wasteful and irresponsible spending, their economic mismanagement, their dodgy deals, their leadership intrigues, their absolute incompetence. This is a birthday that Australians are not celebrating. They grieve on this day, rather than celebrate, because they have had to endure so much as a people so that Labor can hang onto the keys to the Lodge.

All Australians have received gifts from this government, like the carbon tax, the mining tax and budget deficits, and now we are going to have a government in crisis minibudget before Christmas, delivering more bad news to Australian families and bad news on Australian services. There have been cuts in services and cuts in the standard of delivery of the things we need in this country, and yet the government continues to run up more and more debt. The taxes keep rising, the deficit gets worse, the boats keep coming and the bad government finds new ways to be even worse, to sink even lower.

Labor has squandered its inheritance, turning $45 billion in the bank into $107 billion in net debt. Today the Gillard government is racking up a staggering debt
of at least $100 million every day. It is out there borrowing and borrowing and borrowing. While there is intrigue going on in this country, the financiers running our country and seeking to pay the government's bills are going around China and the rest of the world trying to borrow more money so that the bills can be paid tomorrow. And it is not $100 million just today; it is $100 million, or even higher numbers, tomorrow and the following day—it has to be done every day to pay the deficits this government is racking up because it cannot manage its own affairs.

This is not the end of it. Australians are going to look forward to a carbon tax that is going to add $4 billion to the budget deficit—

Mr Hartsuyker: How much?

Mr TRUSS: Four billion dollars—and a mining tax that is going to cost at least $6 billion to the budget deficit. How can you introduce gigantic big new taxes and actually end up with a deficit? Only Labor can run financial affairs like that. It takes an extraordinary feat of economic incompetence to create two new massive taxes that actually exacerbate an already woeful budget position. There are two great big new taxes but the nation's finances are $10 billion worse off. And what is going to happen after the Treasurer delivers his government in crisis minibudget next week? It is always families that are going to foot the bill, with debts and deficits driving higher interest rates.

From the middle of next year the carbon tax will drive up the cost of everything, making next winter especially hard for Australian families as they struggle to pay the increased electricity bills or are forced to suffer in the cold. Labor should not claim that this is something that is happening accidentally. The very design of Labor's carbon tax is to encourage people, to force them, to switch off their heaters on cold days and to switch off their air conditioners during a hot summer. This is the strategy: make the price of electricity so high that we cannot afford to use it anymore and as a result there will be less CO₂ emissions.

Then we saw the asylum seeker debacle. More people have arrived by boat in the last three days than in the last six years of the Howard government. Does that sound like a successful asylum seeker policy? It is a dismal failure. The welcome mat is well and truly out with their onshore processing arrangements these days: it only takes a few days and you are out living in the city and qualify for benefits et cetera. This has been the greatest encouragement to the people-smuggling business to ramp up their trade. Frankly, it is a shameful example of this government's failure—and it is a failure they could so easily fix. They pulled their own legislation; they failed to bring it into the House for a vote that could have resolved this problem. We could have had this problem fixed by this Christmas but it is not going to be. There will be thousands more people coming before the government have the courage to bring their legislation into the parliament to try and fix the problem.

What we have now is a government that is completely out of control. They talk so much about how they want to care for people and they make big announcements, such as the national road system—which is in fact paved with press releases. There are grandiose announcements, especially from the Minister for Infrastructure and Transport, like $1 billion extra for the Pacific Highway. But, when it came to it, $700 million of it had already been announced, $200 million was being transferred from other projects in New South Wales and the whole billion was going to be spent on planning. There were announcements last week about a whole
stack of new projects that are being brought forward to try and make next year's balance sheet look a little bit better by bringing the debt forward. The projects will not be built, but the debt has been transferred from one year to the next to try and help Labor deliver its dream of a balanced budget. Of course that will not happen, no matter what is said in the context of the minibudget that is in process.

In my own electorate just the other day the minister announced a large number of new projects that he said would fix black spots on the Bruce Highway. I do not know whether he even reads his own press releases because he has already announced all these projects, some of them many times, and most of them are already finished. He announced a new spate of activities that are going to happen on the Bruce Highway but most of the projects are already completed and have been for months.

I also want to refer to a number of people who are not going to have a happy Christmas this year as a direct result of another government policy failure. They have spoken a lot about their proposed new mental health initiative—a $2.5 billion mental health initiative. We do need to do more on mental health, but what they do not front up to is the fact that the government are actually cutting expenditure for mental health this year. They are actually cutting expenditure. I have been approached by many psychiatrists in my own electorate who are now fronting up to the cruel reality of the limits that have been put on the Better Access program—people who cannot get any psychiatric care over the Christmas period because they have used up their 10 treatments for the year. One person who wrote to me has 63 patients who have accessed their maximum 10 rebates in 2011 and now cannot get any services until 2012.

What are this government's priorities? They go on with all this intrigue and political nonsense, when they should be looking after the Australian people. This is the fourth birthday of disaster, an anniversary of an underachieving government—a government that ought to give it away. (Time expired)

Mr BRADBURY (Lindsay—Parliamentary Secretary to the Treasurer) (15:46): Deputy Speaker, I would like to take this opportunity to congratulate you on your appointment to your office. It is great to be able to make a contribution to this important debate—a debate that gives us an opportunity to reflect upon the direction in which this government has taken the nation over the last four years. It is a very proud record of achievement.

We hear those on the other side reflect upon various matters, but there are a number of really important issues that you never hear them talk about. You do not hear them talk about jobs. In fact, when the global financial crisis was about to descend upon us, I remember the then Leader of the Opposition, the member for Wentworth, came into this place one day and he said, 'It's all about jobs, jobs, jobs.' I think that was the last time I heard anyone from that side come in here and place any emphasis on jobs. But there is a good reason that they do not want to talk about jobs, and that is that they supported policies that would attack jobs. They opposed policies that would create jobs.

During the global financial crisis we generated 700,000 jobs in this country. In fact, in the life of this government we have generated 750,000 jobs. As we generated those 700,000 jobs at a time when the rest of the world was confronting the economic contagion, we saw that right around the globe 30 million jobs were being lost. Here in Australia we created 700,000; around the world 30 million jobs were being lost. You
will not hear those on the other side reflect upon that remarkable achievement.

As a government, we do not take all the credit. We worked with the Australian community and with the business community in order to ensure that we were able to generate jobs when that was the key priority. And it continues to be a key priority of this government—to save businesses and to keep people in work. We know that the moment you lose your job, the ability to rebuild your life at some future stage, if and when you re-enter the workforce, is a much more challenging prospect than staying in work. We kept people in work, and we did that through a stimulus package that delivered major infrastructure investments in this country.

As I travel around my electorate and around the country I see what we have achieved. I see the massive improvement in our schools, in public housing and in local community infrastructure delivered by our councils. I have seen the capital equipment that our businesses have invested in through the business investment allowance—and now we want to give them the opportunity to keep investing in capital, with the instant asset write-off for small business.

We have seen the improvements in health care that this government has delivered over the last four years. We came into office at a time when the former government had neglected public services. They failed to invest in our hospitals, by simply saying, 'This is a matter for the states.' Remember the blame game? Well, we have tackled it. We have worked with state governments to deliver a compact that is increasing funding for health and hospitals, like the Nepean hospital in my electorate, which has received a massive investment of over $100 million—$17 million on a new clinical school.

In the entire term of the Howard government, the 11 years, the most they ever put in was about $2 million or $3 million—across the entire period. We have invested over $100 million in this important hospital in the outer western Sydney region. We have made vital investments in hospitals all around our country. This is because we believe that our central, core, objective is about managing the economy for working families. It is about managing this economy but ensuring that the benefits of a strong economy are distributed across the community, so that working Australians and working families in electorates like mine and those of all members in this place are able to share in the bounty of this prosperous country. And we are a prosperous country. Do not let those on the other side tell us that is not the case.

When it comes to the cost of living, which is a big issue—and an issue that has been a great challenge for governments throughout the course of history—our government has delivered a lot to ease the burden of the rising cost of living. We have delivered tax cuts in the order of $47 billion. We increased the childcare tax rebate from 30 per cent to 50 per cent. We introduced an education tax refund, allowing families to invest in those important goods that their children need in order to support their education and for those families to get a rebate from the government. We have delivered a historic increase in the pension—for the first time in the history of the pension a government has increased it above and beyond the rate of the CPI.

We introduced a paid parental leave scheme. Remember what it was like—it was like pulling teeth—when those opposite were in government. People around this country campaigned to give working parents the opportunity to have some financial relief when they take that first step to have a family and those opposite fought tooth and
nail to deny people that opportunity. 'Over my dead body' was one of the things that the former Prime Minister said when they were in government. We have delivered it. We have delivered the first national paid parental leave scheme—and aren't parents right across this country thankful for it!

We have doubled the investment in our schools, and now when I go to schools in my electorate I see the entire school has been remade; it has been made over—a once-in-a-generation opportunity to remake our schools, and we did it. Every time you go to one of these openings you trip over the coalition MPs, who want to get into the photo opportunity ahead of the rest of us. They voted against it, but they want to be there, up on the dais, celebrating the great achievement. It is an achievement that not only got us through the global financial crisis but delivered the investments our country was crying out for, so that, regardless of where you live in this country, you saw the benefits of that investment in the education revolution. You are seeing the benefits in health care. Our health reforms are designed to ensure that, regardless of where you live in this country, you will be given a quality standard of health care.

But we have an eye to the future because, like all Labor governments, we are focused on not only delivering for today but preparing our country for the future. That is why we are investing in the National Broadband Network. There are those on the other side who criticise this initiative. There were plenty of people who criticised the building of the Sydney Harbour Bridge and there were plenty of people who criticised the Snowy Mountains hydroelectric scheme, but today we look back and we celebrate the vision of the people who implemented those projects. We enjoy the benefits and we celebrate those benefits. Future generations will look back at what this government is doing with the National Broadband Network and they will thank us and they will herald the long-term vision of this government.

In the entire time I have been involved in politics—and I was involved in local government for many years—one of the principal laments of people in the community has been that governments are too short term. Often they are short term because it is hard to be long term, but this government aspires to a future of prosperity for the nation by delivering long-term programs like the National Broadband Network and pricing carbon so that we can begin the process of creating a clean energy transformation to wean ourselves off fossil fuels. We all know that at some point in the future our nation will have to wean itself off fossil fuels, but our government is doing something about it. We are ensuring that future generations will be able to share in the prosperity that we enjoy today. In fact, they will benefit from the clean energy jobs that will be created in this country today and tomorrow. We want to make sure that no-one is left behind, and that is why we want our national disability insurance scheme. Something talked about for generations will be delivered. We are laying the foundations, but it will be delivered.

And, of course, we repealed Work Choices—the greatest assault upon the decency of the Australian people that we have witnessed. They put it in; we repealed it. We continue to ensure that working Australians have access to fair arrangements in their workplaces so that they have some rights; they have a framework that allows them to go to work knowing that they have some protection from being summarily dismissed without any recourse. They know that they can bargain with other workers in a context where they will never have equal bargaining power with their employer but they might have a fair go. These are the
things that Labor governments deliver, and I am proud to be a part of a government that has been delivering these things over the last four years. We will continue to do that. The challenges that this country faces in the future are just as great, but we believe and have sufficient hope in the Australian people. We know we have the capacity to take those challenges on in the future, and that is what we will do. (Time expired)

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (15:56): Madam Deputy Speaker, I take this opportunity to congratulate you on your elevation to this position.

Not since the dying days of the discredited Whitlam government have we seen such a pitiful excuse for a government, with a leader who cannot be trusted, whether she is backstabbing her leader to take the top job of Prime Minister, having promised faithfully that she would never challenge him, or whether she is backstabbing the Australian people. This government is contemptible. A Prime Minister who promised the Australian people on the eve of the election that there would be no carbon tax under a government she led then did a secret deal with the Greens and broke her promise to the Australian people. She broke faith with the Australian people. It was a solemn promise that she was prepared to walk away from. When it comes to the choice of keeping faith with the Australian people or clinging to power, this Prime Minister will ditch the Australian people every time. This is a contemptible government led by an untrustworthy Prime Minister. No wonder the joke going around the Twittersphere is: if Australia is the lucky country, how come it is Greece and Italy that get to change Prime Minister?

A survey was undertaken by JWS Research asking Australians to name the best government in Australia over the last 30 years. Ninety-six per cent of those people surveyed named any government other than the Gillard government. Four per cent named the Gillard government. I was thinking about that four per cent, but then I read another survey that said four per cent of the Australian people still think Elvis is alive. That explains it, doesn't it, Member for Brand? The vast majority of those surveyed named the Howard government as the best government of the last 30 years, and that is because it was and is the best government of the last 30 years. The legacy that this incoming lot received from the Howard government was invaluable. Unemployment was around four per cent and there was no government debt. We paid off every single cent of Keating's $96 billion debt so that we did not have to pay $9 billion or $10 billion a year in interest. We provided successive budget surpluses. I think it was about seven in all, wasn't it, Member for Flinders?

Mr Hunt: Ten out of 12, we had.

Ms JULIE BISHOP: Ten out of 12 years were budget surpluses. But, for the past four years, the Australian people have been subjected to a divided, directionless, dysfunctional and increasingly dishonest government. What everyone has learnt, to this country's great cost, is that you do not listen to what Labor say; you watch what they do. Remember when the member for Griffith, before he was toppled by the Prime Minister, was campaigning on being an economic conservative. He was 'John Howard light'. He would have advertisements of him standing in front of the Brisbane skyline saying: I've always believed in them when in opposition. I'm committed to them in government.' Budget surpluses—what a cruel hoax on the Australian people.
What have they delivered? Deficit after deficit after deficit after deficit. The past four budgets have been in deficit—four successive budget deficits—a cumulative total of $150 billion in deficit. That means this government have spent $150 billion more than they have raised in revenue. That is one of the worst performances of any national government in living memory. How have they paid for this cumulative total of $150 billion? By cutting back the wasteful spending on their pink batts scheme and every other discredited scheme? By growing the economy? No—they have paid for these budget deficits by borrowing. From a standing start of zero government debt, in the last two or three years, net government debt is over $110 billion. It went from zero to $110 billion in two years. It took Labor 13 years to accumulate a $96 billion debt by 1996, and now it has taken just a couple of years for a $110 billion net government debt. The economic conservatives committed to budget surpluses have one of the largest debts in peacetime history and successive budget deficits with a cumulative total of $150 billion. Not even Paul Keating could rival that kind of economic vagrancy.

Is there anything that the Prime Minister can be believed on? What of the Labor principle that they would not send asylum seekers to a country that is not a signatory to the UN convention on refugees? That is what the Prime Minister said when she announced her ill-fated East Timor processing scheme. She said, 'The government will not send asylum seekers to any country that is not a signatory under the UN convention on refugees.' She cannot even be believed on what we thought was an immutable Labor Party principle. Her Malaysia swap deal, the appalling deal that would see 800 asylum seekers sent to Malaysia, would already be exhausted by now because many more than 800 people have arrived since the deal was announced. This deal is, of course, to send asylum seekers to a country that is not a signatory to the UN convention on refugees. So, what happened to this great Labor principle, the moral high ground that the Labor Party stood on to say, 'We won't send asylum seekers to a country that's not a signatory to the UN convention on refugees'? The only country they want to send asylum seekers to is one that is not a signatory. There are about 140 other countries to choose from. But, no, this government are committed to the one country that is not a signatory.

Then, what of that other immutable Labor principle that they will not sell uranium to any country that is not a signatory to the nuclear non-proliferation treaty? I understood that that was Labor's moral high ground. They stood there saying, 'We will not sell uranium to a country that is not a signatory to the nuclear non-proliferation treaty.' The coalition happen to disagree with that because we believe there are countries that can be trusted with Australian uranium. The Labor Party insisted, year on year on year, that it would not sell uranium to India because it was not a signatory, and we have had four years of unnecessary tension and diplomatic frustrations with India because Labor said that it was committed to a principle not to sell Australian uranium to a country not a signatory to the nuclear non-proliferation treaty. Well, guess what ladies and gentlemen, Labor have now done a backflip, a 180-degree turn, and all of a sudden they are not on the moral high ground anymore. They are now going to put it to the annual national gathering of the Labor bosses, the union bosses, the union officials who run the Labor Party, to ask them for approval to sell Australian uranium to India, which is not a signatory. Is there no conviction that this government will not trash? Is there no principle they will not walk...
away from? Have they no ethics, no principles? This is a dysfunctional, divided, dishonest government.

It does not stop there. There is another really disgraceful episode that has not received a lot of publicity but, believe me, it is on the slow burn. This is in relation to the $223 million taxpayer funded tender for the Australian Network which is an important element of Australia’s engagement with our region. This is a taxpayer funded international television service, the Australia Network. It broadcasts to about 44 countries in the Asia-Pacific Indian Ocean. In the past the Seven Network has had the tender, the ABC has had the tender, and it is put out for tender from time to time.

The Gillard government announced the most recent tender in December with tender documents issued in February and at stake is $223 million. It was meant to be an arm’s length tender. It has always been done through the Department of Foreign Affairs and Trade, as it should, because it involves soft diplomacy into our region. Responsibility for the decision rests with the Minister for Foreign Affairs, but so divided and so dysfunctional is this government at the top that, without explanation, a secret deal was done. They ripped responsibility off the Minister for Foreign Affairs and gave it to none other than the minister for the ABC, Senator Conroy. Talk about a conflict of interest! The minister, who is responsible for the ABC, one of the tenderers, gets to decide the tender. And the Minister for Foreign Affairs is backstabbed yet again. It is like Lucy and Peanuts holding the football and poor old Kevin comes running in and she takes the footy away. This tender is now so discredited, the political and government interference in this tender is now so discredited, that the Attorney-General is intervening to investigate the circumstances. The Prime Minister and the minister for communications are complicit in yet another disgraceful episode of this contemptible—

(Time expired)

Mr STEPHEN JONES (Throsby) (16:06): Madam Deputy Speaker, can I add my voice to those who have congratulated you on your elevation. At the end of an extraordinary day, an extraordinary week and an extraordinary year it is indeed extraordinary that those opposite send in the peashooters when a cannon is needed. If that is the best they can do, they really are in a lot of strife and there is going to be a lot of soul-searching when they go back to camp at the end of this parliamentary session.

It has been an extraordinary year because we have delivered 250 pieces of legislation, we are continuing the rollout of the National Broadband Network, 750,000 jobs have been created, there has been a historic agreement on health with more doctors and more nurses, $36 billion is being invested in infrastructure, and there is a record increase in pensions. On the other side of the chamber the penny has dropped because after 15 months of saying no those on the other side have realised that they have to have a positive policy agenda. They have sent the Leader of the Opposition in here in some panicked attempt to set out a positive policy agenda, but the best we get is a litany of sentences that start with the words ‘no’, ‘stop’ or ‘John Howard’. If that is the best they can do, then this country and the Liberal Party are in a lot of strife. At the end of a very tough parliamentary year and a very torrid parliamentary session we can see why those on the other side are looking very worried indeed. They have members leaving the coalition, they have people all around the country calling them the ‘noalition’ and they have people wondering whether their leader has the temperament to lead not only the country but also his own side. I think over the long break there will be a lot of people
wondering whether the Leader of the Opposition has the judgment, the temperament and the ability to lead them into next year. There will be a lot of nervous backbenchers on that side, indeed.

The DEPUTY SPEAKER: Order! The discussion is now concluded.

BILLS
Safety, Rehabilitation and Compensation Amendment (Fair Protection for Firefighters) Bill 2011
Returned from Senate
Message received from the Senate returning the bill without amendment or request.

COMMITTEES
Corporations and Financial Services Committee
Report
Mr RIPOLL (Oxley) (16:09): Madam Deputy Speaker Burke, I congratulate you on your return to high office, the great job you did last time and the great job I am sure you will continue to do. On behalf of the Joint Committee on Corporations and Financial Services, I present the following documents: Statutory oversight of the Australian Securities and Investments Commission, together with evidence received by the committee, and Inquiry into the collapse of Trio Capital—interim report.

In accordance with standing order 39(f) the reports were made parliamentary papers.

Mr RIPOLL: Normally I would make a short statement to the House, but given the limited time we have, I will defer that request. I move:

That the House take note of the reports.

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

Report and Reference to Main Committee
Mr RIPOLL: by leave—I move:

That the orders of the day be referred to the Main Committee for debate.

Question agreed to.

STATEMENTS ON INDULGENCE
Valedictories
Ms GILLARD (Lalor—Prime Minister) (16:10): As the parliament draws to a close, I want to make some reflections, some Christmas valedictories. I know it always strikes us as a little bit strange that at the end of a parliamentary session in November we do Christmas valedictories. I do not want to give the impression to anyone that we are leaving this place and going on holidays. It always frustrates us when members of the public think that. People will be returning to their electorates for a full round of work, including those very special end-of-year school events that we all look forward to.

This has been a year with many different facets. It has been a year when some have enjoyed triumph on the sporting fields. Whether it has been the Maroons, the Broncos, the Roar, the Reds, the Firebirds, it has been a good year for Queensland. Tassie bagged the Sheffield Shield. A good grand final for the Cats was a good grand final for everyone who does not barrack for Collingwood—and that is quite a lot of them!

It was a year of Australian achievements. Brian Schmidt was awarded the Nobel Prize in Physics. Ben Roberts-Smith was awarded the Victoria Cross for valour. We saw an athletics world championship award Athlete of the Year to Sally Pearson. We saw Cadel Evans take the Tour de France. We saw Sam Stosur win the US Open women's singles tennis final. That was a remarkable event.
At the same time as these triumphs we also saw much tragedy. Here in our own nation we had the summer of floods, natural disasters and the cyclone that hit so many Australian families so hard. We saw the earthquake in New Zealand and then the devastating earthquake and tsunami in Japan. We have seen the best of times and the worst of times in that sense, but even as we have seen the worst of times we have seen the best in our people. We certainly saw the best in Australians as they pulled together during those days of our natural disasters, as well as going to the help of others within our region.

Some remarkable Australians died this year: Paul Lockyer, John Bean and Gary Ticehurst in that dreadful helicopter accident; Rob Chalmers, a legend inside Canberra; Nancy Wake, a legend around the world; Claude Choules, the last combat veteran of the Great War; Margaret Olley and Lionel Rose, two of our greatest in the fields of arts and sport. In this place we remembered friends and members of the House who left us this year: David Jull, Clyde Holding and Ralph Hunt. On too many dreadful occasions we had condolences for those we had lost in Afghanistan. We remember them; we spoke about them on Monday during the debate on Afghanistan and I am sure as we move to the festive season our thoughts are going to be with our magnificent ADF personnel and the civilians who work alongside them who will spend the Christmas season not at home with family and friends but in those very rugged surrounds of Afghanistan.

As this year winds down I do want to say a big thank you to so many people who make this place work. Let me start with the Leader of the Opposition and to ensure that he did the job for a long, long, long time. I have succeeded in the first part of delivering on that Gillard promise and I am dedicating 2012 and 2013 to delivering on the rest of it, making sure that he is there for a long, long, long time. To Mr Speaker of today and of course to former Speaker Harry Jenkins, to the Deputy Speaker, to the Speaker's panel: we are sorry for everything we put you through. I cannot really say we are going to try to do better, though we will work as hard as we can to honour our Speaker's panel. To Henry Thomson, my department's parliamentary liaison officer, and his team, thank you. To the Clerk and Deputy Clerk, to the Serjeant-at-Arms and to the attendants, thank you. The clerks make us look good and someone really needs to; the clerks help all of us—members of the opposition and members of the government alike—get it right time after time. To the Parliamentary Library, Hansard staff, Table Office staff, Parliamentary Relations Office and the guides who take people through on tours, thank you for everything that you do. The cooks, the switchboard operators, the computer personnel, security, gardeners and everybody who keeps things ticking over have done a magnificent job this year not only in their daily work but in hosting huge-profile visits like those of the Queen and President Obama. A big thank you to them and to the cleaning staff, often unseen and unthanked, but not in my office. I would like to say to Anna and Lucia: thank you for everything you do. Thank you to all of the cleaning staff in Parliament House.

To Aussies, I do not get there personally much any more, but I do recognise the cardboard cup when it comes and I clutch for it with a certain sense of relief. Where would we be without those who do the child care, the travel agents, and the Comcar drivers? To the Broadcasting staff, thank you for
everything that you do. To the parliamentary press gallery, I am not sure thanks is the right word, but I will be shouting them a drink tonight so we will have time for some reflections then. To the secretary of my department, Dr Watt, Watty, and to the great Australian Public Service, thank you for what you do. On behalf of the Labor Party, thank you to George Wright and the ALP national organisation. To all of our volunteers and members, thank you for keeping the faith.

To my own staff, my Chief of Staff, Ben Hubbard, and everybody who works alongside me—they are magnificent—thank you, thank you, thank you. My electorate staff who keep those home fires burning for me are a wonderful team and I want to thank them too. To the Australian Federal Police I see so much of, thank you for keeping me safe and for your good humour as you do it.

Of course, I would like to say something to my colleagues on this side of the House, my parliamentary colleagues one and all. It has been a very big year. It has been a year in which we have worked with others of goodwill in this parliament to achieve remarkable results for our country, when we have not been afraid of the tough debates, when we have not been afraid of working with crossbenchers to help this nation seize the opportunities of the future. I want to thank my colleagues in this parliament for that. In my Labor team I particularly want to thank the Deputy Prime Minister, the Treasurer, the world’s greatest treasurer according to Euromoney. Thank you very much for your contribution to the nation and your personal support for me. It is very much appreciated. We have been through some times together, but I would not have it any other way.

You have to love a man who loves his job and the Leader of the House, Albo, does—there is no doubt about that. He loves his job here, loves his job in cabinet and has found a love of country music as well—who’d have thought? To my ministry and parliamentary secretaries, thank you for playing your role in leading us to a future in this country for working Australians, a future of opportunity. To the Senate leadership, Senators Evans and Conroy, thank you. We have learned some tolerance in this place now knowing what you have gone through over many long years. To the team of whips, the Chief Government Whip and his team, thank you very much indeed for everything that you do.

I would like to very specifically say to the Labor team, as the year comes to an end, something I picked up from Ed Husic, the member for Greenway—

A government member: Chifley.

Ms GILLARD: the member for Chifley—I am tired—when he did his maiden speech in this parliament. He said something that always struck me and so I am going to use these words to my Labor colleagues in conclusion. This is a saying in his original language translated into English: ‘From my heart to yours, I can’t thank you enough.’ Thank you.

Mr TRUSS (Wide Bay—Leader of The Nationals) (16:18): I am happy to join the Prime Minister in extending good wishes at this Christmas time to everyone who works in this parliament to support our day-to-day activities. The Leader of the Opposition, Tony Abbott, will join us shortly and I am sure he will add to my remarks. As are all parliamentary years, it has been a long and trying year. There have been difficult moments, testy moments. We have perhaps had the noisiest parliament that we have had for a very long time. There are always surprises, and I guess today has been one of those.
We do depend upon a large number of people, thousands of people, to make this parliament work and work well. All of us are personally dependent upon our own staff and the people who work with us, and those who support us in our own communities both at a party organisational level and within our work as members of parliament. We pause today to say thank you to all of those. There are so many good things that they do for us and perhaps we do not always say thanks at the time, but they are appreciated and at the end of the year, as we start to enjoy the Christmas celebrations, this is the time to say thank you.

I thank the staff in this parliament, the clerks and all their team, the parliamentary staff, the library people—the Prime Minister has gone through a long list including Comcar drivers and the people who work in the travel office et cetera. I thank the IT people. Occasionally the system seems to work but not always; we are grateful when it does and we realise how dependent we are on their work when it does not. To all those and to those who look after us in the dining rooms and all other places, we certainly say thank you. I know there are often comments after these valedictories that somebody has been left out of the thank yous. That is why I have not attempted a long list. I know there are many, many, many people who make this parliament work and make it work well. We are grateful to them and their contribution even though they may not be mentioned by name.

From my own perspective, now that Leader of the Opposition is here and will make some more general comments on behalf of the opposition, I thank the Leader of the Opposition, Julie Bishop and our coalition colleagues and the whole shadow ministry team. They have been great to work with. We have dealt with a lot of policy issues and difficult organisational matters and it has always been done in a very good spirit. I especially thank the Manager of Opposition Business, Chris Pyne, who never lets us get our questions up and all that sort of thing, but nonetheless the day seems to be well managed and the objectives are achieved. I very much appreciate the support and assistance of my own parliamentary team and colleagues, and I acknowledge especially Nigel Scullion, my deputy, and Senators Joyce and Nash in the other place and those who contribute so much to make our organisation work well—Brad Henderson and the team in The Nationals Secretariat—and the wonderful and cooperative relationship we have with Brian Loughnane and the Liberal Party Secretariat. We do work very well as a team. We have very limited resources between us and we therefore need to get maximum value out of every person and every dollar that we have available.

In my own Canberra office, I have David Witrow and his team. In my electorate office I have been so fortunate that in my time in parliament, over 20 years now, I still have two of my original electorate staff and the ‘newcomer’ has already been there about 15 years. They are a wonderfully stable and supportive group and that means an enormous amount to me.

Christmas is a very special time of the year. It is an occasion when families can get together. Members of parliament who spend so much time away from their families especially treasure the opportunity to be in the company of their families when politics can be switched off for a while. We love to have our family and friends around, and the celebrations and the decorations and the lights of Christmas make this a very special time for us all.

It is also a time, though, when we need to think of those less fortunate, those people
who do not have family and friends with them, who have troubles to deal with. This is
the disaster season for our country, and I pray that the two months or so that we will
be away from this place are not like the two months last year when there were so many
events particularly flooding in my own area and cyclones which caused so much damage.
We want good rain and we want good seasonal conditions, but I hope that they will
come in moderation and at the right time so that this will be a peaceful season especially
for our disaster coordinators and those that we rely upon to provide assistance in those
times.

I appeal to all Australians to travel safely on the road. There are so many extra vehicles
at that time and people who perhaps do not drive so much on the road at other times, and
we all need to be careful and observant to make sure that we get to our destinations
safely.

Then there are all those people who have
to work over Christmas, because we still
need to keep the hospitals and the aged-care
facilities open, and we need to make sure
that we have available the basic services,
even the shops these days that seem to be
open for much of the Christmas period. We
do appreciate the special effort that these
people make.

In talking about people who are working,
often in hazardous conditions, I also concur
with the Prime Minister’s remarks and
acknowledge the role of the Australian
troops who will be in Afghanistan this
Christmas away from family and friends and
facing the added danger of that conflict.
During the last couple of weeks I have
attended two of the funerals of Australians
who were killed in the especially tragic
recent events. You appreciate how much of a
loss it is to our nation when these talented,
athletic, skilful young Australians have their
lives cut short. I guess my overarching
thought after leaving both of those events
was the view that we owe it to those people
to finish the task in Afghanistan. We owe it
to those who have given their lives to make
sure that we continue at the task even over
Christmas and make sure that we bring peace
and stability to the world just as quickly as
we can.

It has been an exciting year in the
parliament, as it always is. There is a lot
more ahead of us, no doubt, in the year
ahead. I hope that all members will enjoy a
wonderful Christmas season and a pleasant
break, and will come back refreshed, ready
to do business again. I hope that those who
support us, and their families and friends,
will also enjoy a pleasant Christmas holiday,
when the real message of Christmas rings in
their hearts, and that we all express our
appreciation and goodwill to our fellow
Australians to enjoy this season and to plan
for the next year in the hope that it will be
both safe and prosperous for us all.

Mr SWAN (Lilley—Deputy Prime
Minister and Treasurer) (16:26): Mr
Speaker, I congratulate you on your new
office and I look forward to working with
you. It has been quite a year. It has been
particularly a very different year in my home
state of Queensland where, in January this
year, most of the state was under water. We
had the impact of the floods not just in
South-East Queensland but far wider than
that, right across the state. Then we had the
impact of Cyclone Yasi in North Queensland
and Far North Queensland. All this had a
tremendous impact on our state.

What it really showed was a fantastic
community spirit in Queensland and right
around the country. We had the 'gumboot
army' come out right across the state, people
flying into the state from elsewhere to help
their fellow Australians. I have never seen
such a community mobilisation in response to a threat in my whole life in politics. It really warmed my heart to see the reaction on the ground of people helping fellow citizens who were in trouble. It was, therefore, a great reminder of how our nation has succeeded and a great demonstration of what we can do when we work together standing shoulder to shoulder. I guess we may need to see that same spirit come forward again, if you are looking at the forecasts that are coming from the Bureau of Meteorology at the moment. But I am very confident that we have learned from what has occurred this year and we will be able to handle those circumstances with all of the energy that we mustered to handle the circumstances right throughout this year.

It has also been a very interesting year in the national and international economy. The storm clouds are gathering again in the global economy but, because our economy is strong and because we have put in place arrangements over the last four years to further strengthen our economy and support jobs, we are in a far stronger position than any other developed economy to handle the worst that the world can throw at us. Something like 750,000 jobs have been created in Australia in the last four years, 100,000 of those in the last year alone. When you look at our economy, it is some six per cent bigger now than it was prior to the global financial crisis. There is virtually no other developed economy that can make a claim like that. Why is it important? It gives peace of mind to our citizens that we have a strong economy which can continue to deliver jobs, and of course incomes, whereby people can support their families. So we can look to the year ahead confident in the knowledge that the fundamentals in our economy are strong and we are in the best position to deal with the worst that the world can throw at us. I want to say a few things about the parliament because there was a degree of scepticism that the parliament would necessarily work well in the circumstances of minority government. What we have seen in the past year is not just a functioning parliament but a parliament functioning very well. In excess of 250 bills have passed through the parliament.

Debate interrupted.

ADJOURNMENT

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

That the House do now adjourn.

Mr Stephen Smith: Mr Speaker, I congratulate you on your appointment. I require that the question be put immediately without debate.

The SPEAKER: I thank the minister for his congratulations.

Question negatived.

PARLIAMENTARY REPRESENTATION

Valedictory

Debate resumed.

Mr Swan (Lilley—Deputy Prime Minister and Treasurer) (16:30): I was speaking about how well the parliament was working. Now that the Leader of the House is here I will leave further commentary on that to him except to make the point that this year our budget went through in record time. That was very important, particularly given a number of initiatives in mental health and skills and training that are important to get into operation to further strengthen our economy.

I would like to say a few things about the parties in the House. I would like to pay tribute to the Independents and minor party members in the House. They have been constructive. They have worked hard. These have been difficult circumstances, but I and
the government appreciate not just their attention to detail but the spirit they bring to making good public policy in this House. They prove that we can all work together in the national interest if we have got the will and if we have got the faith to work together. I think they have, through their participation here, made a very significant contribution not just to the workings of the House but also to the quality of our democracy and the strength of our economy.

I would like to acknowledge the opposition. They have certainly lived up to their name over the past year. Politics is a battle of ideas and this year was a very long and tough battle. I certainly have enjoyed the debates in the House. I have enjoyed the MRRT debate in the House over the past few days. These are big and important decisions for our country. The battle of ideas happens here. Whether it is in the afternoon or whether it is three in the morning, it is important that we see these issues through in the parliament. Future generations will judge us all by the decisions we have taken in these big debates—the decisions to price carbon pollution and to put in place a resource rent tax. There are great differences between both sides of the House; nevertheless, the debate has been held here. I wish all opposition members a very happy Christmas. Don't rest too much because we will be ready for you in the new year.

I pay tribute to the Prime Minister. This has been a year of delivery and the Prime Minister has delivered. She is as tough as nails and we have passed some of the most important legislation that this parliament has considered in many years. I said that she is as tough as nails, but I think she is actually tougher than that. She is as tough as diamonds. She has proved that time and again. Her resilience, her courage and her determination are extraordinary, but she also has the good humour and good nature that comes with it. That has been on display not just in the House but out there in the wider community. From our point of view, all of those on this side of the House with Labor conviction very much support and pay tribute to the role that she has played over the past 12 months.

I want to say a few things about my cabinet colleagues and the caucus. I pay tribute to my Treasury colleagues, Bill Shorten and David Bradbury. I also thank Penny Wong for the extraordinary work she does as Minister for Finance and Deregulation. It has been a tough year in the economy and it will be another tough year next year, given what is going on in the global economy, but we have a dedicated team working very hard to ensure we put forward the best possible policy.

I also thank the Leader of the House for the extraordinary role he has played in the parliament in the past year. The speech that he gave about the Leader of the Opposition yesterday was a cracker. It will go down as one of the great parliamentary speeches. I was very familiar with the late Mick Young, who was also a great enthusiast for the House and particularly enjoyed the role that he played as Leader of the House. I can say to you, Albo, that speech was up there with all of the great speeches, including those from the late Mick Young. It is something you should be very proud of.

I also thank all of the staff of the parliament, from the Comcar drivers through to the attendants and everybody who cleans our offices, for all of their commitment to making our parliament a better place. I particularly thank all of the electorate office staff in my Brisbane office and also all of my staff here in Canberra. In particular, I would like to thank Amanda Sayegh, who has been with us for over five years, who worked for us in opposition, who has been here right
through government and who is going back to the Treasury but who has put in an extraordinary amount of work. She has worked night and day for over five years and we will all certainly miss her. I would also like to mention Hamish McDonald, who has also gone back to Treasury but who is someone who has served our country very well over the past 12 months. I would like to thank all of the hardworking Treasury officials who do so much for our country. Their professionalism is very important to the future of our country. We should value their work and we should honour it all the time.

Lastly, I would like to thank my family. We all know that the lot of a politician's family is not an easy one. I have always had the enthusiastic support of my wife, Kim, and my kids, Erin, Libby and Matt. I thank them for all of their understanding. I also thank them for their advice—they are pretty good as political advisers actually. Our families bring us back to the grassroots in much of the advice they give us about what is going on out there in the wider community, and I thank them for that.

For the year ahead, I am so confident about the future of our country. As I said before, storm clouds are gathering again in the international economy. We are not seeing the progress we would like to see in Europe. We are not necessarily seeing the progress we would like to see in the United States, in terms of the United States dealing with their long-term financial challenges. But the one thing we can be confident of is that we are located in the right part of the world at precisely the right time. We are not, in this region, immune from the fallout of events in Europe or in the United States but, because of decisions that were taken over the past four years here in Australia in terms of our response to the global financial crisis and the global recession, we are in the best possible position to handle the fallout from these events. And so are many other countries in our region. The Asia-Pacific is the hope of the global economy. It does have the capacity to continue to grow and to harvest enormous productivity improvements. For the year ahead there are challenges, but I think we can all be confident, as we go through to Christmas, that we have a country which is in good shape and which has the capacity to respond to the challenges of the future.

Mr ABBOTT (Warringah—Leader of the Opposition) (16:38): I hope not to detain the House for long, but it is important to thank and acknowledge some of the people who have made this a good year. I was given a list of the people I needed to thank, and the first person on the list is the Speaker—and it says 'Harry Jenkins'. He is not the Speaker anymore. He has had a good year, even if he might have had a bad day today. We do remember his work in the chair with gratitude, affection and respect. He will be able to go home to his family this Christmas with his head held high. He has had a good year. I thank you, Mr Speaker, for your work. I thank your Deputy Speaker, the member for Maranoa, and I thank the Speaker's panel.

I thank the clerks, led by Bernard Wright. Bernard is probably the truest and most conscientious custodian of the best traditions of this House. I thank the Deputy Clerk, David Elder; the clerks at the table, Robyn and Joanne; and the serjeant, Claressa. I thank the attendants, who help to keep order in this place, led by Cheryl Lane. I thank the Department of Parliamentary Services, from Secretary Alan Thompson down, and all of those whom we deal with day by day who help to make our days convenient, safe and pleasant—whether it be the attendants, whether it be the Comcar drivers or whether it be the people who clean our offices. They
have our gratitude even if we do not stop often enough each day to say so.

I thank my whips, led ably by Warren Entsch and supported by Pat Secker, Nola Marino, Mark Coulton and Paul Neville. It is very difficult to keep up the spirits of a parliamentary party—but, Warren, you are a party man in every sense of the word. You have kept our spirits up this year. I am very lucky to have such marvellous support from my senior parliamentary colleagues, from Julie Bishop and from Warren Truss. I could not ask for a better deputy and for a more supportive coalition partner. I thank and appreciate the Manager of Opposition Business, Christopher Pyne. I pay a particular tribute to my own personal staff, who are extraordinarily hardworking, extraordinarily dedicated and awesomely competent, led by Peta Credlin.

Above all else, and I am sure I speak for every member of this parliament, I thank my family. We all should thank our families. We are volunteers; they are conscripts. We can only stay in public life because of their forbearance while they allow us to do what we do—and I hope, as they look at us, at least some of the time they can be proud of us.

I will not pretend that this has been a great year for the parliament. I do not believe that it has been. Nevertheless, if we could take off our parliamentary hat, take off our partisan hat—

*Mr Perrett interjecting—*

**Mr ABBOTT:** and yes, in the case of my friend on the other side, our particular rugby league hats—as one human being to the human beings opposite I say: may hostilities momentarily cease and may compliments of the season go to them. May God bless us, may God bless this parliament, may God bless our country and, finally, may I pause to acknowledge brave Australian soldiers killed and wounded this year in the war in Afghanistan.

**Mr ALBANESE** (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (16:42): It has been an extraordinary 12 months. Indeed, this year marks 60 years since the role of Leader of the House was created. The first Leader of the House was Eric Harrison. A lot of things have evolved since then, but one thing has stayed the same. The Leader of the House's job is to be the leader of the party's lieutenant. I take that job seriously in terms of looking after the interests of the government. Also, however, in this parliament, I think the Leader of the House's job has evolved due to the nature of it. I very much try to look after the interests of members across the board and have probably more contact with non-government party members than any previous Leader of the House. I note that the nature of this parliament means that we have a Speaker who is an Independent just like we had in the last hung parliament. From 1941 to 1943, under that great Labor leader John Curtin, the Speaker of the House of Representatives was a member of the United Australia Party. In terms of the position, that is the case.

It has been an extremely successful parliament. In spite of the fact that we started off with 71 votes on each piece of legislation, now 72 votes, we have seen some 254 bills passed by the House of Representatives, including major legislation: the National Broadband Network, all of our budget measures, national health reform, putting a price on carbon and, this week, the mining tax. This is important reform in spite of the fact that it has been opposed by the opposition, whom I have dubbed the 'noalition', which is what they have transformed themselves into. I hope that over Christmas Santa brings the leader of the 'noalition' a policy, but I am reminded of the
fact that Santa says, 'Ho, ho, ho,' not, 'No, no, no.' So, when the leader of the 'noalition' talks to Santa and asks for a policy, I hope that does occur.

I thank the Prime Minister for her support of my position as Leader of the House. I thank the Deputy Prime Minister and my friend the Treasurer, Mr Swan. I find it always pays to be nice to the Treasurer, and on that basis I also thank the Minister for Finance and Deregulation just because I can! It is always good to have the Treasurer and the finance minister as friends, and I certainly do that. To my deputy, Mr Smith: it is always nice to have a deputy leader who has assets, and the Minister for Defence is always good to have as Deputy Leader of the House.

To other ministers, including those who represent me at estimates, and to my friend the Chief Government Whip: we have been in this place through the long years in opposition. It is terrific to work so closely with you as the Chief Government Whip. To the crossbenchers, with whom we have meetings at least weekly and often many more times than that: thank you for your honesty, your integrity and your goodwill. It is important in terms of the functioning of this parliament that people mean what they say and do what they say they will do, and in each of the crossbenchers I have found that that is the case.

Henry Thomson and the team in the PLO do a fantastic job in making this parliament work, as do the people in the Chamber Research Office and Parliamentary Library. To the Clerk of the House of Representatives, Bernard Wright; to David Elder and their team; to all of the House of Representatives staff, including Lupco: thank you for the work that you do. And thank you to the Table Office, the Serjeant-at-Arms, catering, housekeeping, HRG, IT support, security, attendants, staff at Aussie's, Comcar drivers and other DPS staff. I spend probably more time with the Manager of Opposition Business than either of us would like to occur, but the fact is that the Manager of Opposition Business is someone I have a good relationship with. We should not make that very public, because it would undermine both of our careers! But we do have a good working relationship that helps the parliament to function.

To the secretary of my department, Mr Mrdark; to all the staff of my department; to the Chief of Staff, Michael Choueifate; my personal assistant, Karen Bissaker; my electorate office manager, Chris Cruden, and all my other staff; to the volunteers who go out there and help in the proud name of Labor to keep me as the federal member for Grayndler: thank you. To my family, who give up a lot of time and commitment: thank you for your support.

Finally, as the Minister for Infrastructure and Transport I encourage everyone to drive safely on the roads over the holidays. It is a sad case that every year around Christmastime there are tragedies on our roads. We need to make sure that we get that drive-safe message out there in the community. It is something I encourage all members of the House of Representatives to do in terms of the messages to their electorate. For too many families in this country Christmas is a time of sadness as they reflect on past Christmases when they lost loved ones. Let us make sure that we minimise the road toll this Christmas. I wish everyone a very merry Christmas.

Mr PYNE (Sturt—Manager of Opposition Business) (16:49): I will be brief as much already has been said in these valedictories which I agree with—not everything, but I certainly agree with much of it and do not wish to repeat it. I would like
to send best wishes to the former Speaker, the member for Scullin, Harry Jenkins. I did not really get the opportunity in the tumult of the earlier debate to put on the record my very genuine affection for the member for Scullin. I am sure the words he put to the parliament today stand on the record. I know that he loved the job of Speaker, and he did it with great aplomb. We will miss him as Speaker, and I will miss him personally for the good relationship that we had. It was always candid and always friendly, never in the least bit acrimonious. I appreciated his often good advice and have a genuine affection for him.

I also place on record my thanks to all the people who make this place work, who make us look good all year round. This has been a gruelling year and next year will be a gruelling year, but the clerks, led by Bernard Wright; the House attendants, led by Cheryl Lane; the Department of Parliamentary Services, led by Alan Thompson; and the PLO all ensure the parliament operates smoothly and well in spite of the frailties of many of its members.

I also wish you the best in your role as Speaker. I look forward to working with you next year to try to bring about a better parliament and a better question time. The beginning of that would be a ministry and Prime Minister who tried to answer questions rather than simply slag and bag the opposition.

I also thank my staff in my office. Some people think I am quite hard to work for. I cannot see that myself. Adam Howard, my Chief of Staff, leads a tremendous team. They do a very fine job. James Newbury works here in Canberra with responsibility for my role as Manager of Opposition Business. It is a very changeable job during the day. I would say that today was probably one that came somewhat out of the blue for me and my staff. All of us have to roll with the punches on a daily basis, but today might have been one of the more exciting days from my perspective as the Manager of Opposition Business.

In thanking my own staff, I would also like to thank some of the members of the Leader of the House's staff: Jo and Moksha, who spent a lot of time talking to my office—and we spent a lot of time talking to them. It is not their fault that their bosses are not always as reasonable, calm and pacific as they should be. Both of them—this year Jo has been replaced by Moksha—and also James and others, in spite of the slings and arrows of outrageous fortune that visit us in this place on a regular basis, certainly do their job very professionally and very well.

I thank the party whip, Warren Entsch, who leads a team that in this parliament have a great deal more to do than they would normally have to do. Warren does it with great friendliness and affability and holds the show together tremendously well.

Also, while it pains me, I would like to thank the Leader of the House for being generally available to me to try to make the place work and also for being mostly candid with me about things that happen in this place. I would like to place on record that I think there was a very unkind cartoon of the Leader of the House in the Daily Telegraph, in the Piers Akerman story about the Leader of the House, because it is not true that Anthony Albanese has such dreadful ties or wears his pants so high. I actually rang the Leader of the House on this occasion; I felt that he might have been rather mistreated by the Daily Telegraph in the cartoon. I look forward to working with him next year as we go toe to toe on a tactical and strategic basis in this place for our respective sides.

I also thank the Leader of the Opposition, Tony Abbott; the Deputy Leader of the
Opposition, Julie Bishop; the Leader of the National Party, Warren Truss; and the leadership group in the coalition in general. We have had a good year. It has been a tough year. We have met the standards required of an opposition: to hold a government to account. I think that has been reflected in the field evidence that I receive from the public but also in the published opinion polling. We would much rather be in the position that we are in at the end of this year than the position that the government is in.

Finally, I thank my family, Carolyn, Barnaby, Eleanor, Felix and Aurelia, who are 11, 11, nine and three—well, Carolyn is not, obviously; she is my age. But the others are my four beautiful children, the little small people who do not really understand, I think, why I spend so much time away from them when I could be with them. They are tremendous in their stoicism. All of our families put up with a great deal, and my family is an inspiration to me. I thank them so much for allowing me to do this job, and I wish everyone in the place a happy and safe Christmas.

Mr WINDSOR (New England) (16:55): Mr Speaker, I will speak briefly. Firstly, I congratulate you on your appointment and wish you well in the job. I also extend, on behalf of the crossbenches, my congratulations to the former Speaker, Harry Jenkins. I think he did an extraordinary job in difficult circumstances during this year, but also an extraordinary job in the previous parliament. I thank him for the way in which he conducted his work within the parliament and for the affable manner in which he has conducted himself. I wish him well on the backbench. We might be blessed to have him as a guiding light near the Independent benches, although he seems to have slipped away a bit during the day. At the risk of testing your indulgence, Mr Speaker—because I think you might be a fairly tough nut to crack in some senses—I would like to express in my traditional numbers form my estimation of the former Speaker and issue him a 10. I congratulate him on his work.

This year has been a very interesting year, and obviously the crossbench have been very much a part of that. I thank all of those that we have had contact with through the year, from both sides of the parliament, particularly people from both sides that were involved in the Murray-Darling committee. I thought the people—including the member for Riverina, who is here at the moment—did a sterling job in trying to come up with a consensus on that particular issue, and hopefully in the weeks to come a consensus attitude will be maintained in trying to come to grips with a very difficult issue.

I thank my staff particularly. I will not name them all, but we have had a very, very interesting year. We are very good friends, as I think we all are with our staff. I thank the electoral staff and the staff that come to Canberra with me for the work that they do. All of our families obviously need to be thanked, and I join with others that have thanked the parliamentary staff, from the clerks, who are outstanding individuals as well as guiding lights in terms of the operations of the building, right through all of the internal staff in the building, including the security people. I think it makes us much better members of parliament to see the way in which they conduct themselves in the building and the way they express themselves to the community. It makes me very proud. I have seen the deterioration in the New South Wales parliament over the years as to the regard that the staff are held in, and I think the staff are held in very high regard in this building. It is something we should maintain, because I think it says a lot about the work that comes out of the building if our staff are respected and they respect us.
The year has been an extraordinary year. I congratulate the government on their performance in what has been a difficult year. I have been in a hung parliament before. I have some idea of what it is like as a participant, but I also have some idea of what it is like for the leader within a hung parliament: not easy. I particularly thank and congratulate the Prime Minister for the way in which she has conducted herself in the many negotiations. She must get sick of it from time to time. But I have never seen an occasion where she has become rattled or rushed or irritated in any sense in terms of her conduct towards me as a crossbencher or others in any meetings I have been in. I am sure in other private meetings she has a similar demeanour.

The other issue that I would raise, Mr Speaker, is one that I hope becomes part of your demeanour next year, as the year progresses, both in this chamber and outside it. I also make this call to the press. I think, if we have learnt something from this year, it is that we need to respect one another to a far greater degree than we have. The way in which the press conduct themselves, and they are taking their lead from some of us in this building, such as the lack of respect that has been shown to the leaders of various parts of this parliament is something that we really do need to look at as individuals. And I would urge you, Mr Speaker, in your capacity, to try and lead the charge in relation to that. I think it is something that all of us should have regard to. We all talk to our schools, at times, about how precious democracy is. But it is built on mutual regard and respect. Even though the numbers are tight in this parliament—and the rough-and-tumble will always be there, irrespective of the numbers—I think it is time that we reigned in the vitriol a little bit in terms of the way in which many of us conduct ourselves, including some of those in the press. We all should play a greater role in gaining greater regard and respect for others who might have different views from us within the community. It is paramount to our democracy that we do so.

In conclusion, I thank all of those who have been involved in the year and wish all of you a very happy Christmas and a restive time. No doubt, we will back here to do battle again next year—hopefully, in a slightly different spirit. Thank you.

Mr FITZGIBBON (Hunter—Chief Government Whip) (17:02): I am conscious of the time and the Deputy Leader of the Opposition's keenness to make a contribution, so I will be very brief, much briefer than the Government Whip should be. But I do thank the Deputy Leader of the Opposition for deferring to me. I think it may have been her turn; I am not sure. It gets a bit confusing with the crossbenchers.

I want to begin by reflecting on those who are serving Australia in overseas defence operations. We should all be thinking of them and their families at this time of the year, particularly of course the families who have lost their sons and those who have had their children wounded in the theatre of war. Christmas will be a challenging time for them.

It has been mentioned many times that this has been a very busy year. It certainly has been. I would suggest that this has been a busier year for MPs and indeed the staff that support us than any other year in the history of our Federation. I could be wrong. Obviously, I cannot provide evidence of that! But I think it is stating the obvious.

It has also been a successful year for both the parliament and the government. I was just asked on ABC 24 whether I believed the parliament was serving the Australian people well. I said, yes, it is, because we are progressing through this chamber and,
indeed, the other place the government's positive and progressive agenda. If this House is doing that, then it is serving the Australian people well.

I want to reflect very quickly on the former Speaker, Mr Jenkins, someone I consider a very, very close friend, someone who is liked very much by all in this place and someone who did an absolutely wonderful job as Speaker of the House of Representatives. I look forward to not only having dinner with him tonight but also observing him make a significant contribution in this place in other ways in the future. To you, Mr Speaker: congratulations. You are undoubtedly qualified to undertake the task you have been elected to do. I look forward to working with you and I wish you the very best in those endeavours.

I must say some thankyous. My staff gave me a two-page list of people I need to thank. I will put everybody in this room at the moment out of their misery and not read that list; I am just going to talk about four or five groups. Of course, I want to thank all those in the government that I have worked with—the Prime Minister, ministers, the Leader of the House and, maybe most important of all, my backbench colleagues, who have without doubt worked harder than any backbench in the almost 16 years I have been here. I note the Deputy Speaker is in the room; I take the opportunity to congratulate her on her election today as well. I look forward to working with her.

I also thank the opposition to the extent to which we have had cooperation. Certainly, I have good cooperation with the Opposition Whip's office. We have our moments, particularly on the Selection Committee, as you know only too well, Mr Speaker—and you are no doubt looking forward to chairing that committee on a regular basis! I wish you the best, Mr Speaker; you will need a degree of luck.

The SPEAKER: I think I might need that assistance!

Mr FITZGIBBON: I thank the crossbenchers for their cooperation on a range of issues, both machinery and policy, and their contribution to the Selection Committee.

I thank my staff. I am blessed with wonderful staff. I know it is easy to say that, and most people in this place do, but I say it from the bottom of my heart. Most of the good work done in the Chief Government Whip's office is done by my staff: Anna George, Natasa Sikman and Jay Suvaal. I am very lucky to have them, and I thank them. I also have wonderful staff in my electorate office. They give me enormous support in the job here as well.

I also thank staff in this building more broadly, all the way from the clerks, who do a wonderful job, right through to the cleaners, the gardeners and the other people who do the practical things that make life more comfortable for us here.

Finally, I thank my wife and my children, who have given me enormous support in this role and in this job as a member of parliament over the last almost 16 years. All of us here know that we cannot do it without their support. We, in a way, get to do the interesting things; the wives, the partners and, in some cases, the husbands keep the home fires going and do the tougher stuff, for which they get very little credit. But I certainly appreciate it, as I know other members do. Then, of course, there are our children. I have been almost 16 years in this place. My children have seen nowhere near as much of me as I would have liked and I am sure they would have liked—I am confident they would have liked!—and they have made sacrifices as well. I thank them.
Finally, Mr Speaker, I congratulate you again and I wish all colleagues on all sides of the chamber all the very best for a wonderful Christmas and more quality time with those they love most.

The SPEAKER: I thank the Chief Government Whip.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (17:08): This year will go down as one of the most tumultuous in federal parliamentary history, and the unprecedented events of today are no exception. Mr Speaker, I congratulate you on your elevation to the high office of Speaker of the House of Representatives. I also pay tribute to the previous Speaker, Harry Jenkins. He did develop quite a cult following. There were a number of people out there in question time viewing-land who were just wild about Harry and he will most certainly be missed.

This chamber has been the setting for robust debates over competing policy decisions this year. It is the battlefield in the war of words as we fight for the principles and ideas that each side of politics believes are in the national interest. We have seen some of the most intriguing backroom deals this year—a level of Machiavellian conduct that would make the master proud. But tradition, convention and precedent underpin the Westminster system of government upon which our democracy rests. Ours is one of the oldest continuous democracies in the world, and while question time might often descend into disorder—all Australians know why it is called question time; it is certainly not called answer time!—we should never apologise for robust political debate. For however passionately we hold our views, argue our case, advocate our cause, in the end we must never lose sight of the fact that people are entitled to a different viewpoint, and in a free society should be free to express that view, however much we may disagree.

Over the century of this parliament we as a nation have upheld the fundamental freedoms. We have fought to retain those freedoms and I want to mention our armed forces representing our country overseas. Our defence personnel are defending those freedoms and fighting for the universal ideals of freedom and choice. I particularly want to mention our troops in Afghanistan and the troops and families of the Special Air Service Regiment based in Swanbourne in my electorate of Curtin. People all over the world aspire to live a life free from the threat of violence, wherever they are, and they aspire to live in a peaceful environment. Recently, I attended the funeral of Lance Corporal Luke Gavin, one of the 32 soldiers who have been killed in Afghanistan. It was heartbreaking to reflect on the human cost of conflict. As a nation we must never forget those who have given their lives on our behalf and we must always support those who have been wounded.

Turning to home, I pay tribute to the Leader of the Liberal Party, the Leader of the Opposition, Tony Abbott. His inexhaustible energy is much admired. He is a strong, courageous and committed leader. Last year he forever changed the political landscape in this country and achieved what no other Leader of the Opposition has achieved—seeing off a first-term Prime Minister, although the faceless men certainly finished that Prime Minister off. When a first-term government lost its majority for the first time in 80 years Tony Abbott made political history. He will make a fine leader of our nation. I have worked closely with Tony for many years now and we have a mutually respectful relationship. I enjoy his company and I look forward to continue working with him.
To Warren Truss, the Leader of the Nationals, and the whole coalition team—the members and senators—I pay tribute to your extraordinary efforts. We have a close-knit leadership team. I value the professional relationship I have with Tony and Warren and my other colleagues Eric Abetz, George Brandis, Barnaby Joyce and Nigel Scullion as well as Joe Hockey and Chris Pyne. We are a team. We spend a lot of time together and it is always positive, good humoured and quality time. My fellow shadow ministry colleagues have worked well together this year. Our policy development committee is well advanced. Our work on identifying wasteful spending in the budget is ongoing. I thank not only our colleagues but also our policy committee chairs, our whips, those who serve on the Speaker's panel and all those who take part in the everyday ongoing parliamentary process in this place.

I place on record my thanks to my Western Australian parliamentary colleagues for their support and their company on those long trips across the Nullarbor. To the Prime Minister, the Deputy Prime Minister, the Leader of the House and the cabinet ministers, the Labor Party and the crossbenchers, I wish you the very best for the Christmas break, hopefully with your families and friends.

I want to take this opportunity to thank my staff—a competent, loyal and dedicated band, who work very hard for the cause that they believe in. In the Canberra office there is Murray, my chief of staff, Peter and Sam; in the electorate office, the indispensable Kirsten, Sue, Georgina, Judy and Mandy. I acknowledge and thank all of the staff who work here at Parliament House, all who work in this great public institution—who get up every morning, come into this place, hoping to make a difference, hoping to ensure that this parliament functions as the Australian people expect and deserve.

Finally, I acknowledge the members of the press gallery and thank them for their reporting. 'Fair and balanced' is the phrase, I believe. I wish everyone a safe and happy Christmas and hope that we all return refreshed and reinvigorated as we strive to provide better public policy outcomes for all Australians. I wish all Australians a safe and happy Christmas.

COMMITTEES
Selection Committee
Report
The SPEAKER: I present the Selection Committee's report No. 39 relating to private member's business and the referral of bills to committees. The report will be printed in today's Hansard. Copies of the report have been placed on the table.

The report read as follows—

Report relating to private Members' business and the consideration of bills introduced 21 to 24 November 2011
1. The committee met in private session on 23 and 24 November 2011.
2. The committee determined that the following referrals of bills to committees be made—
   Standing Committee on Climate Change, Environment and the Arts:
   • Antarctic Treaty (Environment Protection) Amendment Bill 2011
   Parliamentary Joint Committee on Corporations and Financial Services:
   • Corporations Amendment (Further Future of Financial Advice Measures) Bill 2011
   Standing Committee on Economics:
   • Insurance Contracts Amendment Bill 2011;
   • Tax Laws Amendment (2011 Measures No. 9) Bill 2011
   Joint Standing Committee on Electoral Matters:
   • Electoral and Referendum Amendment (Maintaining Address) Bill 2011

CHAMBER
Standing Committee on Infrastructure and Communications:

- Road Safety Remuneration Bill 2011;
- Road Safety Remuneration (Consequential Amendments and Related Provisions) Bill 2011

Standing Committee on Social Policy and Legal Affairs:

- Access to Justice (Federal Jurisdiction) Amendment Bill 2011;
- Crimes Legislation Amendment (Powers and Offences) Bill 2011

Following advice from the Standing Committee on Agriculture, Resources, Fisheries and Forestry, the following bill was also referred to the Standing Committee on Social Policy and Legal Affairs:

- Wild Rivers (Environmental Management) Bill 2011.

3. The committee recommends that the following items of private Members’ business listed on the notice paper be voted on:

   Orders of the Day
   - Exceptional circumstances exit grants program (Dr Stone).
   - Tuberculosis in Papua New Guinea (Mr Entsch).
   - Srebrenica remembrance (Mr Danby).
   - Meals on Wheels (Ms Hall).
   - White Ribbon Day (Mr Hayes).
   - Surf lifesavers (Mr Lyons).

   Organ donation in Australia (Ms Brodtmann).
   Early onset dementia (Ms Rishworth).

**ADJOURNMENT**

Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (17:14): Thank you, Mr Speaker. Can I again congratulate you on your elevation to high office. I note that the newly elected Deputy Speaker is in the chamber and I also congratulate her. As defence minister I ask members of the House, over the break, to spare a thought for our Australian Defence Force personnel serving overseas. In particular, I ask members of the House and the Australian community to spare a thought for the families and loved ones of those fatalities and causalities that we have seen from Afghanistan.

The SPEAKER: I associate myself with the remarks made by honourable members at this time of the year.

Mr STEPHEN SMITH: As Deputy Leader of the House, there being no more question times between now and Christmas Eve, I move:

That the House do now adjourn.

Question agreed to.

House adjourned at 17:15
CONSTITUENCY STATEMENTS

Toner, Mr Brydan

Mrs GASH (Gilmore) (09:31): Before I start my three-minute speech, I place on the record that here in the House I have not seen a Speaker resign before. I would like to place on record my admiration and respect for Speaker Harry Jenkins and wish him well in his future career.

I need to quote the words of Brydan Toner. Last week during President Obama's visit to our great nation, a 16-year-old was provided with the incredible opportunity of taking part in the parliamentary celebrations and witnessing the President's address to a joint sitting of parliament. Brydan said:

I, Brydan Toner, am writing to say that I was that extremely fortunate teenager, and I am eternally grateful to my Federal Member, Joanna Gash, for giving me this once-in-a-lifetime chance.

The friendship between the Commonwealth of Australia and the United States of America is one that is second to none. As the visit coincided with the marking of a 60 year long alliance, it was a great pleasure to see that the bond between our two nations is stronger than ever before. The announcement of the joint training and exercises, planned for Darwin, between our two defence forces is a testament to our nation's leaders.

As the current school captain of Nowra High School, it was a great honour to be able to witness this historical moment in our nation's history.

From meeting with various MPs, to dining with a doctor who often works in Antarctica, from having a conversation with former Prime Minister John Howard, to shaking the hand of the President of the United States of America, the experience is one that I will never forget, and one that I have gained a great deal from. I am hoping that from this, I will be able to give something back to the community that allowed me to represent them during the course of the Presidential visit.

Being someone who has a keen interest in politics, and someone who is hoping to represent my electorate one day in federal parliament, words cannot describe what the experience meant to me. I was able to gain a brief insight into the working lives of various politicians, and even had the chance to converse with various representatives on a matter of issues, and on the workings of the Australian parliament.

As I stated to my federal member, Joanna Gash, 'I can already imagine telling my grandchildren about this one day', and I can honestly say that this is true. Whether it was the fact that I was a guest at an official state dinner hosted by the Prime Minister, the fact that I exchanged a few words with President Barack Obama, or the fact that the Federal Member for Gilmore invited me to be her somewhat excited guest throughout the visit, I know that the experience will be etched into my brain for the remainder of my life.

I would like to take advantage of this opportunity now, to thank Ms. Gash and various other parliamentarians for making my experience even more amazing than one would expect, and for making me feel welcome. It is not often that a high school student takes part in such events and celebrations, and the fact that I, a sixteen year old boy, was able to witness the president of the USA address the Australian Federal Parliament is nothing less than remarkable.
I would like to add that Brydan won a competition from 53 applicants for this trip. Our country is in good hands when we have young people like Brydan, who I am extremely proud of.

Petition: Disability Services

Ms KATE ELLIS (Adelaide—Minister for Employment Participation and Childcare and Minister for the Status of Women) (09:34): I am so proud to be part of a government that is committed to making sure that every child has the best start to life. Of course, we know that that is no more important than for children with disability. We know that for parents, caregivers and families the task of caring for a child with disability is a full-time job like absolutely no other. We recognise that this is an incredibly tough job that families are doing, and that it is tough emotionally. It is also tough financially. That is why from 1 July this year our government is providing $147 million over four years for early intervention services for children with disabilities that affect their development through the Better Start for Children with Disability measure. However, our government also recognises that more needs to be done.

Australia needs a disability services system that provides care and support based on people's needs, not a lottery of what kind of disability they have, how they acquired it or where they happen to live. It should give people with disability certainty, choice and individually tailored services. That is why our government has fronted up to the challenges in this important area and taken the lead on fundamental reform of disability services. It is why we asked the Productivity Commissioner to examine reform of disability support, providing a blueprint for the National Disability Insurance Scheme—which we are so incredibly proud to be working on implementing.

We understand that the current system for caring for and supporting people with disability is not working for everyone. Sometimes we just have to face up and admit that. I know that for many people with disability and their carers providing care and support is a challenge. I am pleased today to be able to provide a voice for a local mother in the electorate of Adelaide, which I am lucky enough to represent in this place—Melissa, who is dealing with this challenge on a day-to-day basis. I want to place on the record my absolute admiration for the work that Melissa does in providing care for her son, Sebastian. Melissa is also a passionate advocate for ensuring that all Australian children with disability receive access to effective treatment and early intervention services. She has been incredibly hard at work collecting signatures right across Adelaide—in the suburbs and all of the streets—and I am pleased to be able to table that petition here today after it was considered by the Petitions Committee and determined to be in order.

We know that people with disability and their carers deserve the same opportunities, and I am pleased that our government is working hard to deliver real outcomes in this area. We know that there is more work to do, but we also know that for every story like Melissa's—the incredible courage that she displays day in and day out—there are thousands of families just like hers right across Australia. I am pleased to table this petition on their behalf.

The petition read as follows—

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

This petition of certain concerned citizens of Australia draws to the attention of the House:
The Better Start for Children with Disability (Better Start) Initiative urgently requires reform. The Better Start policy excludes thousands of Australian children with developmental disabilities in need of early intervention services. These children have comparable early intervention needs and similar developmental disabilities as those with eligible conditions, and many are able to prove the beneficial impact of such treatment.

The inequalities of Better Start must be removed to allow all Australian children with developmental disabilities access to the support they need in the critical early years of development.

Your petitioners request that the House take all necessary steps to:

Act urgently and effectively to amend the Better Start for Children with Disability policy so that:

- there is no longer inequality of access to effective treatment and early intervention for Australian children with developmental disabilities;
- the current eligibility criteria is revised and replaced with a needs-based model whereby eligibility is determined by the functional aspects of the child's disability, the level of impairment and how the impairment affects the child.

from 2,261 citizens.

Petition received.

Speaker

Mr BROADBENT (McMillan) (09:37): Having come to this place in 1990 and been removed a number of times since and now being back in the House, I have been here for some historic moments: the removal of one of the most popular prime ministers this nation has ever seen to be replaced by his former Treasurer, the changes in leadership, changes in Speakers and the removal of a Speaker—although it seemed to be a resignation at the time, with the replacement of that Speaker by one from another party, which was unusual at the time.

I met Harry Jenkins when I came here in 1990, a man of great integrity with a work ethic par excellence. We struck up a very close working friendship, even though he was a member of the Labor Party. He was chairman in one of my early committees and I worked very closely with him. But one thing that I knew was that he had three priorities. First was his family and the people of Scullin who he represented. Second was his other family, which was the Labor Party. His integrity, and seeing the Labor Party as a family, was always going to be his first and paramount response in this parliament: to his party and its best interests. No-one would know that like Harry knows that.

I saw that a note was passed to you just a few moments ago, Mr Deputy Speaker, which you received gratefully. For the Speaker to resign and go to the floor of the House to get a number for the Labor Party is not exactly what you would expect of the integrity of Harry Jenkins. However, I put to the group here in this chamber that this may not bode well for my side of politics.

So I stand at this historic moment, recognising the integrity of Harry Jenkins and knowing that he will enter the floor of the House and he will, once again, play the role on behalf of his constituency and his party that he has always played. His integrity as Speaker has been above reproach and the way he has handled himself in this 43rd Parliament is only as we would expect of a man of his integrity and great character.
Ms COLLINS (Franklin—Parliamentary Secretary for Community Services) (09:41): I would like to talk today about a youth forum that was recently held in Kingborough, in my electorate, and which I had the pleasure of attending. The venue was the Twin Ovals, a new venue that I have talked about in this place, which is funded by the federal government with some contribution from the state government.

I made a commitment at that youth forum that I would talk about some of the issues that they raised there here in this place. Seventy-eight students from six of the seven high schools in the Kingborough region attended on that day. They had a well-known facilitator, Michael O'Meara from MOHOW, who has a long history of supporting young people across this country, including the federal government's peak youth body, the Australian Youth Forum.

The afternoon session was also attended by the Mayor of the Kingborough Council, Graham Bury, as well as various employees and councillors of the Kingborough Council. We were there to hear about the vision and the project plans that these young people had for their local region. They got together and came up with what they wanted their region to be. Some of the visions for their local area, which they needed to work on with the local community, were to treat people equally; to listen to the community's point of view; to make poverty history; to see gender equality; to accept people of all cultures, religions and races; to stop pollution; and to live sustainably.

People had a total of eight visions for their local area. After the forum they went and looked at potential projects relating to that vision and seeing that vision come to fruition in their local region. They came up with some interesting projects that would achieve this. These included free bus rides for all students to and from school, monthly community meetings for young people, and a youth representative on the council.

One suggestion I thought was quite inventive was to have a paintball arena on the old public high school site. They wanted to hold a University of the Third Age weekend skills workshop where elderly citizens of the area would work with young people. They wanted a recycling or container deposit scheme in their local area. The council employees who were there also went off and created their own project, which was to develop a social media strategy to engage the young people in their area.

This all bodes well for the region and the municipality of Kingborough, where the youth of today are engaging actively in their local community, not only talking to their local council about their visions for the area but also coming up with their own projects and their own ways of ensuring that their visions come to fruition and working with the local government to achieve that.

I was really impressed by all the young people who managed to go there on that day, to develop their visions, to articulate them and to come up with those projects. It really does bode well for the youth in that local area.

Mr SIMPKINS (Cowan) (09:44): I recently presented a petition in parliament calling for all meats that had been slaughtered in the manner of the Islamic religion to be clearly labelled as such. The petition, which was presented to me by the Barnabas Fund, stated that, while they support the freedom of religious groups to access food and other products that meet with
the requirements of their faith, they are concerned about the massive growth of sharia-compliant products being sold to Australians, whatever their faith, often without being informed or consulted. As a result of the petition, I investigated in my electorate in Western Australia and found that almost every animal, apart from pigs, is killed in accordance with the Islamic religious requirements known as halal. So, when you go to Coles, Woolworths, IGA or other supermarkets, you cannot purchase the meat for your Aussie barbecue without the influence of this minority religion. You have no choice. And the point is that almost no Australians are aware of this, because it is not labelled.

Why is this the case? Why is it that we are being provided with meat that is slaughtered in accordance with the practices of the Islamic religion? I expect it is convenience and marketing for these meat providers, but it is important that everyone also be aware that Mohammed, the prophet of Islam—as reported in the Hadith, the traditions of Islam, the book second only to the Koran—talked of how Islam would be furthered to those parts of the world that had not yet embraced it. He reportedly said, 'The non-believers will become Muslims when, amongst other things, they eat the meat that we have slaughtered.' This is one of the key aspects to converting nonbelievers to Islam.

As many people would be aware, halal forms part of the sharia system. Most people know sharia to be a system of laws relating to the Islamic religion. Any religion's adherents, of course, can make personal choices about the way and the standards by which they live their lives. This is as true for Christians as it is for Muslims. We should have no trouble with personal standards. But a religion is not a social or a political system, and those who believe it to be so, by implication stand against our great democracy.

Consumers are being denied information about meat. Meat killed in accordance with the Islamic religion's requirements should be labelled accordingly. By having Australians unwittingly eating halal food we are all one step down the path towards the conversion, and that is a step we should only make with full knowledge and one that should not be imposed upon us without our knowing. What is happening is wrong. Too often the minorities in this country are looked after without regard to the majority. The time has come for this to stop. I call upon the following businesses in Western Australia and every business in Australia to clearly label halal meat and stop deceiving Australians: V&V Walsh, Western Meat Packers, Harvey Beef, WAMMCo, Hillside Tender Meats, Inghams and Steggles.

In closing, I would like to recognise two Western Australian companies, Mount Barker Free Range Chickens and Dardanup Butchers Company, who have not yet yielded to the pressure to impose halal food on everybody regardless of their faith.

Ben Donohoe Fun Run

Capital Region Cancer Centre

Dr LEIGH (Fraser) (09:47): Ben Donohoe was a sports-loving, caring and intelligent nine-year-old boy who lived with his parents, Robyn and Peter, and siblings, Luke, Lauren and Kate. An active boy who particularly loved cricket and soccer, he played every sport. He also loved his music and would sing and dance around his bedroom to the sounds of Shrek, Robbie Williams and Shannon Noll. Ben attended Latham Primary School and was in year 4 when he was diagnosed with a brain tumour on 10 June 2005. When he became sick, his mother Robyn would often ask him if there was anything she could get for him and Ben
would simply say, 'Just a cuddle.' That is a testament to his caring nature. Despite an operation to remove the tumour and despite Ben's determination, the tumour was too aggressive. Ben passed away on 2 August 2005, less than eight weeks after being diagnosed.

Now in its seventh year, the Ben Donohoe Run and Walk for Fun has raised over $220,000 for the ACT Eden Monaro Cancer Support Group, Make-A-Wish Australia and Brain Tumour Australia. This has greatly helped in supporting families affected by cancer and bringing hope and joy to the lives of seriously ill children. The Ben Donohoe Run and Walk for Fun is now one of the largest fun runs in the region. On 6 November, a team from my office ran the six-kilometre circuit around Lake Ginninderra with almost 2½ thousand others who helped raise over $65,000.

Cancer patients in the ACT and surrounding region will also benefit from a new Capital Region Cancer Centre. When completed in late 2013, the new centre will improve cancer treatment by drawing together and integrating cancer services including chemotherapy, radiation therapy, haematology, immunology, research and teaching programs, within a single five-storey building on the Canberra Hospital campus. The Capital Region Cancer Centre is part of a $2 billion Australian government initiative to build a world-class cancer care system. It was my pleasure on 2 November to be part of a sod-turning with the Minister for Health and Ageing; Katy Gallagher, the Chief Minister of the ACT; the member for Canberra and Senator Lundy. The Capital Region Cancer Centre will service around half a million people across the ACT and surrounding regions by providing access to screening, assessment, diagnostic treatment and palliative care services.

I would like to thank the organisers of the Ben Donohoe run, and members of the 'Leigh team', who wore T-shirts emblazoned with my name and joined me on the day—Damien Hickman, Gus Little, Claire Daly, Jules Zanetti, Angela Winkle, Karina Leys, Jess Woodall, Alex Cubis and Eleanor Cubis. Next year's Run and Walk for Fun will be on Sunday, 4 November 2012. I look forward to doing another lap of the lake and encourage all Canberrans to take part.

**Swan Electorate: Transit Guards**

Mr IRONS (Swan) (09:50): On this fourth anniversary of my election to this parliament—and I hear the members on the opposite side cheering in remembrance!—I rise to speak about two transit guards who suffered some horrific injuries at the Beckenham train station in my electorate of Swan in the early hours of Sunday morning. After being alerted to troubles on the train, the transit officers were called on to deal with problems as the train made its way through my electorate before evicting large groups of troublemakers at Beckenham station.

In the local news it was reported that, after shepherding them off the train, the female officer turned around to face the other side of the platform. At that moment a man ran from behind and glassed her face. A male transit officer was subsequently knocked unconscious and fell onto the tracks. The female transit officer has received 17 stitches to her face after suffering severe lacerations, and the male officer will be off work for several weeks with severe injuries. This was a horrific and cowardly attack on people whose job is to try to protect the people of Perth in Western Australia.
As members would be aware, I have a long-running local community campaign for safety improvements on the Armadale line. As my constituents know, I have been consistently calling for permanent guards to be positioned at all stations on the line in my electorate. The Thornlie-Armadale train line consistently records the highest number of assaults of any line in Perth, and the last year has been no different, with a number of troubling incidents. We call it the 'Crime Line'.

I began my campaign after a 16-year-old was assaulted by three youths when leaving the Burswood station on 21 June 2009. Since then I have met communities at all train stations on the line, spent a morning at the CCTV monitoring station in Perth, held meetings with the police and distributed railway crime surveys to gauge public sentiment. Responses to my rail line survey strongly show that the people want to see these stations guarded at all times, and this is what I have been campaigning for on behalf of the community. I presented those survey results in person to the authorities—to the PTA, the police and the state government. I renew these calls again today.

It is my view that we need to look at the Victorian model that will soon be put in place by the Baillieu government. In my view this is what the WA state government needs to move towards, and I presented this idea to them earlier this year. I am encouraged that the state government is to launch a four-week blitz and that Minister Buswell will go on some night patrols with transit officers to assess the situation. However, we do need a longer term solution, and I urge the government to consider the Baillieu model. And, while it is not often that I agree with unions, I agree with their support for the transit officers, who do a great job at night-time on the trains in Perth.

I also take this opportunity to wish all my colleagues, on both sides of parliament, all the best for Christmas and look forward to seeing them return safely to this place early next year. Merry Christmas to everyone.

Volunteers

Ms OWENS (Parramatta) (09:53): Thirty-four per cent of the Australian adult population volunteer. They contribute over 700,000 hours of volunteer work each year. Today I rise to say thank you to those who choose to volunteer overseas. Our international volunteers work tirelessly in developing countries all over the world, including the Asia-Pacific, Africa and the Middle East, often playing a vital role in the fight against poverty and making a profound difference to communities that they serve.

I would particularly like to acknowledge some of the incredible individuals from my electorate who have recently returned from overseas service. Apineru Apineru volunteered in Cambodia for Habitat Humanity Australia; Wesley Baker volunteered for ABV in East Timor; Joseph Elias volunteered as a protection adviser through Australian Volunteers International in Lebanon; Renee Grant volunteered his time in the Philippines with Habitat Humanity Australia; Hazel Maglantay volunteered as an organisational development adviser in the Philippines; Cara McGrath volunteered in Cambodia for Habitat Humanity Australia; Mel Chung Ng, through UnitingWorld, worked in Fiji as one of the medical personnel with the Fiji eye care team; and Daniel Tay, through Habitat Humanity Australia, volunteered his time in Indonesia.
Lastly, I thank and congratulate a very special young lady, Katrina Lancaster, who not only deserves recognition for her volunteer work in Samoa but also, on Tuesday night, won the Young Disability Challenge Award at the Australian government’s National Disability Awards. That is an incredible achievement. As a young deaf woman, Katrina displayed outstanding leadership qualities running youth empowerment projects and working with schools to build a network of deaf youths to share information with students and families so that they are equipped for life as deaf adults. Her volunteering has led her across international borders to Samoa, where she helps to equip Samoans to take leadership in the development of their community and to work towards full inclusion for themselves and for others with disability.

Katrina and all the other volunteers act as great ambassadors for Australia. By serving in the way they do, they change their own lives forever, develop a perspective on the world that few of us share and change the lives of those they serve. Through volunteering they strive for the great Australian spirit of a fair go for everyone. I thank them all and express my deep appreciation for their efforts.

**Bennelong Electorate: Schools**

**Mr ALEXANDER** (Bennelong) (09:55): As we conclude our final week in this place, we are fortunate to be given the opportunity to spend time in our electorates congratulating students and teachers on a successful year and joining our local community for holiday celebrations and Christmas cheer. In Bennelong I will be attending the Ryde Secondary College 10th anniversary and the launch of their community partnership program. Ten years ago the school changed its name from Malvina High School to Ryde Secondary College. The school’s principal, Cassy Norris, has established a program of community partnership with local business, the community, the council and clubs. The idea is that these organisations can provide work experience placements as well as mentorships for students. Principal Norris is very keen to build links between her school and local businesses to assist the students. This is a great initiative, and I congratulate Casey Norris on the program. I am looking forward to joining her in a week’s time.

I will also be attending Karonga School’s celebration of learning and the official opening of its new amenities block. Principal Sue Dennett has requested that I present the Bennelong award as I did last year. This year’s winner is Cyrus Chan, who has won the award for most outstanding year 12 student. I congratulate Cyrus and Sue for their hard work in this very impressive educational facility in Bennelong.

Other schools and speech nights I will be attending include those to be held at Epping Boys High School, Denistone East Public School, West Ryde Public School, Epping North Public School, North Ryde Public School, Marsden High School and Marist College Eastwood—and I am sure there will be others. The community celebrations culminate in the *Weekly Times* Rotary Community Christmas Carols Spectacular on 18 December at North Ryde Common. I urge all in the area to attend this very special community event.

As we come to terms with the great challenges that face us, we can think back to the famous quote by Winston Churchill, ‘A pessimist sees the difficulty in every opportunity; an optimist sees the opportunity in every difficulty.’ As we come to the end of a very difficult year with international conflict, world economies in crisis and many challenges at home, there is still cause for optimism, with our frontier character, to seek a better life and a better way—
and so we shall seek a better path in the year to come. I wish all of you and your families and local communities a very merry Christmas.

Speaker

Ms HALL (Shortland—Government Whip) (09:58): I take this opportunity to place on record my thanks to Harry Jenkins, the former Speaker of the House of Representatives. All his life, Harry has been totally dedicated to the principles of democracy, and he has brought humour, integrity and a fair approach to the role of Speaker. Harry has the respect of and is held in high regard by not only members on this side or members on the other side but also, I think, all the staff in this parliament. Harry has been a friend to us all. He has acted as a mentor to most members of parliament. He is always there to talk through issues when you need to. He has exasperated me and made me angry when he has been in the Speaker’s chair, and I think that shows what a great Speaker he was. He really delivered to the parliament by being bipartisan in the way he fulfilled his role as Speaker. Harry would have to be one of the people I hold in the highest esteem within this parliament.

I thank him publicly for what he has done for this parliament, what he has done for our country and what he has done for democracy. I know that he will continue to make enormous contributions and will still have that wonderful sense of humour. He will still be a friend to us all and be the unique Harry Jenkins—a very special person who has established a place for himself in history because of the way he was able to conduct himself and what he brought to this parliament as Speaker. Thank you, Harry. I say that on behalf of all members of this House.

The DEPUTY SPEAKER (Hon. Peter Slipper): I thank the honourable member for Shortland. As Deputy Speaker, I endorse the remarks made by the honourable member. Mr Speaker Jenkins and I have had a very good working relationship, and he has my greatest admiration.

As we do not have any speakers present for the next item of business, the chair will be resumed in approximately 25 minutes.

Sitting suspended from 10:02 to 10:30

BUSINESS

Rearrangement

Mr LYONS (Bass) (10:30): I move:

That consideration of government business order of the day No. 1, committee and delegation reports, be postponed until a later hour this day.

Question agreed to.

COMMITTEES

Agriculture, Resources, Fisheries and Forestry Committee

Report

Debate resumed on the motion:

That the House take note of the report.

Mr ADAMS (Lyons) (10:30): by leave—It has been a very active day in the parliamentary processes. I believe this report, Seeing the forest through the trees, has come at
an important time for the forestry industry. The debate on forestry has been raging for the last 20 years, and it is time to look properly at the future of the industry. The House committee has certainly done that. Its report reflects the nuances of the discussion on forestry. The title comes, of course, from the saying 'you can't see the forest for the trees', meaning, in this case, that people have been focusing too much on the details and have lost sight of the bigger picture of forestry and the importance it has for this nation—for the states, the regional centres and rural Australia. We need to look at the big picture of forestry because it is the mainstay of many areas of the Australian economy—it has been so in the past and will continue to be so into the future. It also has an important role to play in the world's efforts in dealing with excess carbon emissions.

There is a lot to do around the use of wood. When I look around this room I see how much carbon is stored here in wooden products—in our furniture and in our panelling. We have to make sure we are measuring the storage of carbon and recognising where it is stored.

There is a great future for forestry. It can help with the storage of carbon. Also, it is a renewable resource whereas resources such as plastic and steel, which contain an enormous amount of embedded energy, are not. The forestry industry does not use much energy converting wood into what we see in front of us in this room, so it presents a great opportunity. We import about $2 billion worth of forest products, but we do not want to be taking wood from other parts of the world, especially countries in our own region, which certainly do not have the same environmental standards as we have in this country.

The report also focuses on the time when I believe we started to really get on top of forestry policy. The National Forest Policy Statement came about in 1992, and from that grew the RFA processes and the regional forest agreements which meant that we focused on regions to make sure that we maintained the different species of each region. We wanted to make sure that we had a lasting process based on science so that we could continue to have a good forest industry into the future, and that is what we have done. The report focuses on renewing RFAs and on making sure they are modern and that they deal with the issues we will need to deal with in the future. For this report the committee consulted widely with many communities and all aspects of forest industry. We certainly looked at downstream processing and how that has changed. We looked at how the peelings from small logs that come from thinnings are now turned into really good products. There are opportunities for building large pieces of wood from small pieces by joining them together, and we saw that the economics of all those things work very well. Those things can be done in regional Australia in the sawmilling industry that we presently have.

Through innovation there are lots of opportunities for new products that will take us forward but we also need to have a look at how we grow wood. We need look to the future and decide how to encourage investment in the forest industry—whether it is through plantations or supporting rural Australia through our farming communities. I think 70 per cent of the Australian landmass is owned privately and there is a lot of wood there that can come into production, but it can also store carbon into the future. We need to find the right policy settings for that. Farmers certainly need extension work and there is the aspect of meeting the future needs of the Australian industry. We need to help farmers take advantage of those opportunities and reach the potentials available through the storage of carbon and the production of wood.
We need to look at the way we build plantations. People look at plantations as being monocultures when really that is only one part of what a plantation can be. There can be many species in a plantation. Farmers looking at growing wood can do it in different configurations on their farms. We had a good discussion within the committee about bringing forward opportunities from Caring for our Country to encourage that sort of policy direction. Where a farmer might plant three rows of trees to protect a river or creek bank, maybe we could go out to 10 or 15 rows and fence it, therefore building a whole wood lot in that place. These are innovative ideas that we should be able to achieve. But farmers will need help in extension, in finding the right business model and, of course, in finding the opportunity, as an enterprise, to be able to turn a dollar and pay their way.

When we were taking information and evidence it was quite interesting. It was pointed out that many farmers have the opportunity not to make a cut at a certain time. They have a lot more flexibility, and wood gives them opportunities outside the normal agricultural cropping cycles—the turning off of lambs or beef cattle or whatever—so their incomes can be stretched out.

There are lots of opportunities into the future but we need to look innovatively. Governments certainly have a role to play in getting some of these policy directions right. In the committee we touched on the arguments that come up in terms of land use—forestry versus other crops—and we received evidence that there are overdone arguments that do not hold up. There is one per cent of the Australian landmass under plantation. So some arguments against plantations do not make much sense, although plantations certainly have an effect in a local area and should be done in a proper, sensitive way to meet the needs of the community.

What species is grown is very important. We certainly came across areas where, during previous times, when we were trying to meet the needs of the 2020 Vision project, trees of the wrong species were planted in the wrong area so that we did not get the right outcome—the proper outcome that we could have got for the nation and for this industry. We need to make sure that we get those things right. We need to have the policy directions that pull things together and make them work.

This is a very good report—I certainly hope. It is a very important report. It is also a report well done. I am very proud to have been the chair of the committee. I am very proud of the people who put in so much, including the staff of the secretariat. I believe we have done very good work that will go on to help governments and oppositions form good policy positions into the future. We wanted to make sure that waste from the forest industry could be dealt with for the best economic benefit for the nation. We based the recommendation on that being waste only—that we do not go into native forests and use them as the basis for, say, driving a power station. The waste from sawmills and the timber industry should be used fully, for the best economic need, as they do in other parts of the world. Europe and South America, for instance, are driven by the greener side of politics, and bioenergy is one of the big renewable energies. So we need to make sure that we are on board for that and not left behind as a nation.

There are some very good recommendations and some very good work in this report. I am very proud that we have been able to pull it together, and I believe that it will serve the nation well.
Mr McCormack (Riverina) (10:41): The House of Representatives Standing Committee on Agriculture, Fisheries and Forestry has tabled this report, which makes 19 recommendations for the Australian forestry industry. The committee inquired into the prospects of the industry, including opportunities for and constraints upon production, opportunities for diversification, value adding and innovation, the environmental impacts of forestry, the potential for energy production and land-use competition.

The future prospects for forestry, according to the report, are huge. As an industry, it can and will provide for many other industries, nationwide. There are exciting new avenues for investment and innovation opening up to Australian forestry. Forestry has the potential to contribute renewable energy to the Australian economy and to improve land management practices across the agricultural sector. The Australian construction industry will be supplied with more building materials, which, in turn, will bring about more job opportunities. The chance for timber as a building product will increase as we move into a more carbon constrained world. Many Australian timbers are prized for their unique qualities and over time further markets for these timbers will surely develop. Timber can be engineered to be used in many different applications and as a renewable and carbon storage building material it has a clear advantage over many other building materials.

The demand for timber in the construction industry is expected to increase in the years to come. The forestry industry is well placed to benefit, obviously, from this increased demand. In addition to the inherent value of Australian timbers, new investments and new methods of processing will enable the industry to add value to all products that come out of Australian forests. According to the Department of Agriculture, Fisheries and Forestry, the average national consumption of wood products is 22 million cubic metres per year. By comparison, around 27 million cubic metres of logs are harvested in Australia each year. However, Australia still imports a large amount of wood products and has a trade deficit in wood products—totalling $1.9 billion in 2010. According to Australia's forests at a glance 2011, Australia imported $4.2 billion worth of wood products in 2010 and exported $2.3 billion worth in the same year.

The committee believes that the forestry industry needs greater certainty about possible demand and supply scenarios in the decades to come. The forestry industry has one of the longest lead times in the Australian economy. It will benefit from a better picture about how the market might look into the future and policy needed in this area. Forestry is a key component of the Riverina economy. This is certainly so in the Tumbarumba and Tumut shires. It has long been so. The towns are heavily reliant on the wealth generated by the softwood industries, particularly involving the Hyne timber mill at Tumbarumba and Visy at Tumut.

This weekend, the Prime Minister is due to open Visy's first waste-to-energy plant at its Coolaroo manufacturing and recycling plant in Melbourne. The event is expected to be attended by more than 2,000 people, according to yesterday's Australian. The Coolaroo energy-from-waste plant will reduce Visy's emissions by 70,000 tonnes a year and divert 100,000 tonnes of waste which would have gone to landfill. In a clean and green environment, which we all want, that has to be seen as a very positive thing. It will reduce the gas used in the manufacturing and recycling plant by half and 10 per cent of the energy consumption. Again, that is an extremely good thing.
The plans of Visy's executive chairman, Anthony Pratt, follow his commitment four years ago to invest US$1 billion in paper recycling and waste-to-energy infrastructure at a Clinton Global Initiative meeting in New York. Last year, Visy's American associate Pratt Industries commissioned a US$60 million energy plant in Georgia which converts waste from its manufacturing into gas. Mr Pratt and his company are visionaries. They do great things right across this country and certainly great things for my electorate in the Riverina, particularly through the Visy pulp and paper mill at Tumut.

The new waste-to-energy plant in Australia, which is likely to be located adjacent to Visy's Tumut pulp and paper mill in southern New South Wales, will be three times the size of the US facility, and that has got to be a tremendous thing both for the Riverina economy and for the Australian economy. It will provide baseload power, unlike other renewable energy technologies such as solar or wind power. In this day and age, when we have people such as Anthony Pratt willing to invest in those sorts of things, that is good. This report for the forestry industry is also a positive one and I commend it to the House.

The DEPUTY SPEAKER (Ms Vamvakinou): I agree with the comments of the member for Riverina in relation to Visy. The Coolaroo plant is in my electorate, and I very much look forward not only to its contribution to the environment; it is a major employer in my local community.

Mr McCormack: Thank you, Madam Deputy Speaker. Hear, hear!

Mr Lyons (Bass) (10:47): I rise today to speak on the report of the Standing Committee on Agriculture, Resources, Fisheries and Forestry entitled Seeing the forest through the trees. I want to quote a couple of things from the report. The first is from A Whitney Brown, writer and comedian, who said:

… They give us two of the most crucial elements for our survival:

oxygen and books!

The other is Henry Abbey's poem. It is very appropriate and I would like to have it recorded; I thank the secretariat for including it. The poem is as follows:

What do we plant when we plant the tree?
We plant the ship, which will cross the sea.
We plant the mast to carry the sails;
We plant the planks to withstand the gales—
The keel, the keelson, and the beam and knee;
We plant the ship when we plant the tree.
What do we plant when we plant the tree?
We plant the houses for you and me.
We plant the rafters, the shingles, the floors.
We plant the studding, the lath, the doors,
The beams, and siding, all parts that be;
We plant the house when we plant the tree.
What do we plant when we plant the tree?
A thousand things that we daily see;
We plant the spire that out-towers the crag,
We plant the staff for our country's flag,
We plant the shade, from the hot sun free;
We plant all these things when we plant the tree.

Australia has 149.4 million hectares of forest, comprising 147.4 hectares of native forest and two million hectares of plantations. These forests cover about 21 per cent of the continent. That is about eight hectares of forest for each Australian, one of the highest areas of forest per person in the world. The world average is less than 0.6 hectares of forest per person. Australia has about four per cent of the world's forests. I have recently witnessed firsthand the devastating effects of uncertainty in the forest industry in my own electorate of Bass. I have spoken in this place before about Scottsdale and the north-east of my electorate of Bass. This is an area that has, in the past, been heavily reliant upon the forest industry. This region has faced a period of substantial uncertainty, with forest downturn in Tasmania. This saw the loss of many jobs in the area, which had a widespread impact on my local community. But the assistance provided in this report will begin to regain a level of certainty and direction for communities such as Scottsdale.

With a range of climate and soil types, the north-east of Tasmania is suitable for a range of agricultural production, being the recipient of a significant and reliable rainfall and being assisted by the federal Labor government with respect to several irrigation schemes. Forestry is a major sector of this region. In fact, in 2010, 26 per cent of the region's employment came from the agricultural and forestry sectors alone. As pointed out by many submissions to the House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry, the forest industry in Tasmania is currently undergoing some substantial changes. This is largely due to the announcement of a 'Statement of principles to lead to an agreement', which was signed on 14 October 2010.

The central aim of the process, beginning with the statement of principles, was to resolve the conflict over forests in Tasmania, to protect native forests and to develop a strong, sustainable timber industry. There are a number of parties to the statement of principles. It is important to note that neither the Tasmanian government nor the Australian government were parties to the statement. However, the Australian government has welcomed the new relationship between industry, union and environmental organisations to develop the Tasmanian forest statement of principles to lead to an agreement as a positive step towards balancing the conservation and sustainable development and management of Tasmania's forest resources. It is important to have the recommendations on the record. Recommendation 10 states:
The Committee recommends the Australian Government lead a process through COAG to create a national plan for plantations, to ensure that:
- plantations of appropriate species are planted in appropriate locations; and
- appropriate regional infrastructure exists or is planned and funded.

Recommendation 11 states:
The Committee recommends the Australian Government:
- decide whether the encouragement of long-rotation plantations is an appropriate objective of policy...
Recommendation 13 states:
The Committee recommends that the Australian Government, in concert with state and local governments, provide immediate and ongoing financial support to local organisations that provide extension services for farm forestry, particularly through the Caring for our Country initiative.

Recommendation 19 states:
The Committee recommends the Australian Government lead a process of discussions with all state and territory governments, to consider national approaches to:
- Forestry and climate change;
- Farm forestry; and—
- most importantly—
- Future wood product demand and supply.

A persistent theme of the inquiry focused on the need for research and development of the forestry industry. These calls came from industry, community and environmental organisations, as well as from academics. This need was identified across all areas of the industry, including native forestry, plantation forestry, farm forestry, production development and energy generation.

Many submissions to the inquiry noted that many plantations have not been managed for sawlog production. The Department of Agriculture, Fisheries and Forestry submitted that less than 10 per cent—perhaps no more than five per cent—of hardwood plantations are managed for sawlog production. The remaining 90 to 95 per cent of hardwood plantations are managed for lower value products, such as woodchips.

Another issue I wish to outline is that there is considerable agreement that managed investment schemes did little to support long-rotation sawlog plantations. Evidence, however, suggests that it might be able to do so in the future. As noted by Ian Ruscoe of the Department of Agriculture, Fisheries and Forestry, legislative change in 2007 was aimed at ensuring long-rotation plantations could be supported by MIS.

Throughout this report the committee has focused on new forestry opportunities, both for today and for the future. The committee firmly believes that the future of the Australian forestry industry is bright and looks forward to seeing those in the industry take advantage of those opportunities.

May I take this opportunity to thank the secretariat, for their hard work; the committee chair, the member for Lyons; and those who took the time to make submissions to the inquiry. I would like to thank all the witnesses who provided evidence to the committee during the inquiry and those who took us on informative site visits. During the course of the inquiry, the committee were impressed by the passion and commitment of individuals and groups throughout the forestry industry.

New methods of forestry planning and management are continually making an impact on the forestry industry, and this will enable the industry to be more efficient and flexible in the future. This inquiry has come at an important time for the forestry industry, especially in my home state of Tasmania. We were privileged to visit some of Australia's timber communities to talk about the future of the industry.
Forestry in the future will be about putting the right trees in the right places for the right reasons. Australia must be able to plan for the future of the forestry industry. As the poem said at the start of my speech:

What do we plant when we plant the tree?

We plant the ship, which will cross the sea.

We are moving to a great future for forestry, but it must be planned and we must get the right trees in the right places for the right reasons. One of the most important aspects of any inquiry is to spend time listening to people talk about the things they know best. I firmly believe that, with the right policy, the industry has a bright future and will continue to play an important role in Australia's economy, particularly in rural and regional Australia. I say again: we should plan to put the right trees in the right places at the right time for the right reasons for Australia.

Mr CHRISTENSEN (Dawson) (10:57): I would like to congratulate the member for Bass, on a poetic contribution, the member for Riverina and the member for Lyons, all of whom have a great interest in the subject of forestry. I am very proud to be a member of the House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry and to have had a place in this inquiry. The inquiry, as has been said, has come up with this fantastic report, Seeing the forest through the trees, which has made 19 recommendations.

The inquiry was tasked through its terms of reference to inquire into the forestry industry, looking at different aspects, including:

Opportunities for and constraints upon production; Opportunities for diversification, value adding and product innovation; Environmental impacts of forestry … ; Creating a better business environment for forest industries … ; Social and economic benefits of forestry production; Potential energy production from the forestry sector … ; Land use competition …

The final one was obviously an interest of mine, as I come from a sugar-growing region where there have been some issues over that, but I have to say that I came to this from my part of the world without a great deal of expertise in or knowledge of forestry. It was heartening to see the number of submissions and people who came before the inquiry from industry sector groups basically saying that there is a bright future for forestry. The one thing that they said needed to happen was that government also have the view that forestry is viable as an industry and to put plans in place that ensure the industry's viability into the future. The recommendations that have come out of this inquiry in the report certainly pave the way for a bright future for forestry. If they are adopted by government, then they will provide a sound basis for the industry into the future.

Recommendation 1 calls on the government, through the COAG Standing Council on Primary Industries, to lead a process to assess and report publicly on the likely wood demand-and-supply scenarios over, say, the next 40 years. We are also calling on the COAG council to consider and report publicly on whether this nation should aim for self-sufficiency in wood supply. There is strong support for that concept within the committee.

Recommendation 3 calls on the government to run public information campaigns to promote timber and wood products as replacements for more energy-intensive materials. There has been a concerted negative view of forestry over a long time—it has been thought that it is a bunch of people just chopping down trees and doing nothing for the environment—
but the fact is that wood products consume less energy than most products out there on the market. That needs to be factored in. The general public need to understand that wood is not an anti-environmental product. There are groups out there at the moment such as GetUp which are really flogging this angle and running campaigns against legitimate commercial operations such as Harvey Norman. They are basically campaigning against wood products. That is why it is very important that the government look at a public education campaign on the subject.

The other thing we recommended along these lines is that COAG create a number of national plans, including a national plan for plantations to ensure that appropriate species are placed in appropriate locations and that there is appropriate infrastructure in places where plantations are planned. We have again called on the government, through COAG, to develop a national plan which would enable infrastructure for farmed forestry to be funded and constructed—another very important part of the mix if we are to have a viable forestry industry in the future.

The final recommendation of the report—and I certainly have not listed them all; there are 19 of them—was for the government to hold discussions on national approaches to farmed forestry and future wood product supply and demand. I suggest that that would have to be done through COAG. All of these things are vitally important. The report also looked at RFAs, regional forestry agreements, which have been controversial in the past. But the way forward that has been suggested here would reconcile the conflicting interests. We have said that the RFAs should be renewed, incorporating an evergreen extensions process. Ensuring that the industry has that longer term would provide security. The committee has called for new RFAs to be in place for at least three years before the expiry of the existing agreements and for a new regime within RFAs for ongoing monitoring and periodic assessment.

Another thing within the report which is mentioned a number of times is the concept of social licences, obviously for regional areas where there is forestry. There are certain impacts on the community, particularly where new plantations are being planted, so the concept of social licences is discussed. It is something where we think the industry itself needs to look at it and then come to some agreement on what is acceptable when setting up in a new location to get that social licence with the community. I fully support that concept.

One of the things the committee has recommended, and this is an extremely important aspect, is that native forest biomass be considered a source of renewable energy under the renewable energy targets. It is immensely important that that be taken into consideration.

The issue of conflict in land use has been an issue, particularly in my electorate of Dawson, which is historically known as a sugar-growing area. It ranges from Mackay through Proserpine and the Whitsundays and up through the Burdekin to Townsville. I think my electorate would be the largest sugar-growing electorate in all of Australia. We have had an experience with forestry and I have to say it probably has not been a good experience. The experience was one that was driven by managed investment schemes. The committee has certainly taken what I think is a fairly reasonable, but hard, view on managed investment schemes. I want to give some background to some of the issues that occurred in my electorate on this matter. Canegrowers are the peak body for sugar farmers in Australia and I want to read a section from a submission they gave to a previous inquiry of the Parliamentary Joint
Committee on Corporations and Financial Services into agribusiness MISs and the impact they had. They said:

MIS investments can use their tax advantages to bid for prime agricultural land to the detriment of existing industries. In the case of the sugarcane industry, ongoing viability of a region depends on the availability of sugar milling capacity.

That means land and cropping land. They continue:

If a significant proportion of a sugar mill supply area is alienated, the mill would become uneconomical and would close. Cane cannot be transported economically more than about 60km, so unless there were another mill in that radius, all growers in that area would thereby have lost access to growing their traditional, high-value crop.

That particular problem was causing a great deal of angst to growers in the Sarina, Proserpine and Burdekin areas, which are all within or near my electorate. We have seen MISs go belly up with the problem they had. I think there were fundamental flaws with the whole thing.

The report from the inquiry has recommendations in regard to managed investment schemes. The committee said that the government should be looking at whether or not they think that long-term rotation plantations are an appropriate part of policy in terms of forestry's future; whether it is necessary and appropriate for government to provide incentives in that regard; and whether MISs are the best mechanism for reaching that objective. If they still do think it is then it needs to be seen whether or not it can be altered to make it much more effective. If it cannot meet that objective, why are we still doing it?

The submissions we received and the statements made by people who fronted the inquiry—some were from within the industry and others were talking about the impact of the industry in their community, and when I say 'industry' I mean MIS forestry—said that there were problems such as inappropriate species planted in inappropriate places, dislocation of other industries and a range of different issues. Finding the balance in terms of where forestry should be, where MISs should be and where there should be other agricultural pursuits is something that I know the committee was very mindful of.

I commend most of the report. There is some stuff about the carbon tax in there and implications regarding that that I do have an issue with, but, all in all, I welcome the report and hope that governments look at the recommendations into the future.

Mr TEHAN (Wannon) (11:10): I rise today to commend this House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry report to the House. Like the previous speaker, I do not agree with everything in it but I agree with the overall nature of it. I would like to thank all committee members for their contribution to this and I would also like to take this opportunity to congratulate the secretariat for the very good way they managed the process and all the logistics around it.

The report has come up with a number of recommendations. I would like to step through those recommendations because I think they are important and go to the heart of what is in the report. The first recommendation is:

… the Australian Government, through the COAG Standing Council on Primary Industries, lead a process to assess and publicly report on likely wood demand and supply scenarios over the longer term …
By 'longer term' we mean over the next 40 years. We would like to see this process completed within 12 months. That was one of the clear things that we heard evidence on: there should be a public process which should include both state and federal governments to report on what Australia's future timber demands are going to be. That would help coordinate and plan for what occurs within the industry and how the government can help and facilitate as a result of that plan.

The second recommendation is that, once again, through the COAG Standing Council on Primary Industries, there be:

… a process to consider and publicly report on whether Australia should aim for wood supply 'self-sufficiency'.

I do not think that we should get too hung up on the end result. The main thing is that we look clearly at where Australia wants to head with its timber production, what our overall aims are and what the overall policy settings, from both the federal and the state levels, should be to achieve that.

Recommendation 3 asks the Australian government to:

… run public information campaigns to promote timber and wood products as replacements for more energy-intensive materials.

That is something that we need to do because, sadly, the green movement has captured the view of timber, logging and the whole process of forestry. There is a real need for us to re-educate, especially young Australians, on the whole timber process—how user-friendly and renewable timber products are. We really need to get the balance back in this argument. We have been chopping down trees since Adam and Eve and we need to continue to do so. As long as it is done in a manageable way, in a renewable way, we can and should continue to do it; yet, sadly, I get the feeling that the Greens would be very happy if not another tree was chopped down in Australia. This is a problem that I think we need to address sensibly. Both major political parties could usefully look at something around this and say, 'Let's go out there and look at what the timber industry has to offer Australia.'

The fourth recommendation is:

… the Australian Government develop robust national standards quantifying the carbon stored in different products made from harvested trees, including the duration of storage and policy implications of those standards.

Once again, a fairly sensible recommendation. We can look around at all the timber here in the Main Committee chamber. There is carbon stored in all the wood product here. We should be able to see the benefits of that. We are not causing severe environmental harm by chopping down a tree; if you replant that tree and you use the timber wisely, you are actually storing carbon. We have to make sure that we take notice of that, and that is a sensible part of the public debate on how we can make sure that we use timber successfully and also promote timber as being an environmentally friendly product.

The fifth recommendation of the committee was that the Australian government, as it develops a mature Carbon Farming Initiative regime, consider the capacity for additionality, the capacity for permanence and other ways for the CFI to support the forestry industry generally. This recommendation is not very clear cut—we have to be very careful in this area. But there are real opportunities when it comes to farm forestry. This is where the use of
additionality and the use of permanence can, if we get the policy settings right, benefit farm forestry.

With farm forestry, I am not talking about a plantation of a single species in a vast area; what I am talking about is a farmer using 10 or 15 per cent of his land for tree plantations whereby he can actually increase the productivity of that land by the sensible plantation of timber and then that timber can value-add to his property because in 20 or 30 years time he can rotate that timber. It can be hardwood timber which goes into mills. If done sensibly this is an area where we can get farming communities and the timber communities working together. When it comes to additionality, when it comes to permanence, if we get the settings right, this can be very good. If we do not, sadly, there is a worry that the CFI could lead to more single plantations, and we heard a lot of evidence that they were put in at the wrong time at the wrong place and have not benefited anyone. If we get this recommendation right, there are some real opportunities there.

Recommendations 6, 7, 8 and 9 are around native forestry. Once again, this report sets clearly what should be defined as a ‘native forest’ and what should be defined as an ‘old-growth forest’. We need to stick to these definitions and we need to stick to them in our regional forestry plans. We are seeing timber communities being driven out of forestry under regional forestry agreements because of the continual redefining of what is a native forest and what is an old-growth forest. The more they are redefined, the more our timber industry is going to rely on plantations, which is then going to create land use issues between farmers, between the timber industry—and we are already seeing land use competition when it comes to mining. We have got to get this balance right. But we have to make sure that, where forestry has been occurring, we let it continue. Let us not define an area which has been forested as all of a sudden being ‘old-growth’ and ‘native’ so those timber industries and timber communities who want to go in and harvest that product can no longer do so. I am hoping that that will be something which comes out of that series of recommendations.

Recommendations 10 and 11 are around plantations. To me these are the most important recommendations which have come out of all this work—and obviously that is very much a personal view rather than a committee view. Recommendation 10 states:

The Committee recommends the Australian Government lead a process through COAG to create a national plan for plantations, to ensure that:

- plantations of appropriate species are planted in appropriate locations; and
- appropriate regional infrastructure exists or is planned and funded.

Recommendation 11 states:

The Committee recommends the Australian Government:

- decide whether the encouragement of long-rotation plantations is an appropriate objective of policy;
- establish whether it is necessary and appropriate for government to provide an incentive to meet that objective;
- if it is, set out a clear plan to meet that objective, according to the national plan for plantations;
- assess whether MIS as a mechanism can meet that objective;
- if MIS can meet that objective, determine whether it needs to be altered to make it more effective; and
- if MIS cannot meet that objective, determine whether other mechanisms could do so.
The evidence we heard on MIS was quite damning. It is not working. It might have led to investment in regional and rural communities when it started, but that investment was driven by corporates looking for a tax advantage, not by the long-term interests of regional and rural communities. My view—but it is agreed by the committee and by all sides—is that the minimum we need to do is to review and relook at this. I hope that the government will be doing that, and I will be doing everything I can to make sure that the coalition does that.

This policy needs to be reviewed, and seriously reviewed. We have stepped out the process by which that should take place, and I will now be doing everything I can to make sure that that happens. MIS needs to be reviewed. We need to take evidence to see whether it is continuing to do what it was designed to do. My strong belief is that it is not. We need to relook at this whole area. That is what the committee has recommended, and I would hope that all sides will be looking at doing that now. Recommendation 11 of this report is a very important recommendation.

My view is: if we can get the long-term investment incentives right, we will see farm forestry continue to grow, with all the environmental benefits that that will bring, instead of one sector, the timber sector, competing with the farm sector in a way which I think does no good whatsoever to either side. Farming communities suffer. And, if you look at what is happening currently, especially in the area that I represent, the electorate of Wannon, you will see MIS plantations, trees, being ripped out of the ground and burnt. That is not doing anything for the timber industry either. We need to relook at this policy area. We need to get it right. My view is also that, following on from our committee's work, we really need a committee somewhere to look at recommendation 11—take it by itself, look at it and have a full review of what needs to happen in this area. We need to look at whether we need long-rotation plantation investment and to encourage that investment.

Recommendations 12 and 13 go to farm forestry. I was particularly glad to host the committee in the electorate of Wannon and to look at some of the farm forestry practices there. I think these have enormous potential. In my view we are going to see farm forestry grow, because you can continue to farm successfully by adding a little bit of diversity by putting plantations into 10 to 15 per cent. The evidence overwhelmingly was that this would increase the productivity of the farm plus increase the future income of the farm itself. So it is win-win, and it is an area where I think we need to see enormous growth. It is an area where, if we get the Carbon Farming Initiative correct, we could see a lot of growth. And it is something which I will continue to speak up on and to push.

I am running out of time so I will look at part 7, which includes recommendations 15, 16 and 17, to do with forestry biomass. The evidence we heard on this was overwhelming. We have these policy settings wrong. We are not encouraging biomass use as a renewable form. We are all, at the moment, beholden to the Greens and their ideology. It is ill-founded. It defies logic. It defies what the Greens are pushing as a movement in Europe, where they are encouraging biomass. It is the largest renewable energy source in Europe. That we are not doing that in this country beggars belief. We have to look at the absurdity of this policy, especially when it comes to the carbon tax—taxing carbon usage in the timber industries and then not allowing the use of biomass. Those timber offcuts are now going to go into landfill and release the worst kind of CO₂ emission, nitrous oxide. How you could have a policy in place which is going to lead to this is—there are no other words to describe it—beyond belief.
I will leave it there at recommendation 18 in the chapter 'Forestry into the future' and the rest of the report. I think the timber industry does have a strong future in this country. If we get the policy settings right we will see that happen. What we have to do is change the way the timber industry is viewed. We have to get education into our schools to see the merits and the environmental friendliness of the industry, change the way it is perceived and change some of the policy settings. The timber industry's future is bright. (Time expired)

Mr CHEESEMAN (Corangamite) (11:25): It is with some pride today that I rise to speak on the Seeing the forest through the trees inquiry undertaken by the House of Representatives Standing Committee on Agriculture, Resources, Fisheries and Forestry. Upfront, I would like to put on the record my thanks to the secretariat, who did a first-class job in assisting the committee in undertaking its deliberations. I think the forestry industry has a very bright future in Australia—albeit it is an industry that has been going through and will continue to go through significant innovation in the way in which it conducts its business, particularly as in many parts of Australia we transition out of more traditional native forestry into more plantation and on-farm or private land forestry. That has been taking place for some time and will continue to do so.

I was delighted with the efforts that the committee put in, particularly in terms of farm forestry. Farm forestry has a very bright future, particularly if we get the policy settings right at a national level. I would like to highlight a very successful group in my part of the world, the Otway Agroforestry Network, which has been advising fellow farmers of the benefits of farm forestry for some years. Indeed, I have seen firsthand many farmers who have planted out their properties to the tune of 15 to 20 per cent without affecting the productivity of their properties or reducing stock on their properties and, as a consequence, have provided themselves with a long-term investment which they are able to take advantage of in more challenging years—and they have done so particularly over the last 10 years through drought and the like.

The real strength of an agroforestry approach, particularly if it is supported by government, is having in place a peer mentoring service, where farmers provide advice in an extension sense to other farmers. That is a far more powerful model than having extension provided by bureaucrats. Farmers providing advice and support to other farmers is an inherently stronger model. It is a model that will provide an opportunity for farmers not only in terms of being mentors but also in giving them access to people in their area that they trust who have a lot of practical experience in agroforestry. There is a real opportunity, particularly in marrying agroforestry with more traditional landcare. I use a practical example. Farmers, perhaps through a traditional landcare grant, might choose to fence off and plant a creek bed. Moving that fence 15 or 20 metres further into their properties provides an opportunity for farmers to plant a number of rows of hardwood timber—

A division having been called in the House of Representatives—

Sitting suspended from 11:30 to 12:04

Mr CHEESEMAN: After such a long break I am not precisely sure where I got to in my contribution—

Mr McCormack: Trees.
Mr CHEESEMAN: I was talking about trees, as was quite rightly pointed out. There is no doubt that forestry has gone through and will continue to go through quite substantial innovation and change of practice as we continue that journey of transition out of more native forestry, which we have been doing. I was reflecting on the important contribution that agroforestry can make to Australia's wood security as we move forward. Not only is it good practice for farmers to undertake agroforestry where appropriate on their land; if it is done appropriately and with strong peer support in place, it can provide opportunities for farmers to diversify their own practices and provide support to fellow farmers in their communities. I think we have certainly been seeing that in a very strong way down in south-west Victoria, where agroforestry has been providing a useful additional income stream to farmers there. I would be hopeful that the work undertaken by the Otway Agroforestry Network can expand to other parts of Australia, where peer support mentoring can be put in place and agroforestry can take root. There are of course opportunities that will come from the Carbon Farming Initiative which will help support the extension of farm forestry throughout this nation, particularly in areas where farm forestry has been more marginal in the past. If developed properly and thought through and implemented appropriately, the Carbon Farming Initiative can provide additional support.

I do want to again make reference to the role that the Caring for our Country program can play in coupling agroforestry or farm forestry with Landcare to provide real opportunities for environmental gain, particularly where farmers might have been fencing off and planting out watercourses for environmental reasons. If we could have some practical arrangements put in place, where fences could be extended further into properties by perhaps 20 or 30 metres, it will provide opportunities for additional rows of trees to be planted for commercial gain. Leaving the Landcare arrangements in place and appropriately harvesting the farm forestry rows where appropriate is something that we can continue to work through in the Caring for our Country arrangements to ensure that they do work appropriately, and of course marrying up the arrangements under the Carbon Farming Initiative.

Comments have been made throughout the report, and certainly the committee received an enormous amount of evidence, on the taxation treatment of forestry. I think there are mixed views around the table on what taxation treatment for trees that have been planted has done for regional Australia. My view is that, in a broad sense, it has led to a very substantial additional planting of timber on private land, but there is and has been conflict between corporations—looking to plant, particularly, blue gums down my way—and farming communities. Of particular concern to some farmers is that they are having to compete with corporations on an unequal playing field, particularly around taxation. Further work and reform can be undertaken in this area to ensure that forestry does not have an unfair advantage over farming communities when it comes to acquiring a property. We need to think carefully about that as we move forward. We also need to consider carefully the taxation arrangements we have in place, which certainly has led to a very substantial increase in what we call short-rotation timber, which is predominantly grown for woodchip; predominantly the harvest can be secured after 10 or 15 years. That has done wonderful things for the woodchip market, but it has not helped with producing timber for structural purposes, tables or whatever. We do need to think carefully about whether additional arrangements can be put in place to encourage long rotation of timber so that we can work through a process to secure Australia's
long-term forestry, particularly recognising that we will continue that journey of transitioning out of native forestry.

This inquiry has appropriately recommended additional work that needs to be undertaken at COAG, involving all the states and territories to continue to secure Australia's future wood independence. That is certainly something that I strongly endorse. A lot of work will be required, and I certainly hope that there is strong cooperation between the states and territories on this matter and that we continue to undertake that work. I very much look forward to having a discussion with the forestry minister to see how he might work through the recommendations within this report. There are some very strong opportunities moving forward. I recommend the report to all members of the House.

Debate adjourned.

National Capital and External Territories Committee

Report

Debate resumed on the motion:
That the House take note of the report.

The DEPUTY SPEAKER (Ms AE Burke): Just to clarify for everybody who might be out there listening, the House has been suspended. As the House is not adjourned, the Main Committee can continue. We will continue until this report is done. Then we will adjourn the Main Committee.

Mr McCormack (Riverina) (12:12): 'Monuments and archaeological pieces,' said former Mexican President Vicente Fox, 'serve as testimonies of man's greatness and establish a dialogue between civilizations showing the extent to which human beings are linked.' How very true. The German playwright Frank Wedekind said it best: 'Monuments are for the living, not the dead.' Across Australia, particularly in state capitals and the regional cities made rich in the mining booms of the 19th century, stone monuments literally glorify a golden age. Ballarat and Bendigo have some outstanding monumental pieces and architecture, preserving a heritage and history which made these Victorian centres great.

Queen Victoria, Britain's longest serving monarch, still reigns over our metropolitan cities, including those in the two states named in her honour: Queensland and Victoria. Particularly striking is Sydney's larger-than-life bronze statue of Captain James Cook, standing on a cylindrical granite shaft and tiered granite base. The Hyde Park memorial to the mighty English cartographer and navigator, whose greatness should always be accurately depicted in the school curriculum, faces towards the Sydney Heads and shows Cook holding a telescope in his left hand whilst proudly pointing his right hand skywards.

Perhaps the most common of all the monuments dotted across this wide, brown land are those that stand as proud yet sombre tributes to those who fell on the battlefields and in the trenches of the Great War of 1914-18. Memorials evoking the spirit of Anzac are everywhere, from the acclaimed design masterpieces of the magnificent Australian War Memorial here in Canberra and those in the capital cities through to the stone soldiers—silent sentinels—gazing off into the distance atop columns of names of men who never made it home to their rural, regional and remote towns. It seems that every city, town, village and district has a war memorial in some shape or form, and that is wholly appropriate. Memorials are important.
'What you leave behind is not what is engraved in stone monuments but what is woven into the lives of others,' Greek statesman Pericles said nearly 2,500 years ago. He was right of course. There are plenty of great people who do not have great statues to ensure that their actions echo across the centuries. Nonetheless, monuments play a significant cultural and historical role in guaranteeing that tradition survives, perpetuating those deemed by their peers worthy of perpetuating and honouring causes and battles won and lost. To this end the parliament's National Capital and External Territories Committee has recommended a completely new process for approving national memorials. This is a noble venture.

The committee's report, *Etched in stone?*, following the committee's inquiry into the management of the National Memorials Ordinance 1928, recommends that the ordinance be repealed and replaced with a commemorative works act. This would follow the same lines as those operating in Washington DC. The main features of the new legislation are: a definition of commemorative work covering both national memorials and national monuments; the formation of a national memorials advisory committee, a committee of historical, cultural and subject experts to consider commemorative intent; the establishment of new and binding criteria for commemorative works to underpin the assessment process; the development of a memorials master plan to guide future works; and a two-pass approvals process for commemorative works.

At the first pass, memorial proponents must meet commemorative criteria and have an achievable budget. Proposals for commemorative intent are to start by motions in both houses of parliament and be approved on the recommendation of the National Capital and External Territories Committee. At the second pass, design and location are to be agreed upon. Approval to proceed is to be given by the National Capital and External Territories Committee on the proviso that heritage and environment assessments and realistic financial budgets have been reached and community consultation has been made. This approval is to be final and binding. The committee has fulfilled its task.

Australia's history is a rich tapestry of interesting people and events. In my home town there are significant landmarks documenting Wagga Wagga's remarkable past. There is the Wagga Wagga beach monument to the intrepid explorer Charles Sturt, who visited the area on his trek of discovery in 1829. In Collins Park, a white concrete and marble obelisk, generally surrounded by colourful flowers, is dedicated to the memory of Saddler Joseph Palazzi, the first man of the 1st New South Wales Mounted Rifles regiment to be killed in action in the Boer War of 1899-1902. Thoroughbred horse racing enthusiast Barney Hyams approached me some time ago with the idea of erecting a suitable local monument to the memory of Arthur 'Scobie' Breasley, the Wagga Wagga boy who became the Queen's jockey and who won the 'blue riband of the turf', the Epsom Derby Stakes, twice—1964 and 1966. It is a suggestion which has merit.

After this morning's extraordinary and historic events just after parliament began, you can be sure there will be no statues moulded to the memory of how the present Prime Minister will do anything and say anything to keep her job.

The DEPUTY SPEAKER (Ms AE Burke): Careful. I am being kind, but not that kind.

Mr McCORMACK: I just want to make the point that the Speaker, Harry Jenkins, did a splendid job in difficult and trying circumstances and that, given his sacrifice today, perhaps a bronze bust of him ought to be made and placed at the ALP's Sussex Street headquarters in...
Sydney, where so many of Labor's faceless powerbrokers plan and plot to keep this crisis government in power so that they can forever remember what he gave up to stay true to the party.

Dr Leigh interjecting—

The DEPUTY SPEAKER: The member for Fraser will resume his seat. The member for Riverina has been given a great deal of indulgence and so he either finishes or sits down, because I am not in the mood.

Mr McCORMACK: Finally, I concur with the view of the Chair of the Joint Standing Committee on the National Capital and External Territories, Senator Louise Pratt, who said: National memorials are a permanent representation of the nation's history and culture. We need a sound mechanism in place to ensure that national memorials are rigorously assessed for their commemorative intent, design and location before people commit money and resources to the final outcome. The committee believes that the National Memorials Ordinance is past its time and that the proposed Commemorative Works Act will provide a simple, modern and effective mechanism to take its place.

Etched in stone? fulfils its objectives and I commend it to the House. Thank you, Madam Deputy Speaker.

The DEPUTY SPEAKER: The question is that the report be noted. I call the member for Fraser. I remind the member for Riverina that he can't leave!

Dr LEIGH (Fraser) (12:19): National memorials are a crucial part of the nation's collective memory. They bind a nation together through one of the most powerful of unifying forces—shared history. The National Memorials Ordinance 1928 came about at a time when Canberra's population was under 10,000, and Lake Burley Griffin was just lines on a map. It was instigated by Prime Minister Stanley Bruce when parliament had just moved to Canberra and rapid development was underway in the new national capital. The recommendations arising from the inquiry of the Joint Standing Committee on the National Capital and External Territories into the administration of the National Memorials Ordinance 1928 reflect Canberra's transformed milieu and how Australia's management and use of national memorials can be improved.

In seeking to improve the management of the capital's national memorials, the committee found it instructive to look at the case of Washington DC. Washington, like Canberra, is both a national capital and a planned city. Both are sites for the expression of the national aspirations of their people. Both are governed by a detailed planning regime that balances the legacies of the past with the needs of the present and the potential of the future. Part of the challenge is in choosing appropriate subjects for commemoration and choosing suitable designs and locations for new monuments and memorials. This process must balance the competing desires and interests of the different stakeholders.

We on the committee found that one of the key strengths of the Washington model is that the planning stage involves broad constituencies. Washington's National Capital Planning Commission has 12 members, representing federal and local constituencies. Each member represents a different section of the community and brings different perspectives. No one entity dominates the process.

As many Canberra residents made clear in their submissions to the inquiry, the need for local consultation and input in the development of national memorials is paramount. While
memorials and monuments are of national significance, Canberrans live with the consequences of their designs and management on a daily basis.

The committee recommended, as the member for Riverina has pointed out, that the National Memorials Ordinance 1928 be repealed and replaced with an Australian commemorative works act, based on the United States model. The act would provide for a two-pass assessment process for national memorials—the first pass focused on commemorative intent and the second pass on character and locations. Time does not permit me to go into the detail of our recommendations, but I commend what is a very bipartisan report to the House.

I would like to use this opportunity to thank the committee secretariat, particularly Peter Stephens and the indefatigable William Pender, for their work on this report. To the many Canberrans and representatives of national organisations who took the time to put together submissions for the inquiry, to give evidence and to engage so deeply with this process: thank you.

As this is perhaps my last parliamentary speech for the year, I would also like to use this chance to briefly thank my hardworking staff—Louise Crossman, Gus Little, Claire Daly, Lyndell Tutty, Ruth Stanfield and Nick Terrell—as well as my team of terrific volunteers, including Ken Maher, Barbara Phi, Alex Dixon and Gerry Lloyd. I would also like to thank the interns who have worked in my office during the year, including Hariharan Thirunavukkarasu, Louisa Detez, Angela Winkle, Jessica Woodall, Huw Pohlner and William Isdale.

I am pretty sure that after our 3 am finish on Wednesday I was the only MP who was woken at 6 am by a four-year-old entering the bedroom. My two wonderful boys, Theodore and Sebastian, are more than a full-time job, and I would like to acknowledge my extraordinary wife, Gweneth, as well as my parents, Barbara and Michael, for all their help during the year. Our families bear much of the burden of this job, and I could not do it without them.

Debate adjourned.

Main Committee adjourned at 12:24
QUESTIONS IN WRITING

Australian Securities Investments Commission: Managed Investment Schemes
(Question No. 354)

Mr Fletcher asked the Assistant Treasurer, in writing, on 10 May 2011:

In respect of investigations by the Australian Securities Investments Commission (ASIC) into (a) Trio Capital Ltd and its associated managed investment schemes, (b) Storm Financial Ltd, and (c) the Westpoint Group of companies, (i) when did investigations commence, (ii) what prompted the investigations, and (iii) what series of actions were taken by ASIC to prevent each entity from continuing to operate, or continuing to offer financial products.

Mr Shorten: The answer to the honourable member's question is as follows:

As ASIC's investigations and proceedings into the affairs of Storm Financial Limited (Storm), Westpoint Group and Trio Capital Limited (Trio) are continuing ASIC is unable to provide a comprehensive response to all questions in detail.

Trio

ASIC formally commenced its investigation in relation to Trio on 2 October 2009 in respect of the Astarra Strategic Fund ('ASF'), of which Trio was the responsible entity. ASIC in taking regulatory action worked closely with the Australian Prudential Regulation Authority as Trio Capital was the trustee of a number of superannuation funds.

On 14 October 2009 ASIC applied to the NSW Supreme Court for orders restricting overseas travel for two directors of the investment manager of the ASF. On 16 October 2009 ASIC placed interim stop orders on the Product Disclosure Statement for the ASF and on 21 October 2009 interim stop orders were placed on three associated Trio superannuation funds. This had the effect of stopping further investments being made into these funds. On 16 December 2009 Trio was placed into voluntary administration. The next day ASIC suspended its Australian financial services license which ensured it was no longer able to provide financial services.

On 16 December 2009 APRA suspended Trio as the trustee of four superannuation funds and one pooled superannuation trust. APRA also appointed an acting trustee to manage these five entities.

On 16 April 2010 Justice Palmer in the Supreme Court of New South Wales, on the application of Trio's administrator, ordered the winding up of five managed investment schemes for which Trio was the responsible entity, including the ASF and ARP.

Storm

ASIC’s formal investigation commenced on 12 December 2008.

In the months of October, November and December 2008 the stock market fell significantly resulting in a shortfall between the equity and margin loans for Storm clients. Around 18 December 2008, following the commencement of its investigation, ASIC sought to negotiate an enforceable undertaking (EU) with Storm. The purpose of the EU was to address ASIC’s concerns that Storm may have been providing conflicted and incorrect advice to Storm clients who were in negative equity that they did not need to meet their margin calls and should not deal with the banks.

An EU was not ultimately executed. However, around 19 December 2008, Storm said it would cease contact with all its clients over the Christmas period. This action was not requested by ASIC and was a decision made by Storm. Storm subsequently went into administration on 9 January 2009.

Westpoint

From 2000 until early 2006, a number of investigations were conducted by ASIC in relation to the Westpoint Group of companies.
On 10 May 2004, Bayshore Mezzanine Pty Ltd commenced action against ASIC seeking a determination as to whether the promissory notes issued by it were regulated under the Corporations Act. On 12 May 2004, ASIC commenced proceedings against Emu Brewery Mezzanine Limited alleging that that company was carrying on an unregistered (but registrable) managed investment scheme. The two proceedings were heard together. In November 2004, the Supreme Court of Western Australia ruled that the promissory notes issued by Emu Brewery Mezzanine Ltd and Bayshore Mezzanine Pty Ltd were not debentures requiring a prospectus to be lodged with ASIC, but they were interests in a managed investment scheme. In June 2006, the Court of Appeal held that the promissory notes were interests in a managed investments scheme.

In 2004 and 2005 ASIC issued a number of interim and final stop orders in relation to the fundraising activities of the Westpoint Group.

In November and December 2005 ASIC issued applications in the Federal Court seeking to wind up York Street Mezzanine Pty Ltd and Ann Street Mezzanine Pty Ltd and to appoint a provisional liquidator in the interim. ASIC also sought orders for lodgement of financial reports for a number of Westpoint Group entities.

On 20 December 2005 the Federal Court ordered that Ann Street Mezzanine Pty Ltd and York Street Mezzanine Pty Ltd, be wound up. Orders were also made for the lodgement of financial accounts for a number of Westpoint Group entities.

**Australian Securities Investments Commission: Managed Investment Schemes**

(Question No. 355)

Mr Fletcher asked the Assistant Treasurer, in writing, on 10 May 2011:

In respect of investigations by the Australian Securities Investments Commission (ASIC) into (a) Trio Capital Ltd and its associated managed investment schemes, (b) Storm Financial Ltd, and (c) the Westpoint Group of companies, (i) approximately what total sum of money was lost by investors in each fund/scheme, (ii) what series of actions were taken by ASIC against parties, including third parties, for loss recovery purposes, including compensating investors, (iii) what criteria were used by ASIC in taking such actions, particularly in determining whether the public interest was served, (iv) how were the facts of each case assessed against the criteria, (v) what weight was given to situations where investors had been placed into very risky investments, versus those where money was lost through fraud, and (vi) what was the outcome of the series of actions taken by ASIC.

Mr Shorten: The answer to the honourable member's question is as follows:

General overview of civil recovery proceedings by ASIC

ASIC plans to publish a document by the end of this year that sets out factors that may be relevant in choosing particular enforcement remedies. One such remedy is to take action to recover damages or property on a person’s behalf, including as part of other court actions we take. However, ASIC must form the view that it is in the public interest to commence such litigation.

In considering whether it is in the public interest to take civil recovery action on behalf of an aggrieved investor ASIC will take into account a range of considerations including the following:

- A viable cause of action being identified (that is, establishing misconduct by the defendant that gives rise to the basis for a compensation action);
- The availability of evidence to prove the cause of action;
- The regulatory effect of bringing the action;
- The extent of impact or quantum of loss arising from the misconduct;
- The costs of bringing the action and the potential liability for costs if not successful;
The existence of other parties able to commence proceedings seeking compensation for aggrieved investors (such as an external administrator or the investors themselves);
The availability of funds to satisfy a judgement against a defendant to the proceedings;
The prospects of the action being successfully litigated by ASIC;
ASIC’s regulatory priorities at the time; and
Availability of alternative forms of dispute resolution.

Trio Capital Ltd
Trio Capital Limited (‘Trio’) was the trustee of five superannuation entities, the responsible entity for twenty five managed investment schemes and trustee of three unregistered managed investment schemes.
ASIC’s investigations have focused on:
the conduct of the directors and officers of Trio, the investment managers of the Astarra Strategic Fund (‘ASF’) and ARP Growth Fund (‘ARP’), managed investments schemes of which Trio was the responsible entity;
The conduct of the officers and directors of the investments managers of ASF and ARP respectively;
ASIC is also looking at the conduct of a number of financial advisers who advised their clients to invest in ASF
These investigations are continuing.

When Trio was placed into administration the reported value of the ASF was around $125 million. These figures include the capitalisation of questionable returns reported by Trio for a number of years. The reported value of ARP was around $58 million. Both these funds are in the process of being wound up. To date the liquidator of Trio has been unable to realise any value from most of the investments made by the ASF and ARP.

ASIC has not commenced any actions against any third parties for loss recovery purposes. As ASIC’s former Chairman indicated to the Joint Standing Committee for Corporations and Financial Services on 24 November 2010, ASIC is unlikely to commence such an action in relation to ARP. Approximately 5000 investors who invested in APRA regulated superannuation funds with an exposure to the ASF will be compensated through the Part 23 SIS Act compensation decision announced by the Assistant Treasurer on 13 April 2011. The amount of the compensation is in the order of $55 million.

Storm
ASIC commenced its investigation into the collapse of Storm on 12 December 2008. On 19 March 2010, ASIC announced that it would enter into confidential discussions with the individuals and entities which had been the subject of its investigations, to see if a commercial resolution could be reached which would be acceptable to ASIC and which ASIC would be prepared to recommend to investors. Those negotiations proved to be unsuccessful.

In December 2010, in addition to civil penalty proceedings against Emmanuel and Julie Cassimatis, ASIC commenced 2 compensation proceedings. The first proceedings seek compensation and claim damages on behalf of 2 investors, Barry and Deanna Doyle, and are against Bank of Queensland Limited (BoQ), Senrac Pty Limited, the franchisee of BoQ’s North Ward branch, and Macquarie Bank Limited (MBL). ASIC alleges in these proceedings that the banks acted unconscionably in lending to the Doyles, breached the Banking Code of Practice and were linked to credit providers with Storm under s73 of the Trade Practices Act 1974 (Cth) (re-enacted as the Competition and Consumer Act 2010 (Cth)) and are jointly and severally liable for any loss suffered by the Doyles as a result of any breach by Storm in relation to the services they supplied.
The second proceedings, against Storm, Commonwealth Bank of Australia, BoQ and MBL, seek declarations that Storm operated an unregistered managed investment scheme and that the banks were knowingly involved in the operation of that scheme, as well as injunctions. A successful outcome in these proceedings lays a foundation for subsequent claims for compensation against the banks on behalf of those who have suffered loss.

ASIC’s proceedings above are ongoing.

**Westpoint**

When the Westpoint Group collapsed in early 2006, investors in Westpoint-issued financial products had an outstanding total capital invested of approximately $388 million. The estimated losses to investors totalled approximately $310 million.

In 2007 and 2008 a number of compensation actions were commenced by ASIC under section 50 of the ASIC Act. The actions were in four categories: (a) a claim brought against KPMG, the former auditors of the Westpoint Group, (b) a claim brought against the directors of certain companies in the Westpoint Group, (c) representative proceedings on behalf of investors against financial planners who recommended investments in Westpoint Group financial products (seven separate actions) and (d) representative proceedings on behalf of investors against State Trustees Limited, the trustee of mezzanine finance notes issued by one of the mezzanine finance companies in the Westpoint Group.

ASIC’s actions against State Trustees Limited and a number of financial planners produced settlements in excess of $25.5 million. On 1 February 2011 ASIC settled the actions against KPMG and the Westpoint directors. The settlement of the proceedings against KPMG and the Westpoint directors means the total amount recovered as a result of ASIC’s compensation litigation will be up to $92.95 million.

Another $49.2 million obtained through the liquidation process has also been distributed, a figure that is expected to reach $56 million. Returns from Westpoint companies not in liquidation are expected to reach $22.5 million. In all, investors are expected to see a return of around $160 to $170 million of the $388 million in losses.

ASIC’s class action against two financial planners and a cross-claim brought by a former Westpoint director against ASIC remain on foot.

In addition to its compensation actions, ASIC has banned 23 licensed advisers, four unlicensed advisers and one corporate entity in relation to advice concerning Westpoint-related products for periods between 3 years and permanently. ASIC has also accepted enforceable undertakings from three KPMG partners preventing them from practising as auditors for periods between nine months and two years. A number of criminal convictions have also been secured and criminal proceedings against former Westpoint directors and officers are ongoing.

**Australian Securities Investments Commission: Managed Investment Schemes**

(Question No. 356)

**Mr Fletcher** asked the Assistant Treasurer, in writing, on 10 May 2011:

In respect of the investigations by the Australian Securities Investments Commission into Trio Capital Ltd and its associated managed investment schemes, what actions are being, or have been, taken to pursue international enforcement, for example, via intergovernmental treaties, liaison with the regulatory agencies, extradition arrangements, etc.

**Mr Shorten** The answer to the honourable member's question is as follows:

ASIC has been liaising on a confidential basis where necessary with overseas regulators and is able to make use of the IOSCO Multi-lateral Memorandum of Understanding to assist this process.
Australian Securities and Investments Commission: Australian Property Custodian Holding Ltd  
(Question No. 374)

Mr Christensen asked the Assistant Treasurer, in writing, on 23 May 2011:

(1) What is the status of the investigation by the Australian Securities and Investments Commission (ASIC) into allegations of impropriety surrounding Australian Property Custodian Holding Limited (APCH) and its management of the Prime Retirement and Aged Care Property Trust (PRACPT).

(2) Can he provide the findings (to date) of the investigation.

(3) By when will the investigation conclude, and the outcome be made public.

(4) What assurance can he provide that (a) this matter will be treated seriously and investigated thoroughly by ASIC, irrespective of whether or not PRACPT is still a solvent entity, (b) individuals associated with APCH will be penalised and/or prosecuted to the full extent of the law if ASIC determines its actions in managing PRACPT were criminal and/or negligent, and (c) funds will be tracked down and seized to repay PRACPT if it is determined by ASIC that illegal transactions were made on its behalf by APCH.

Mr Shorten: The answer to the honourable member's question is as follows:

(1) ASIC is continuing to look into the affairs of APCH as responsible entity of the PRACPT and has taken steps to obtain further information in relation to these matters, including the operation and current circumstances of the PRACPT. ASIC is liaising with the administrators of APCH and is considering what further action is required.

(2) As there is an ongoing investigation being conducted, ASIC is unable to comment at this stage in relation to any findings of the investigation to date in relation to the collapse of APCH and PRACPT.

(3) ASIC is taking all appropriate steps to make sure its investigation is carried out as thoroughly and efficiently as possible. ASIC is not in a position at this time to comment on the possible outcomes or actions that may result from its investigation or when these will be made public.

(4) ASIC recognises the seriousness of the allegations raised in this matter and is treating them seriously and is undertaking a thorough and timely investigation. Where ASIC determines, based on admissible evidence that individuals associated with APCH, have breached the law, it will ensure appropriate action is taken.

Clean Energy Future Plan  
(Question No. 502)

Mr Baldwin asked the Minister for Climate Change and Energy Efficiency, in writing, on 17 August 2011:

Was the Intergovernmental Panel on Climate Change's report the sole factor in the decision to introduce the Clean Energy Plan; if so, (a) which part; (b) what peer reviews support the evidence in the report (including citations and authors); and (c) what dissenting reports are annexed to the report (including citations and authors); if not, will he provide a list of references for the scientific evidence on which his decision to introduce the Clean Energy Plan was based, including any peer reviews and dissenting reports (with citations and authors).

Mr Combet: The answer to the honourable member's question is as follows:

The Government draws on a range of reliable, peer reviewed research in developing climate change policies such as the Clean Energy Future Plan. Reliable information sources include the Intergovernmental Panel on Climate Change (IPCC), the CSIRO and Bureau of Meteorology in
Australia, Academies of Science around the world, the World Meteorological Organization and other peer reviewed literature.

The role of the IPCC is to advise policy makers about the current state of knowledge and provide reliable information pertaining to climate change. The IPCC does not conduct scientific research itself, but instead reviews the thousands of scientific papers on climate change published in the peer reviewed literature every year. The state of knowledge on climate change is summarised in the IPCC’s assessment reports, published approximately every six to seven years. The reports are subject to an intense peer review process involving hundreds of scientific experts and government reviewers. This unprecedented level of peer and government review makes this compendium of climate change science one of the most scrutinised documents in the history of science.

The IPCC’s Fourth Assessment Report: Climate Change 2007 is a key information source for the Government in developing climate change policies. Twenty-four Australian authors contributed to all three Working Group reports of the Fourth Assessment Report. (Working Group I: The Physical Science Basis; Working Group II: Impacts, Adaptation and Vulnerability; and Working Group III: Mitigation of Climate Change). Chapter 11 of the Fourth Assessment Report highlights many of the potential impacts from climate change in the Australian and New Zealand region. Currently, the IPCC’s Fifth Assessment Report is being written and is due for publication in 2013-14.

The Government also draws on the body of peer reviewed work that has been completed since the Fourth Assessment Report was published. Key reports include The Copenhagen Diagnosis, 2009: Updating the World on the Latest Climate Science; Climate Change: a Summary of the Science published by the UK Royal Society in 2010; Advancing the Science of Climate Change published by the US National Academies of Science; and The Critical Decade: Climate Science, Risks and Responses published by the Climate Commission in 2011.

Clean Energy Future Plan
(Question No. 504)

Mr Baldwin asked the Minister for Climate Change and Energy Efficiency, in writing, on 17 August 2011:

In respect of a statement he made that the Clean Energy Plan is needed to 'save the Great Barrier Reef', was the Intergovernmental Panel on Climate Change's report the sole factor in his decision to introduce the Clean Energy Plan to save the Great Barrier Reef; if so, (a) which part; (b) what peer reviews support the evidence in the report (including citations and authors); and (c) what dissenting reports are annexed to the report (including citations and authors); if not, will he provide a list of references for the scientific evidence on which his decision to introduce the Clean Energy Plan to save the Great Barrier Reef was based, including any peer reviews and dissenting reports (with citations and authors).

Mr Combet: The answer to the honourable member's question is as follows:

The Government draws on a range of reliable, peer reviewed research in developing climate change policies such as the Clean Energy Future Plan. Reliable information sources include the Intergovernmental Panel on Climate Change (IPCC), the CSIRO and Bureau of Meteorology in Australia, Academies of Science around the world, the World Meteorological Organization and other peer reviewed literature.

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Other sources of information, particularly on the Great Barrier Reef, include research conducted through the Great Barrier Reef Marine Park Authority, the Australian Institute of Marine Science, the ARC Centre of Excellence for Coral Reef Studies and the Global Change Institute, University of Queensland.

Immigration and Citizenship: Outcome and Program Structure
(Question No. 550)

Mr Morrison asked the Minister for Immigration and Citizenship, in writing, on 23 August 2011:

(1) In respect of his department's outcome and program structure in 2009-10, 2010-11 and 2011-12, how many programs exist(ed) under each outcome of his department.

(2) In the same period, what (a) sum was/is allocated to, (b) number of staff were/are in, and (c) regulations relate(d) to, each program in part (1).

(3) In the same period, for each outcome and program, what sum was/is allocated to (a) advertising, (b) travel (including the breakdown of domestic and international business and economy classes), (c) hospitality and entertainment, (d) information and communication technology, (e) contractors and consultants, (f) education and training of staff, (g) external (i) accounting, (ii) auditing, and (iii) legal, services, and (h) membership grants paid to affiliate organisations.

Mr Bowen: The answer to the honourable member's question is as follows:

(1) The Department's outcome and program structure for 2009-10, 2010-11 and 2011-12, as reported in the Portfolio Budget Statements for the Immigration and Citizenship Portfolio, has not changed across the financial years and is as follows:

Outcome 1 – 1 program
Outcome 2 – 1 program
Outcome 3 – 1 program
Outcome 4 – 4 programs
Outcome 5 – 1 program
Outcome 6 – 1 program

For further information on the Department's outcome and program structure, please refer to the Immigration and Citizenship Portfolio's 2011-12 Portfolio Budget Statements.
(2) (a) and (b) The 2009-10 and 2010-11 expenses are the actual departmental expenses incurred and are reported in the Department's annual financial statements. The 2009-10 and 2010-11 average staffing levels are the actual staffing levels for those years. Both the expenses and average staffing levels are published in the Department's annual report. For 2011-12, the estimated expenses and average staffing levels are as reported in the Immigration and Citizenship Portfolio's 2011-12 Portfolio Budget Statements.

<table>
<thead>
<tr>
<th>Program</th>
<th>2009-10 Expense</th>
<th>2010-11 Expense</th>
<th>2011-12 Expense</th>
<th>2009-10 Average Staffing Level</th>
<th>2010-11 Average Staffing Level</th>
<th>2011-12 Average Staffing Level</th>
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<tr>
<td>Program 1.1: Visa and Migration</td>
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<td>551,309</td>
<td>539,823</td>
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2009-10

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<th>Program</th>
<th>Advertising</th>
<th>Travel Domestic</th>
<th>Travel International</th>
<th>Hospitality and Entertainment</th>
<th>Information and Communication Technology</th>
<th>Contractors and Consultants</th>
<th>Education and Training of Staff</th>
<th>Auditing</th>
<th>Legal</th>
<th>Membership Grants to Affiliate Organisations</th>
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### 2010-11

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<th>Membership Grants to Affiliate Organisations</th>
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<td>Total</td>
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In reviewing the financial information provided in the above tables in response to question 3 (a) to (h), the following notes need to be considered:

- The negative expense amounts reported against some programs are due to minor prior year accounting adjustments. Depending on the nature of the adjustment and if the adjustment crosses two financial years, this can result in a negative balance against an expense account;

- The expenses reported in relation to travel include airfares, accommodation and allowances. The airfares were not able to be disaggregated into economy and business class. According to the DIAC travel policy, most international travel is business class and most domestic travel is economy class;

- No accounting services were able to be specifically identified through the Department’s general ledger accounts and the Department is reporting auditing and legal services expenses only; and

- No membership grants to affiliate organisations were identified from departmental funding. DIAC does make a small number of contributions to organisations such as the International Organisation for Migration through Administered funding.

For 2011-12, the internal budget is not allocated at the disaggregated level sought and therefore estimates cannot be provided.

**Dawson and Capricornia Electorates: Home Insulation Program**

(IIuestion No. 585)

**Mr Christensen** asked the Minister for Climate Change and Energy Efficiency, in writing, on 12 September 2011:

How many (a) complaints from the electorates of Dawson and Capricornia were lodged regarding work carried out under the Home Insulation Program, by (i) postcode, and (ii) nature of complaint, and (b) follow-up inspections were carried out on homes that were the subject of these complaints, by postcode.

**Mr Combet:** The answer to the honourable member's question is as follows:

The Department of Climate Change and Energy Efficiency advises that 106 instances of contact have been received by the Department in a category including general inquiries, tip-offs for possible fraud, and requests for advice on program guidelines from the electorates of Dawson and Capricornia in regard to work carried out under the Home Insulation Program as at 30 September 2011. These contacts relate to 97 dwellings.

These figures are within the context of 17,128 installs of insulation in the electorates of Dawson and Capricornia under the Home Insulation Program.

The Department of Climate Change and Energy Efficiency advises that more specific information may have the potential to unjustly and adversely affect businesses in the local area, even if it is not business specific. As a result, it is not appropriate to release such information.

The Government offers inspections to all homes with foil installed under the HIP and provides householders with the option of having the insulation removed or on the advice of a Licensed Electrical Contractor, a safety switch installed.

The Government will continue to offer inspections to any householder that had insulation installed under the HIP and who has not previously had one, until 30 June 2012.

The Government has also committed to work with police and other relevant authorities in all jurisdictions to deal with cases of non-compliance and fraud in relation to the Home Insulation Program.
**Education, Employment and Workplace Relations: Staffing**

(Question No. 606)

Ms Ley asked the Minister for Employment Participation and Childcare, in writing, on 15 September 2011:

How many (a) staff are currently working (i) as contract managers in the Job Services Australia program, (ii) as contract managers in the Disability Employment Services program, and (iii) in each state office, (b) regional offices exist within her department, and (c) departmental employees are working in regional offices.

Ms Kate Ellis: The answer to the honourable member’s question is as follows:

(a) As of 16 September 2011:

(i) there were 184 full-time equivalent State-based staff managing the Job Services Australia program;

(ii) there were 108 full-time equivalent State-based staff managing the Disability Employment Services program;

(iii) there were 934 staff working in DEEWR’s State Network. 716 of these worked in DEEWR’s State Offices, and the remaining 218 worked in regional locations;

<table>
<thead>
<tr>
<th>State Office</th>
<th>Staff as of 16 September 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sydney</td>
<td>147</td>
</tr>
<tr>
<td>Darwin</td>
<td>60</td>
</tr>
<tr>
<td>Brisbane</td>
<td>133</td>
</tr>
<tr>
<td>Adelaide</td>
<td>107</td>
</tr>
<tr>
<td>Hobart</td>
<td>50</td>
</tr>
<tr>
<td>Melbourne</td>
<td>123</td>
</tr>
<tr>
<td>Perth</td>
<td>96</td>
</tr>
<tr>
<td>Total</td>
<td>716</td>
</tr>
</tbody>
</table>

(b) As of 16 September 2011, DEEWR had a presence in 41 regional locations, i.e. excluding National Office and the State offices listed above.

(c) As of 16 September 2011, 218 DEEWR staff worked in regional locations, i.e. excluding National Office and the State offices listed above.

**Home Insulation Program**

(Question No. 614)

Mr Fletcher asked the Minister for Climate Change and Energy Efficiency, in writing, 20 September 2011:

In respect of the Home Insulation Program (HIP) and the programs that were established following the closure of the HIP (such as the Home Insulation Safety Program and the Industry Assistance Package), (a) how many claims has he received in respect of these programs under the Scheme for Compensation for Detriment caused by Defective Administration (b) at what stage is consideration of each claim at, and (c) when does he expect to be making final decisions on these claims.
Mr Combet: The answer to the honourable member's question is as follows:

Thirty-two claims under the Scheme for Compensation for Detriment caused by Defective Administration (CDDA Scheme) have been received.

The Department of Climate Change and Energy Efficiency is currently engaging with the claimants and considering the claims. It is the Department’s practice to undertake a preliminary assessment of each claim and request further information from the claimant as necessary. The Department will consider any further information which is provided and will give the claimant the opportunity to comment on all relevant material proposed to be put before the decision maker. Claims will not be finally decided before all relevant information, including any further information and comments provided by the claimant, has been considered.

No claims have yet been finally decided. Due to the complexity of the claims and the level of consultation with claimants, it is not possible to advise of a timeframe as to when the claims will be finally decided.

Dawson and Capricornia Electorates: Tax Revenue Streams
(Question No. 639)

Mr Christensen asked the Assistant Treasurer, in writing, on 11 October 2011:

In the electoral division of (a) Dawson, and (b) Capricornia, what sum was collected per tax revenue stream for (i) 2010-11, (ii) 2009-10, (iii) 2008-07, and (iv) 2007-08.

Mr Shorten: The answer to the honourable member's question is as follows:

The data necessary to answer this question in full is not available. With regard to individual taxpayers, complete data for the 2009-10 year is not yet available and data for the 2010-11 year will not be complete until late in 2012. With regard to other heads of revenue, comprehensive data is not available at the postcode level, mainly because Australian Taxation Office (ATO) data shows addresses of taxpayers' agents or accountants rather than taxpayers themselves.

However, the following information is produced by the Parliamentary Library from postcode data published by the ATO in Taxation Statistics.

Taxation Statistics by Commonwealth Electoral Division (2009 electoral boundaries), 2008-09

<table>
<thead>
<tr>
<th></th>
<th>Non-taxable individuals</th>
<th>Taxable individuals</th>
<th>Taxable income</th>
<th>Net tax</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>no.</td>
<td>no.</td>
<td>$ million</td>
<td>$ million</td>
</tr>
<tr>
<td>Capricornia (QLD)</td>
<td>18 300</td>
<td>62 567</td>
<td>3 722</td>
<td>822</td>
</tr>
<tr>
<td>Dawson (QLD)</td>
<td>20 741</td>
<td>70 469</td>
<td>4 040</td>
<td>867</td>
</tr>
</tbody>
</table>

Taxation Statistics by Commonwealth Electoral Division (2009 electoral boundaries), 2007-08

<table>
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<tr>
<th></th>
<th>Non-taxable individuals</th>
<th>Taxable individuals</th>
<th>Taxable income</th>
<th>Net tax</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>no.</td>
<td>no.</td>
<td>$ million</td>
<td>$ million</td>
</tr>
<tr>
<td>Capricornia (QLD)</td>
<td>16 985</td>
<td>65 356</td>
<td>3 585</td>
<td>817</td>
</tr>
<tr>
<td>Dawson (QLD)</td>
<td>18 649</td>
<td>73 984</td>
<td>3 897</td>
<td>860</td>
</tr>
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</table>
Natural Disaster Insurance Review Report
(Question No. 708)

Mr Christensen asked the Assistant Treasurer, in writing, on 2 November 2011:
When will the Natural Disaster Insurance Review report be made public, and can he indicate what recommendations the review has made in respect of body corporate insurance.

Mr Shorten: The answer to the honourable member's question is as follows:
The Natural Disaster Insurance Review report was released to the public on 14 November 2011. The report is available at:
The Government’s response to the recommendations of the report is available at: