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FORTY-FOURTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

Governor-General
Her Excellency the Hon. Quentin Bryce AC, CVO

House of Representatives Office holders
Speaker—Hon. Bronwyn Kathleen Bishop MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Robert George Mitchell
Members of the Speaker’s Panel—Mr Russell Evan Broadbent MP,
Mr Ian Reginald Goodenough MP, Mrs Natasha Louise Griggs MP,
Mr Craig Kelly MP, Hon. Charles Christian Porter MP, Mr Ross Xavier Vasta MP,
Mr Brett David Whiteley MP

Leader of the House—Hon. Christopher Pyne MP
Deputy Leader of the House—Hon. Luke Hartsuyker MP
Manager of Opposition Business—Hon. Anthony Stephen Burke MP
Deputy Manager of Opposition Business—Hon. Mark Dreyfus QC MP

Party Leaders and Whips
Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Government Whip—Hon. Philip Maxwell Ruddock MP
Government Whips—Mr Scott Buchholz MP and Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Deputy Leader—Hon. Barnaby Thomas Gerard Joyce MP
Chief Whip—Mr Mark Maclean Coulton MP
Deputy Whip—Mr George Robert Christensen MP

Australian Labor Party
Leader—Hon. William Richard Shorten MP
Deputy Leader—Hon. Tanya Joan Plibersek MP
Chief Opposition Whip—Mr Christopher Patrick Hayes MP
Opposition Whips—Ms Jill Griffiths Hall MP and Ms Joanne Catherine Ryan MP

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<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<td>Wyatt, Mr Kenneth George AM</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
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**PARTY ABBREVIATIONS**

ALP—Australian Labor Party; LP—Liberal Party of Australia; NATS—The Nationals; IND—Independent; NATSWA—The Nationals WA; CLP—Country Liberal Party; AUS—Katters Australia Party; AG—Australian Greens; PUP—Palmer United Party

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Clerk of the Senate—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
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<tr>
<td>Assistant Minister for Health</td>
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<td><strong>The Hon. Scott Morrison MP</strong></td>
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<tr>
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<td><strong>Minister for Finance</strong></td>
<td><strong>Senator the Hon. Mathias Cormann</strong></td>
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<td><strong>Senator the Hon. Michael Ronaldson</strong></td>
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<tr>
<td><em>Parliamentary Secretary to the Minister for Finance</em></td>
<td><strong>The Hon. Michael McCormack MP</strong></td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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<td>Senator the Hon Kim Carr</td>
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<tr>
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<td>Hon Bernie Ripoll MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
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<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon Jacinta Collins</td>
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<td>Hon Michael Danby MP</td>
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<td>Dr Jim Chalmers MP</td>
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<tr>
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<td>Hon Tanya Plibersek MP</td>
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<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
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<td>Shadow Parliamentary Secretary for External Territories</td>
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<td>Shadow Minister for Competition</td>
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<td>Shadow Minister for Financial Services and Superannuation</td>
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<tr>
<td>Manager of Opposition Business (House)</td>
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Wednesday, 11 December 2013

The SPEAKER (Hon. Bronwyn Bishop) took the chair at 09:00, made an
acknowledgement of country and read prayers.

BILLS

Commonwealth Inscribed Stock Amendment Bill 2013

Assent

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

COMMITTEES

Electoral Matters Committee

Foreign Affairs, Defence and Trade Joint Committee

Joint Select Committee on Northern Australia

Membership

The SPEAKER (09:01): I have received messages from the Senate informing the House
that Senator Xenophon has been appointed a participating member of the Joint Standing
Committee on Electoral Matters and a member of the Joint Standing Committee on Foreign
Affairs, Defence and Trade and, secondly, that Senator Siewert has been appointed a member
of the Joint Select Committee on Northern Australia.

Human Rights Committee

Report

Mr LAURIE FERGUSON (Werriwa) (09:02): On behalf of the Parliamentary Joint
Committee on Human Rights, I present the following reports: the Annual report 2012-13 and
the First report of 44th Parliament on bills introduced from 12 November to 5 December
2013 and legislative instruments received from 8 June to 22 November 2013.

Reports made parliamentary papers in accordance with standing order 39(e).

Mr LAURIE FERGUSON: by leave—In tabling this first report of the Parliamentary
Joint Committee on Human Rights in the 44th Parliament, I would like to take a moment to
remind the House of the important role that this committee plays in supporting the
parliament's legislative process.

The committee examines and reports to the parliament on the compatibility of bills and
legislative instruments with Australia's human rights obligations under the seven international
human rights treaties ratified by Australia. The committee also has the ability to examine
current acts and to conduct broader inquiries into human rights matters referred to it by the
Attorney-General.

The committee's work is focused on prevention and education with regard to human rights
compatibility. It does not usually seek to make definitive statements regarding the
compatibility of legislation with human rights. Instead, the committee seeks to determine the
risk of the legislation being applied in ways that would breach human rights and suggests
avenues and safeguards for addressing areas of concern.
It commences its work by reviewing the statement of compatibility that is required for all bills and most legislative instruments that come before the parliament. While the committee does not accept statements of compatibility at face value and is able to consider the human rights compatibility of legislation in the absence of such statements, it appreciates that statements of compatibility often provide valuable information that cannot be gained from the legislation itself or from the explanatory memorandum or explanatory statement that accompanies it.

Since its establishment, it has sought to influence the general quality of statements of compatibility and has set out its expectations for statements of compatibility in its Practice Note No. 1.

The committee considers that a good statement of compatibility will set out the objective of the legislation and the manner in which human rights have been considered in framing the legislation to achieve this objective. This is particularly important when, in order to achieve a particular objective, certain rights are to be limited.

Where a provision in a bill or instrument appears to limit rights, the committee considers three questions:

- whether the limitation is aimed at achieving a legitimate objective;
- whether there is a rational connection between the limitation and that objective; and
- whether the limitation is proportionate to that objective.

The committee expects that these questions will be addressed in the statement of compatibility.

The committee also expects that the statement will set out the safeguards that will be applied to ensure that any limitations are implemented in the least restrictive form.

Where further information is required to determine these questions, the committee writes to the sponsor of the legislation seeking clarification and publishes its concerns in its report to the parliament. The committee publishes responses received together with the committee's comments on them.

The committee seeks to conclude its work while the legislation under consideration is still before the parliament to enable senators, members and other parliamentary committees to draw on the committee's work in their own contributions to the passage of legislation.

The committee's first report of the 44th Parliament sets out the committee's consideration of 45 bills introduced into the parliament from 12 November to 5 December 2013, 1,017 legislative instruments received between 8 June and 22 November 2013 and 10 responses to comments made by the predecessor to this committee in reports tabled in the 43rd Parliament.

The committee considers that the majority of the bills and instruments it has considered do not give rise to human rights concerns. Some of these bills and instruments do not engage human rights, some engage and promote rights and some engage and limit rights but are accompanied by statements of compatibility that set out an adequate justification for each limitation.

The committee has identified 18 instruments that do not appear to raise any human rights concerns but are accompanied by statements of compatibility that do not fully meet the
committee's expectations. The committee has written to the relevant ministers in a purely advisory capacity providing guidance on the preparation of statements of compatibility.

The committee has identified 22 bills, 20 legislative instruments and six responses for which it will seek further information before forming a view on compatibility with human rights.

The committee has deferred its consideration of three bills to allow it to examine the issues more closely and to take account of submissions made to Senate committees to which the bills have been referred. The committee has deferred its consideration of six instruments to allow time for consideration of recommendations for review of certain legislative schemes made by the committee in the 43rd Parliament.

As I turn to the committee's annual report of 2012-13, I would like to take this opportunity to acknowledge the work of the predecessor to this committee in the 43rd Parliament and its chair, Mr Harry Jenkins, the former MP for Scullin. This report captures the formative stages of the committee as it determined the scope of its role and how to approach it.

The key achievements of the committee in the 43rd Parliament under Mr Jenkins' leadership were the measured and collegiate way in which it approached its work, resulting in 18 consensus reports, and the development of the robust analytical framework I outlined earlier. This framework has enabled the committee to focus on the assessment of human rights compatibility across a wide range of legislation of varying complexity, engaging a diverse range of human rights, in an objective and consistent way.

As a result, the committee has begun to contribute to the source materials available to assist those engaged in the development of policy and legislation to consider human rights at each stage of this process. This first annual report identifies the human rights that arose most regularly in the committee's work during the review period, the legislative and policy context in which each of these rights arose and the types of concerns that the committee identified. The report provides concrete examples to illustrate each type of concern identified and as a result, should be of practical assistance in the consideration of human rights during the course of developing future legislation.

The work of the committee in the 43rd Parliament provides a firm footing for the ongoing consideration of human rights by parliament. I look forward to working with the committee to build on this foundation and continue this important work in the 44th Parliament. Before commending the report, I mention the secretariat, which has been so effective and particularly crucial in this committee's role: Renuka Thilagaratnam, Kate Orange, Patrick Hodder, Hannah Dibley and committee secretary Jeanette Radcliffe. With the work that has been undertaken, it is important to put on the record their contribution to very groundbreaking committee work in this parliament and, again, the contribution of the former chairman, Mr Harry Jenkins.
COMMITTEES

Public Works Committee

Reference

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (09:08): 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: CSIRO Clayton Property Strategy, Clayton, Victoria.

The Commonwealth Scientific and Industrial Research Organisation requires facilities which are fit for purpose, support science and attract leading researchers and scientists to the organisation. This proposal includes the provision of a new building at North Clayton for the science, education and factories of the future innovation centre. This addition to the centre will have a focus on additive manufacturing and will be designed to demonstrate new concepts and technologies. In addition, the new building will house the CSIRO science education centres currently located at Highett. The estimated cost of the proposal is $32 million, plus GST, and includes escalation costs, contingencies and all professional fees. Subject to parliamentary approval, construction is scheduled to commence in June 2014 and be completed by December 2015. I commend the motion to the House.

Question agreed to.

BUSINESS

Rearrangement

Mr Hunt (Flinders—Minister for the Environment) (09:10): I move:

That so much of the standing orders be suspended as would prevent the two private Members’ business notices by the Member for Parkes and the Member for Barker, relating to the disallowance of the inclusion of areas in the list of threatened ecological communities made under section 181 of the Environment Protection and Biodiversity Conservation Act 1999 on 5 August 2013, being called on immediately and considered together, with separate questions being put on each at the conclusion of the debate.

Question agreed to.

PRIVATE MEMBERS’ BUSINESS

Macquarie Marshes: Regulations

Disallowance

Mr Coulton (Parkes—The Nationals Chief Whip) (09:11): I move:

That the inclusion of the wetlands and inner floodplains of the Macquarie Marshes in the list of threatened ecological communities made under section 181 of the Environment Protection and Biodiversity Conservation Act 1999 on 5 August 2013 and presented to the House on 12 November 2013, be disallowed.

The regulation I seek to have disallowed is not of environmental benefit. It was introduced by former Minister Butler on the last day before the election writs were issued in August. The regulation was about increasing bureaucracy, not improving the environment. It would have increased the size of the Macquarie Marshes out to 200,000 hectares. The area affected by this regulation is largely farmland, and it also affected all activities up river, in the Macquarie.
Valley. Apart from the fact that the regulation was just going to add another level of green and red tape to the farmers and communities in the valley, it was all done in a very rushed process. On investigating the list that I received of consulted community groups, I found that the consultation was very scant and in some cases nonexistent.

I want to say to the people of the marshes that the marshes still are a Ramsar listed site. All the protections to threatened species are in place. This regulation did nothing to enhance that. Indeed, two previous ministers, both Labor and coalition, had refused to introduce this regulation. It was implemented in a rushed way; it was introduced at five minutes to midnight before the election was called and I move that it be disallowed.

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

**Mr Taylor:** I second the motion and reserve my right to speak.

Debate adjourned.

### River Murray: Regulations Disallowance

**Mr PASIN** (Barker) (09:14): I move:

That the inclusion of River Murray and associated wetlands, floodplains and groundwater systems, from the junction with the Darling River to the sea in the list of threatened ecological communities made under section 181 of the *Environment Protection and Biodiversity Conservation Act 1999* on 5 August 2013 and presented to the House on 12 November 2013, be disallowed.

Today the government is moving motions in this place to disallow two environment protection and biodiversity conservation listings made by the former Labor government. With its final breath, the Rudd government scandalously listed the Murray-Darling river system and associated wetlands and floodplains of the Macquarie Marshes as critically threatened ecological communities under national environmental law. Unfortunately the member for Port Adelaide, who was the Minister for the Environment, Heritage and Water at the time, blindly signed off on listings the day before the caretaker period began, all without engaging in any kind of consultation with stakeholders, including river communities in my electorate of Barker.

In an act breathtaking on-the-run policymaking, the former minister decided on 5 August that it would be a good idea to add these two communities to the list of critically endangered ecologies under the EPBC Act. The effect of the decision would have been to make the Murray River, from the Darling junction to the Southern Ocean, subject to the referral and assessment processes of the EPBC Act. Labor, in its haste, ignored the environmental protections already in place and evidently gave no thought to the negative impacts on river communities, not to mention the unnecessary increase in red and green tape.

We might expect more from a minister of the Commonwealth, especially one whose home state of South Australia would be so adversely affected by his party's bent for an ever-increasing environmental bureaucracy. It is important to remember that the former minister contradicted many of his predecessors in the environment portfolio, both Liberal and Labor. All of them knew that further listings would be pointless because of the mechanisms already in place. I am happy to say, as the member for Barker representing South Australia’s Murray River communities, all the relevant ecological communities are already protected and will continue to be protected. After careful consideration it is clear that these additional listings do
not pass the common-sense test. We never support the creation of further green tape just for the sake of it. As a proud conservative I know that more government intervention is never the answer.

It is worth noting that the Threatened Species Scientific Committee advised that the Water Act, Murray-Darling Basin Plan and other existing environmental water and water efficiency programs already provide for the environmental recovery of these communities. Even the member for Port Adelaide's Labor comrades in the South Australian government thought this was a bad idea—that must have been embarrassing for him. The South Australian Minister for Water and the River Murray, Labor MP Ian Hunter, rubbished his federal colleague's push for the critically endangered listing, saying that the Murray-Darling Basin Plan provided sufficient protection for the river system. What is more, Mr Brenton Grear, executive director of the Department of Environment, Water and Natural Resources in South Australia, was far from convinced that these listings were necessary. Mr Grear stated: 'In the South Australian government's view more work would be required to demonstrate that listings of the nominated ecological community would deliver equivalent or better environmental outcomes than those already delivered.'

Furthermore, I take comfort in the knowledge that the coalition stands shoulder to shoulder with the National Irrigators Council in opposing these listings. When Labor's rather underhanded ploy was revealed, the council called on federal members representing the Murray-Darling Basin to disallow 'this sneaky listing' of the Murray River and Macquarie Marshes as critically endangered. Today I am very happy to oblige their request. The National Irrigators Council hit the nail on the head in describing Labor's plans this way: 'Unfortunately the previous Labor government listened to a foreign lobby group, ignored the advice of state governments and did not consult with the people directly impacted.'

I know that as a government we have diligently assessed these listings and undertaken extensive consultation to determine whether we should allow them to proceed. It is clear that all the former minister was going to achieve with his eleventh-hour listing was to burden basin communities with even more of a bureaucratic nightmare. I can vouch for the fact that constituents of mine in the Riverland and Murraylands are already being strangled by green tape, but, of course, Labor do not understand how regional communities work, just as they have no idea when it comes to running or operating businesses.

As the member for Barker, there is no-one in this place who is more supportive of sensible and effective environmental protection. I categorically refuse to support the creation of more and more green tape under the veil of supposedly promoting sustainable ecological communities. In the shameful catalogue of failed Labor policies which needlessly hurt the business community in the name of some lost environmental crusade, we might file these listings right alongside the carbon tax. Indeed, increasing cost to businesses without delivering any environmental benefits is, unfortunately, a recurring theme when casting an eye over the previous chaotic six years of Labor in power.

The SPEAKER: Is the motion seconded?

Mr Broad: I second the motion and reserve my right to speak.

Debate adjourned.
Cognate debate.

Debate resumed on the motion:

That the inclusion of the wetlands and inner floodplains of the Macquarie Marshes in the list of threatened ecological communities made under section 181 of the Environment Protection and Biodiversity Conservation Act 1999 on 5 August 2013 and presented to the House on 12 November 2013, be disallowed.

The SPEAKER (09:21): In accordance with the resolution agreed to earlier, the order of the day will be debated cognately with the order of the day relating to the motion moved by the member for Barker concerning the disallowance of the inclusion of the River Murray and associated wetlands floodplains and groundwater systems from the junction with the Darling River to the sea in the list of threatened ecological communities.

Mr BUTLER (Port Adelaide) (09:22): I want to make some remarks about these listings, some of them about the context in which these listings were made, and I will respond to a couple of the perhaps less measured remarks particularly from the member for Barker. I want to thank the member for Barker and the member for Parkes for their contributions. I recognise that at least a substantial part of the member for Barker's contribution and the vast bulk of the member for Parkes's contribution reflect some significant misgivings that I know their communities have about those listings. They were reflected in conversations I had with irrigator communities and their leaders in the South Australian Riverland when I was there during the election campaign. To some degree those misgivings were based on what I would accept is fact, but they are also, to some degree, misgivings based on misunderstandings about the impact of these listings.

The first thing I would say to frame this debate for the House is that this was not a listing I made at the behest, as the member for Barker suggests, of a foreign lobby group. This was a listing I made based on the advice from the Threatened Species Scientific Committee, a committee set up by former Minister Hill as part of the EPBC Act reforms—the very substantial, far-sighted reforms by the Howard government—and it is a committee I thought had very strong bipartisan support. Its advice was taken very seriously by governments of both political persuasions. I think I am right in saying that the only occasion on which the advice of the Threatened Species Scientific Committee has previously been rejected by a minister is that of the famed case of the orange-bellied parrot.

This is a motion moved by the government in the House effectively to reject the advice of the Threatened Species Scientific Committee—not some foreign lobby group, as the member for Barker would have people think—for the second time in the history of this environmental protection framework. A theme is emerging with this government: shut down strong, independent sources of advice around environmental protection. We know what the minister did to the Climate Commission. His first act in the area of climate change was to shut down the Climate Commission. Thankfully, they have been able to sustain themselves on the back of public donations to continue to provide digestible advice around climate change to the parliament and the broader community. In the other place they are debating another proposal
of the Minister for the Environment to shut down the Climate Change Authority. Time and time again we are seeing this minister and ministers in other policy areas trying to shut down all sources of strong, independent advice to make sure that the parliament, the government and, most importantly, the broader community gets advice only once it has been filtered through the Prime Minister's office or at the very least the minister's office.

It is very important that people watching this debate understand that what the government is proposing here is to overturn advice from the Threatened Species Scientific Committee. This is not advice that was dreamt up by that committee overnight; it is a process that started in 2008. It is a process that involved consultation with 60 organisations, including local councils, NRM bodies, irrigation regions and farmers federations and it involved technical workshops over a couple of years. The advice was very deeply considered by the committee. Reasonable people can disagree about the impact of this decision, but it should not be suggested that this was a decision taken overnight and that it was not based on strong evidence. It was based on evidence that was channelled through an environmental protection framework put in place by the former Howard government and supported throughout the six years of the Rudd and Gillard governments.

I will respond to the suggestion from the member for Barker that this is going to tie up Riverland communities in so-called green tape. The member for Barker was at least right—I am sure the member for Parkes made this comment to—in that a range of species that are vulnerable or endangered, in some cases perhaps critically endangered, because of the running down of our river system over many decades are already protected under the EPBC Act. That self-evidently is true. What we are also seeing as the environmental flows—the environmental returns—to the Murray-Darling Basin start to take effect is that many of those flora and fauna species, happily, are starting to recover at the end of the drought and with environmental flows returning to the river. But at issue in this debate is the fundamental question: does this government want to continue with a process of environmental protection that simply goes species by species, whether it is flora or fauna, or does this government recognise the benefit to everyone, whether they are advocates in environmental protection or potential developers in those regional communities, of having a more strategic approach that deals with communities in their broader sense rather than the communities as a collection of individual species that go through their own listing process? Again, reasonable people can disagree. I am sure that the member for Barker has thought long and hard about that philosophical question. But what has completely escaped this debate is the benefit that Riverland communities would have—we are doing this process in the Hunter Valley as well to have broad regional strategic assessments—in knowing that there is essentially one process of listing that covers that community, that takes account of all factors in that community, and, if anything, has the potential to cut down green tape rather than increase it.

The last thing I would say before closing and allowing others to contribute to this debate is to respond to the suggestion that this listing was somehow going to close Riverland communities. To some degree that impression was based on an understandable misunderstanding, if you like, by people who had not had the opportunity to read through the listing and the legislative context in which it was made. But, to some extent, it was based on suggestions that were given by others who should have known better because the impact of this listing is quite clear: it is only in new developments that it would have a significant
impact on the ecological community under question. If you read the EPBC Act, there is no suggestion that this listing would have any impact on existing arrangements, whether they are farm arrangements or other industrial arrangements in those relevant communities. Again, reasonable people can disagree about the benefits of this listing, but it does not help the confidence of the communities that the member for Barker and the member for Parkes, understandably, are seeking to protect and advocate for to have misunderstandings put in their minds about the impact of this list.

Mr BANDT (Melbourne) (09:30): This is one of the worst Christmas presents for the Australian environment. There has been a reshuffle overnight and the Minister for the Environment is now the minister against the environment. We have known for some time and argued in this place and elsewhere that our national environmental protection laws, and in particular the legislation under which this regulation has been made, do not allow for sufficient protection of the Australian environment. We have seen that previously. We saw it in the case of the state government moving to allow cows to graze in alpine national parks and we saw then the limitations that the environmental protection legislation, the EPBC Act, places on the adequate protection of ecosystems. We saw the minister, under pressure from many, including from the Greens, ultimately agree to a listing in that case, but not before it was brought to this place in the form of a private member's bill from us to reform the EPBC Act to allow it to give greater protection to the environment and in particular to ecosystems.

Earlier this week, we had the spectacle of a further weakening of the EPBC Act, where the astounding proposition was put before this parliament that when the minister is given conservation advice he does not need to take it into account—he or she does not need to take expert conservation advice into account; it gave the current minister at the table a free pass until the end of this year to be able to make decisions that ignore expert scientific advice about how to protect threatened species. Then, of course, late yesterday we saw one of the greatest pieces of environmental vandalism in Australian history: the approval of the Abbot Point development, which will see millions of tonnes of cubic metres of sludge dumped on or near the reef. As a result, the reef and the jobs that depend on it are now under threat.

Now, this morning, with perhaps 24 hours notice—and I am not even sure if we have had that—we have members of the government coming in this place proudly proclaiming that what they are doing is specifically at the request of the Irrigators Council and the big business lobby. Not once in any of the contributions they have made so far to this debate have they said that they have spoken to anyone about the environment or that their motivations for doing this are about protecting the environment. That is not what this is about. When we look at the Macquarie Marshes, why were they included? Why was the listing made in the first place? It is important for the parliament to know this because none of the previous members mentioned it because they do not care. For them, protection of the environment is just an optional extra.

Why were these listings included? I read from the listing:

- Some of Australia’s largest recorded waterbird breeding colonies …
- A diverse suite of woodland bird species …
- A variety of native mammal species such as kangaroos, swamp wallabies, sugar gliders, squirrel gliders, dunnarts, echidnas and more than 15 species of bats.
Almost a third of native fish species found in the Murray-Darling Basin occur in the region, making it an important site for native fish feeding and breeding.

The highest diversity of frog species of any wetland system in the Murray-Darling Basin.

At least sixty species of reptiles …

One of the three most extensive river red gum woodlands in the Murray-Darling Basin.

The largest and most extensive common reed beds in the northern basin.

No-one has mentioned that so far, and no-one has mentioned what the impact will be on those ecosystems and connectedness. One of the advantages of both of these listings is that they took a whole-of-system approach and acknowledged that ecosystems across this country rely on connectivity.

On the question of the Murray, the honourable member who moved this motion did not once refer to what impact this would have on the health of the system or how we would protect ecological communities in the area. As someone who when growing up spent many months of their early years down in the area of the Murray mouth, I think that anyone who does not believe that one of the most important areas of our country’s environment is under threat is kidding themselves. We in this place should be doing everything we possibly can to ensure it has the highest level of environmental protection, not coming in here and stripping away some of the important protections that are left.

For people who have been observing this government in operation over the last couple of months, this should, sadly, come as no surprise, because this is not a government that listens to reason or evidence. This is an example of exactly why we need to enshrine in our national environment protection laws the requirement to have regard to expert advice on sustainability and the science. What we have here is a government and backbenchers who are essentially shills for the corporate lobby and who will ignore science in the interests of big business. The complete absence of reference to protecting the environment and protecting ecological communities in their contributions speaks volumes.

So I will not be supporting this disallowance motion. The Macquarie Marshes and the Murray-Darling Basin, and the river systems and the ecosystems that surround both of those, deserve the highest possible protection from this parliament. We should not be stripping it away a couple of days before Christmas.

Mr KATTER (Kennedy) (09:38): Last year the ALP government brought into Australian nearly 200,000 migrants and nearly 100,000 illegals. That was not their fault. I am not blaming them for it, but there were nearly 100,000 illegals. They were visa overstayers mostly. And there were 125,000 457 visa holders.

Mr Coulton: Wrong bill, Bob.

Mr KATTER: No, you will find it is very much the right bill. That was 400,000 people who came to this country looking for jobs, but there were only 180,000 new jobs in the country. We desperately need the Galilee Basin to be opened up. The previous speaker referred to Abbott Point. But you have to get the coal out, my friend. To get the coal out you have to have a port.

Mr Bandt interjecting—
Mr KATTER: Thanks to people like you, instead of dumping that fill where it should be dumped—on the littoral area—and instead of it being used to make new and beautiful land for the people of Australia to live on and enjoy the wonders of this country, it is being dumped out on the reef. It is not being dumped on the reef anyway; that is a bit of rubbish. It is being dumped in an area where there is 40 feet of dumped—

Mr Hunt: Forty metres.

Mr KATTER: I might stand corrected: it might be 40 metres of dumped silt. This silt has been dumped over time and this will continue. Get your facts correct: when you talk about one million tonnes, spread that out over 100 kilometres, because that is where it will be spread, and then ask how that would affect an area that already has 40 metres of silt.

Coming back to the motion, I wrote a history book which, thanks to the people of Australia, has been a best seller—we have sold nearly 20,000 copies. You do a lot of research when you write a book. The publishers, Murdoch Books, insisted that I put down what I feel should happen in our country. The first thought that came to my mind as a historian was the Murray-Darling, because drought-proofing nearly a tenth of the surface area of this country is truly the greatest accomplishment of this nation. We have turned two sleepy, empty rivers into two great canals carrying water across some of the driest parts of the world—namely, the Murrumbidgee River and the Murray River, both of which flow east-west. Also, around one-tenth of Australia's peak-load power comes from the mighty hydro-generators.

Let us look at what this parliament is doing today, which I think is excellent. We live in some of the most restrictive societies on earth. In particular, there is no question that New South Wales and Queensland are not far behind California in the international litigation register. The Queensland prison population doubles every seven or eight years. The state's economy is collapsing while trying to look after the people we throw in jail. I recently read that in California there are more people in prison than in primary school. This is the price of a restrictive society. We praise the government for removing some restrictions.

I repeat that the Murray-Darling is the greatest accomplishment of the Australian people. The Murray-Darling's mighty system feeds more than 20 million people. This system was created by the people of Australia from nothing. You could not irrigate because there was no security of water supply until the Snowy Mountains scheme was built and only then could you start producing food from this wonderful food bowl. The terrible part is that everyone in this parliament in the last 15 years will be condemned in the history books—and I have written one. Every person who has been in here will be condemned because they have closed down 30 per cent of that great achievement of the Australian people. You on both sides of the parliament voted unanimously to shut it down. There was only the righteous anger of the ordinary Australian people and some great Australians—and I name Alan Jones and John Laws, who have not always been flattering about me, but I praise them wholesomely on this—who rose up against this place, but you still proceeded to shut down 30 per cent. You wiped 30 per cent out of the greatest achievement of the Australian people. I wrote in my book, in the section entitled 'Walking with Giants', that these were the men who built the Snowy Mountains hydro scheme—men from the Baltic states, Finland and all over Europe who came to build this mighty scheme. The Australians who worked on it were men like Les Thiess, who eventually edged out all the foreign contractors and built the vast bulk of the Snowy project. Thirty per
cent of this great achievement was snatched out of existence by this parliament to its disgrace. The history books will not be kind to those who served in this parliament.

But today we are talking about the removal of restrictions, and I praise the government fulsomely for it. I would like to say to the minister that I disagree violently with the previous speaker, who is my worthy colleague, and we agree on many things but not on this. He said that the government was acting without expert advice, but you can get that advice from the Parliamentary Library. That advice says that if you introduce ethanol it will increase CO₂. There are 23 reports in the American Congressional Library and every single one of them indicates a 28 per cent reduction, and a number of them deal with sugar. We are at 72 per cent. So, I think the expert advice here is a heap of cow's manure! Alternatively, every other report in the rest of the world is wrong. Every single country in Europe is signed up to 15 per cent ethanol; China is on 15 per cent ethanol; India has announced it is moving to 15 per cent ethanol; all of the Americas are on ethanol. Every country on earth is doing it, except Australia. I would not listen too carefully to the expert advice.

People live in the bush because they love the bush. They are not going to be the people who destroy it, and if you give them a little bit of water and a little bit of land that they can farm—and a level playing field, which they do not currently have—then they will look after the bush for you. Europeans—the French and the Germans, for example—subsidise their farmers to keep them there, because otherwise there will be no-one to look after the land. The greenies have destroyed us commercially in North Queensland—just go and look at their handiwork. It does not go back to pristine Australian wilderness; it becomes overrun with introduced weed species. A very good friend of mine, Daniel Messina, told me: 'You've got to come out and look at this. There's 150 acres of cleared land, and the entire surface area is covered by giant sensitive weed and Singapore daisy.' I could not believe it. Unfortunately, aggressive weeds take over when you remove farmers from the land. (Time expired)

Dr STONE (Murray) (09:48): As the member for Murray, you would anticipate that I would be deeply concerned about this disallowable instrument. I support most strongly the motion moved by my colleagues. The Murray River, and, indeed, the whole of the Murray-Darling Basin, is an extraordinary ecological system with ephemeral streams. The great Murray River is itself an ephemeral stream. If it were not, there would be red gum forests at the end where the Murray meets the sea in South Australia, where there are, in fact, sand dunes. The Murray River has been a managed river for more than a century. Initially, it was managed to be a navigable stream to take produce from the great inland producers of wool, meat, wood and fish to markets. Later it was managed for irrigation purposes, as well as continuing to be used for recreation.

Unfortunately, there was very little consultation before the move to put the critically endangered label on the River Murray and associated wetlands, flood plains and groundwater systems, from the junction of the Darling River to the sea and on the wetlands and inner flood plains of the Macquarie Marshes. The decision was a bolt out of the blue. There was no consultation with the community in the basin and certainly not with the irrigators or those who depend on the stream for their livelihood and who have in fact maintained the ecosystems in the sustainable condition they are in today.

During the last 15 years the basin has sustained 10 years of the worst drought on record. During that time there was great stress in the ecosystems, and in the human communities, but
a mark of the resilience of the basin ecosystems is shown by the extraordinary recuperation and revival of life that has occurred since the rains came. With the rains that broke the 10-year drought came floods. That is the way of the seasons in Australia: droughts then flooding rains. The measures already in place to manage the health of the basin's ecosystems are well and truly adequate. We did not and do not need to have this additional critically endangered label put on the great Murray River and the associated wetlands. Keeping that label in place would be a joke. We would be bound up in extraordinary additional red-tape requirements that would do nothing to affect ecosystem health but would only give a lot of people jobs to do running around the countryside. It would not in fact support any of the ecosystems or any of the species that are still in the process of recovering from the 10-year drought.

I support my colleagues who are seeking to disallow this instrument, which refers to a knee-jerk action in the dying days of the last government. There was no appropriate or proper consultation. The scientific community was not properly consulted. The Murray-Darling Basin and the Murray River itself are in excellent hands. Those are the hands that not only love the place—it is where they live—but depend on the river's health for their livelihood. When you depend on an ecosystem to feed your family you do not destroy it; you do not make it less sustainable. You actually nurture and steward that ecosystem, because it also represents the livelihood of your children and your grandchildren. That is why the community in the Murray-Darling Basin, who are Australia's food and fibre producers, are always the first to stand up and plant trees, put in nesting boxes and fence out remnant vegetation. That is what they do. One of the things that has left me in awe, when I go to major tree planting days or revegetation efforts, is that I will see 80-year-olds planting trees on their properties. You may think, 'What's the point? They're 80; they're not going to see those little tiny saplings grow.' They do it because they have a sense of the future generations who will be there to live in harmony with that ecosystem. It is not just a financial issue; it is also the love of place. It is like the Indigenous sense of being part of that place. I am most pleased that we are moving this disallowance motion. I commend those who moved and seconded the motion. I support absolutely keeping the basin and its river in the safe hands that now sustain it.

Mr HUNT (Flinders—Minister for the Environment) (09:53): I move:

That the question be now put.

Question agreed to.

The SPEAKER: The question now is that the motion moved by Mr Coulton be agreed to.

Question agreed to.

River Murray: Regulations
Disallowance

That the inclusion of River Murray and associated wetlands, floodplains and groundwater systems, from the junction with the Darling River to the sea in the list of threatened ecological communities made under section 181 of the Environment Protection and Biodiversity Conservation Act 1999 on 5 August 2013 and presented to the House on 12 November 2013, be disallowed.
Mr HUNT (Flinders—Minister for the Environment) (09:54): I move:
That the question be now put.
Question agreed to.

The SPEAKER: The question is that the motion moved by the member for Barker be agreed to.
Question agreed to.

BILLS

Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mr MARLES (Corio) (09:55): I rise to speak against the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013. This is a bill which seeks to remove the complementary protection regime put in place by the previous Labor government which came into force in March 2012. This was an important regime put in place for our immigration system, but, in stating that, it was a niche area. It applied to a very small number of people—it was important, obviously, for them—in the context of the number of immigration matters that are handled by our department and this country.

That said, it also was, and has been, an administratively efficient regime for dealing with that small number of people who have a claim that could be sustained by complementary protection criteria and the removal of this, which is what this bill seeks to do, will create inefficiencies in the way the Department of Immigration and Border Protection and the review systems which oversee it work. It will make it more difficult for those people to do the work they are called upon to do. It will create added work, and it is for that reason we are opposing the bill that is put before the parliament today. It is for that reason we are supporting efficient public administration as was enacted by the regime put in place by the then Labor government in March 2012.

The Migration Amendment (Complementary Protection) Act 2012 put in place a regime which enabled Australia's non-refoulment obligations under a number of international conventions to be honoured. The principal convention under which Australia's non-refoulment obligation exists is the Convention Relating to the Status of Refugees as amended by the Protocol Relating to the Status of Refugees, which is otherwise known as the refugee convention. Most people who come to Australia seeking a protection visa will find themselves, if they are successful in gaining a protection visa, covered by the terms of the refugee convention. But there are a number of people for whom we have non-refoulment obligations which do not derive from the refugee convention. Australia is a party to a number of other international conventions which give rise to non-refoulment obligations on the part of Australia. These are the International Covenant on Civil and Political Rights; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Convention on the Rights of the Child; and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. These
international conventions, to which Australia is a party, give rise to non-refoulement obligations on the part of Australia.

Examples of the circumstances that we are talking about—that is, those people who would qualify under those other conventions I have just described but would not qualify under the refugee convention, which is a small number—are people who may face honour killings in the country from which they have come, women who may be subject to genital mutilation if they are returned, and people in a number of other circumstances which do not squarely come under the refugee convention but which do come under those other conventions to which Australia is a signatory and therefore enliven Australia's non-refoulement obligations.

So what we sought to do when in government, in March last year, through the Migration Amendment (Complementary Protection) Act, was to amend the Migration Act to allow the department, when considering protection visa applications, to consider criteria which are derived from the set of conventions I just described to the House—those other conventions that are not the refugee convention. We did this by adding criteria to section 36 of the Migration Act to reflect the coverage of the conventions to which I have just referred. What that then meant was that a person who sought a protection visa not on the basis of the refugee convention but on the basis of these other conventions, could have those criteria applied to them. They would have that decision made by an immigration official and that decision in turn would be reviewable by our legal system. In that sense, the process was efficient, it was transparent, it was reviewable and natural justice applied in relation to those people—sensible public administration.

It is important to understand, in the debate that we are having in relation to the current bill, that there is no question at all that the non-refoulement obligations that arise under the conventions to which I have referred still exist. Indeed, the explanatory memorandum to the current bill makes that clear. It says:

This amendment does not propose to resile from Australia's international obligations, nor is it intended to withdraw from any conventions to which Australia is a party. Anyone who is found to engage Australia's non-refoulement obligations will not be removed in breach of those obligations.

So we need to be very clear that this is not a circumstance in which we are talking about an amendment to Australia's legal regime such that we will have some people who are no longer eligible to receive a protection visa. We are only talking about the administrative process by which that protection visa comes to be.

The process that existed before Labor put in place the Migration Amendment (Complementary Protection) Act—which is the process that the government now seeks to return to—was an inefficient public administrative process. It was inefficient for this reason: people who knew that they had non-refoulement obligations applying to them on behalf of Australia, but also knew that they were not covered by the refugee convention, were forced into a situation where they would need to apply for a protection visa that they knew they would not qualify for. They needed to go through that process and indeed exhaust all the merits review processes associated with that. And it was only when they had gone through all of those steps, knowing full well as they went through them that they would not be successful because their particular circumstances did not meet the criteria of the act as it then existed, that they were able to seek an exercise of ministerial discretion to allow them to stay in
Australia and be given a protection visa on the basis of enlivening Australia's non-refoulement obligations that existed under the other conventions to which I have referred.

That exercise of ministerial discretion is non-compellable: the minister is not compelled to exercise his or her discretion—the nature of discretion is that its exercise is discretionary; it is not transparent—the criteria by which the minister may or may not exercise that discretion are not there for all to see; and it is non-reviewable—and in that sense there is no natural justice that applies beyond that decision if the decision is found to have been inappropriately made, because, at the end of the day, it is simply an exercise of discretion. So that ultimately left a person in this circumstance—and let's be clear: we are talking about a small number of people—existing in a state of enormous anxiety, knowing that if they are returned to the country from which they have come they will be subject to potential death, to torture or to injury.

Those people were needing to wade their way through an administrative process, knowing full well as they went through each step that they would fail, only so that they could reach that final moment of being able to enliven the minister's discretion in the hope that the minister would ultimately meet Australia's obligations under the conventions to which I have referred. That means such people were often in a position of limbo for a number of years before ultimately their claim came to an end.

It is for this reason that we sought to put in place the regime that we had, which made it a much clearer regime, a much more transparent regime, a reviewable regime—but a regime that would occur more quickly and more efficiently and would give certainty to that small number of people who fit the circumstances I have described.

The minister, when he was the shadow minister, described the legislation that the then Labor government put through this parliament as giving rise to further pressure on an already overstressed court system. In saying that, he raises the idea that this would give rise to an enormous number of cases that would overrun our system. In reality that has not been the case—far from it: 83 cases have gone to our review tribunals since March 2012. The minister, in his own second reading speech for this bill, made it clear that there have been only 57 complementary protection visas granted since March last year in relation to this set of circumstances. This is a niche area. It is important in public administration that you get the housekeeping right. There are niche areas throughout our public administration that are much better handled in an efficient way than in an inefficient way. But let us be clear: the attempt to raise grand political objectives in relation to this is misplaced. This is a niche area, and what the Labor government put in place was an efficient administrative process to deal with this niche area. And it is exactly that efficient administrative process that on the basis of politics the government now seeks to remove.

One of the arguments that has been used by the minister and which was referred to in his second reading speech was in relation to people with criminal backgrounds accessing complementary protection visas. A particular case, which is often referred to as the New Zealand bikie case, has been a bit of a cause celebre for those who have sought to criticise the regime that the then Labor government put in place. It is important to understand that that was a single case. It was appealed by the then Labor government. It has been referred back to the department, and the person in question is yet to be granted a complementary protection visa as a result—or at least was yet to be granted a visa as of two weeks ago. That one case has been
the basis for the minister, in the second reading speech for this bill, to refer to a whole lot of people who may have been involved in criminal activity and are seeking to use this complementary protection regime as a basis for getting a protection visa in Australia. This question was put to Kay Ransome, the principal member of the Migration Review Tribunal and the Refugee Review Tribunal. When she was being questioned about the issue of criminal activity during Senate estimates, she said, 'I doubt that there are many that involve criminal activity'. That was her sense of the extent to which people who have been engaged in criminal activity have been accessing the complementary protection regime.

A number of reports over the years have recommended that, in relation to this niche area of public administration, the old regime—which this government seeks to return us to—be amended to put in place the regime that the Labor government put in place in March last year. The Senate Legal and Constitutional Affairs References Committee report titled *A sanctuary under review: an examination of Australia's refugee and humanitarian determination processes* in June 2000 made a recommendation to move down the complementary protection visa path. The Senate Select Committee on Ministerial Discretion in Migration Matters in March 2004 did the same. The Legal and Constitutional Affairs References Committee report titled *Administration and operation of the Migration Act 1958*, which was done in March 2006, did the same. And the Australian Human Rights Commission has made similar reports. Complementary protection visas were also the subject of the Proust report on the exercise of ministerial discretion in migration matters. That report also recommended the implementation of a complementary protection visa regime.

From an international point of view, the United Nations Committee Against Torture, the United Nations Human Rights Committee, and the Executive Committee of the United Nations High Commissioner for Refugees all recommend that administrative processes such as what we put in place when in government ought to exist in a country's protection visa regime. So, by international standards, what the Labor government put in place was in the mainstream of the way in which countries around the world deal with this small cohort of people who do not qualify under the refugee convention but do qualify under the other conventions I mentioned earlier to enliven a country's—in this case, our own—non-refoulement obligations. What we have before us now is a bill that seeks to sweep all of that away and return us to an inefficient past. It is a bill moved by a government that is in a time warp, which sees that everything around immigration policy ought to be as it was in 2007—that that is the means by which we deal with all the problems, as if nothing has changed since 2007 in the way in which people seek to come to this country and the way in which our borders need to be protected, and indeed in the way in which we have made sensible advances around public administration, of which this is an obvious example.

Australia's non-refoulement obligations under the conventions I have described continue to exist. Even when the government passes this bill through the parliament, the sorts of people I have described will still be granted the visas they seek, will still be given the protection for which they ask. The difference is that it will be done in an inefficient way. The difference is that people will be asked to wait longer. The difference is that more public expense will be incurred in order to determine the eligibility of these people to ultimately gain a protection visa. That is what we are talking about in this bill. It will be less fair, and it will concentrate
decision making in one already overstretched minister in a way that will be non-compellable, in a way that will involve non-transparent criteria and in a way that will be non-reviewable.

What we have in place in Australia on this day is a system that is working well, a system that applies to a very small number of people but that, for those people, works efficiently and properly. There is no good reason to change it but for the stubbornness and the politics of this government. And for that reason we oppose this bill.

Mr HAWKE (Mitchell) (10:14): I rise in support of the Migration Amendment (Regaining Control over Australia's Protection Obligations) Bill 2013. I want to take the member for Corio up on some of the points that he made, because I think he does typify the ignorance of the Labor Party in relation to the cause of the problem that we have had of losing control of Australia's borders over the last six years. The member for Corio makes the point exactly that this only affects a small number of people. There is no question that Australia will continue to meet its international obligations in relation to refoulement. It is simply a matter of the administrative mechanism, in effect, that we use to deal with handling our international obligations.

Of course, the member for Corio says, 'Well, really there's no issue here.' The member for Corio needs to understand that there is an issue here, created by Labor's change to this bill in the previous parliament. It is that, by changing the system from an arrangement of ministerial discretion into an administrative function— (Quorum formed) It is no surprise that the Labor Party are seeking to run and hide from this issue, because this is part of the changes that Labor made that put the people smugglers back in business. They lack understanding that ministerial discretion was perfectly appropriate to meet our international obligations and that by changing this they offered another product for the people smugglers to sell to their poor victims overseas. That is why Labor want to hide from this debate. That is why Labor do not want to hear from the government, which, at the time, warned the opposition, the then government, that these changes would enhance people smugglers' operations.

The member for Corio quoted the principal member of the Refugee Review Tribunal, Kaye Ransome. He should have read on, because her evidence to the Senate estimates committee in November was particularly notable about this matter. She said that a person's criminal history is not taken into account when considering such cases 'under the complementary protection criterion itself.' This is exactly the point of the debate we are having about this bill. The minister needs flexibility to deliver these decisions in relation to complex cases of refugees, complex cases of protection, complex cases to meet our international obligations. This administrative process, with a criterion that does not include the criminal background of people that we are offering protection to or may have obligations to, is exactly the point. That inflexibility and that lack of forethought have really given the people smugglers the opportunity to say to their victims: 'We can set you up with another administrative process. We can give you something where you can stay in Australia longer than you would have otherwise if the minister had the chance to exercise his discretion.' As the member for Corio points out, there are only 83 matters—a small number of matters—in relation to this. There is no question that the Minister for Immigration and Border Protection is overstretched. That is purely a subjective argument from the member for Corio. I want to uphold, in this place, the ability and the power of the last minister to make these decisions. I want to go through these criteria shortly.
This is about our international obligations under refoulement: arbitrary deprivation of life; having the death penalty carried out; been subjected to torture; or being subjected to cruel, inhumane or degrading treatment or punishment. There is no question that any government of any persuasion in Australia would take these international obligations seriously. It was foolish of the last Labor government to go down this path, because there was no benefit to the system. But there was the creation of yet another product for the people smugglers to sell. That was the point that we made in opposition. That was the point I made when I spoke on these changes in the previous bill.

These changes will bring back a regime that is internationally consistent. The member for Corio acted as if we were going to do something outside of the mainstream. Most jurisdictions around the world have ministerial discretion as a key component of the international obligations under refoulement. It is the most mainstream thing to do. It is the most sensible thing to do. To suggest that any Australian minister for immigration would not take seriously these most serious conventions under international obligations is offensive. It is offensive to the previous ministers for immigration in the Labor government as much as it is offensive to suggest that this Australian government would not take seriously these very serious conventions and our very serious obligations.

It begs the question as to why it was necessary in the first place to introduce complementary protection into this statutory framework. I have already highlighted the comments of the principal member of the Refugee Review Tribunal that it does not allow for flexibility and does not allow consideration of all of the necessary elements, such as people's criminal background.

It is not about a particular case. The member for Corio was keen to talk about a particular case that is still the subject of consideration. It is not about any individual case; it is about the process and the criteria that the government is able to consider. By outlining particular criteria, you lose the key element of flexibility and discretion. That is why the Westminster system invented, and developed over a long time, the convention and tradition of ministerial discretion—exactly for these sorts of complex cases. It is almost unbelievable that it is suggested that you could outline a criterion that would take into account all of the complexity of the situation of people seeking refuge in Australia. What we can be sure of is that, if we allow for ministerial discretion, if this bill passes the House, the department, the minister and his advisers will have the ability to provide advice about the complex backgrounds of particular people applying for refugee status, to make sure that, if they have a genuine fear, a genuine prospect, of being tortured or being subject to the death penalty, that can be considered.

But let's be very frank here: the Labor Party needs to understand there are people that game the system. There are people smugglers out there—the Labor Party has never understood this—that are deliberately trying to game our system and our laws. People in the legal fraternity, the political fraternity and the human rights fraternity in Australia sometimes seem to forget that people smuggling is a criminal enterprise. It is the most insidious of criminal enterprises. It is what Kevin Rudd, the former Prime Minister, referred to as the most evil trade on the planet. They deliberately look at our laws, our procedures and our administrative arrangements and attempt to game our system. They are doing it right now. We saw just in the last few days that people smugglers are willing to put a two-year-old baby on a boat and send
the boat offshore knowing that it will sink and that the poor child will meet its death. Those are the kinds of people we are dealing with. They will take cash off those poor people, including those with young children, and send them off to their deaths.

Like everyone in this government, I have compassion for people seeking refuge. I have compassion for the people getting on those boats. But I have no compassion for the people smugglers. And I have no compassion for people who come here and attempt to game our system and our laws, thereby denying genuine refugees, people with genuine claims under our protection regime, the chance to come here.

Labor’s changes in the past parliament were so ill-considered. All genuine applications against Australia’s international non-refoulement obligations should be subject to ministerial discretion, not an administrative procedure. In the debate that we had back then, Labor never made their case. The Labor members here in the House at that time included the member at the table, the member for Fraser. In the last debate that we had about this, the member for Fraser came in here and read out two stanzas of the national anthem, as if reading out the national anthem was somehow pertinent to the debate.

The member for Fowler, who called this motion here in the House—

**Dr Leigh:** Deputy Speaker, I rise on a point of order. The member is misleading the House. I think he must have me confused with someone else.

**Mr HAWKE:** Well, we’ll see. We’ll go get the *Hansard*.

**The DEPUTY SPEAKER (Mr Mitchell):** That is not a point of order.

**Mr HAWKE:** I have got no problem—we will go get the *Hansard* and I will remind you. I have your greatest speeches on CD, mate, in my office, playing around the clock! The member for Fowler—I was here and I remember this debate very clearly—said that there was the potential that we may send someone who was gay back from Australia to their death. All these examples were provided—and in preparing this speech I have checked a few things, member for Fraser, including your contribution—and the Labor Party tried to suggest there was a problem that needed to be solved.

But, of course, they never made the case—just as they have not made a case here today—that this administrative regime would be superior to the long practice of ministerial discretion, used in many jurisdictions around the world, and we have not heard one today. We know that it is contributing to the problem. It is adding to the products that people smugglers can sell around the world. This is a serious concern. This legislation is not something we are doing lightly. We warned the last government so many times about so many things, and this was one of them—that, by removing ministerial discretion and putting inflexibility into the system, more legal avenues and more chances would open up not for genuine refugees to apply but for people smugglers to offer product to people who were not genuine refugees.

That is why we have only seen 87 cases, a particularly low number. The member for Corio says, ‘Well, this is only a small matter; it’s only 87 people.’ He is exactly right about that. That is why we need to go back to ministerial discretion. We need to do that because, just for the sake of 87 people—people who would get protection from Australia anyway under decent ministers on both sides of this House, who would never violate international conventions and requirements—we have given the people smugglers a big leg-up.
Labor need to understand that they cannot stand in the way of solutions to the problem that we are facing. The Australian people elected this government with a mandate to stop the boats. They have given us a mandate to stop the people smugglers. Labor need to understand that this is organised crime. It is the most serious organised crime racket in our region. We need to shut it down. We need to change our systems and processes to take into account the fact that it is sophisticated organised crime, constantly adapting to our changes in law. The people smugglers had the Labor Party's measure when Labor were in government. The people smugglers knew every change and every nuance, and they knew nothing would be done to stop their trade.

A new government is here. It has been elected with a mandate to do this. We warned about this in opposition. The government's warnings and fears, even while they were in government, about us somehow bringing in a brutal regime were unfounded and unreasonable. I can tell you that Australia will always meet its international obligations in relation to these very serious conventions. This government will not resile from the task of stopping people smugglers at the same time.

Mr GILES (Sullin) (10:29): I rise to speak in opposition to the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013. As I do so I am conscious that, once again, questions of asylum feature on the front pages of major newspapers. Of the many matters raised by the previous speaker, the member for Mitchell, I will confine myself to responding to just one. I want to assure him, and members opposite, that I and members on this side of the chamber are aware of the insidious and evil nature of the people-smuggling trade and of the ways in which people smugglers attempt to game the system. I am, however, entirely unsure of what that adds to this debate.

I am also reminded of the complexities of these questions, of the vast range of factors that shape this global problem, and of the limitations that this places on legislative amendments such as those presently before the House to answer these questions in the manner so often expressed so confidently by members opposite.

What a misleadingly titled piece of legislation this is. Whatever this bill does, it is not accurately or helpfully described by its title. Is this about regaining control over Australia's protection obligations?

A government member: Yes.

Mr GILES: Really? In fact, this bill essentially removes criteria for the grant of protection visas by reason of complementary protection grounds. An important matter, though, is that this is, in the words of the shadow minister, a 'niche element', applying to 57 grants.

Not for the first time in this parliament, and not for the first time from this minister, there is something chilling and Orwellian about the use of language here. As with, under the Howard government, legislation described by titles such as 'more jobs, better pay'—

A government member: It worked.

Mr GILES: It did not work. It most certainly did not work. Rhetorical statements purporting to describe bills do not do the work of the legislation for it.

This continues the disappointing tenor of what has been passing for a debate about immigration in this place. This is, of course, a difficult debate, which raises difficult questions
for all of us in this place. Yesterday was Human Rights Day, and I remind members opposite that we are in its shadow considering the rights of some of the world's most vulnerable people—those facing real risk of very serious harm or death.

Indeed, the United Nations General Assembly proclaimed 10 December as Human Rights Day in 1950, to bring to the attention 'of the peoples of the world' the Universal Declaration of Human Rights as the common standard of achievement for all peoples and all nations. Australia made a very significant contribution to this.

In keeping with this, article 33(1) of the Convention Relating to the Status of Refugees states:

No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

There is a need to prevent people from being caught in limbo whereby they may not meet one of the five criteria set out in article 1(2) of the convention, but, per section 36(2) of the Migration Act, still be at real risk of one or more of the following—arbitrary deprivation of life, the death penalty, torture, cruel or inhuman treatment or punishment, degrading treatment or punishment. Indeed—members opposite should be aware of this—this is acknowledged by the minister.

A government member: We just said that. Weren't you listening?

Mr GILES: I was listening. I'm not sure that you were.

Prior to March 2012, such a determination was made entirely at the minister's discretion, in accordance with then section 417 of the Migration Act. In June 2000, the Senate Standing Committee on Legal and Constitutional Affairs outlined these powers in chapter 8 of its report, 'Refugee and Humanitarian Determination Processes' as follows:

- The Minister may substitute a more favourable decision if the Minister thinks it is in the public interest to do so;
- The power may only be exercised by the Minister personally;
- If the Minister substitutes a more favourable decision he/she must inform Parliament of the reasons and the new decision reached;
- Certain information is not to be disclosed to Parliament in the statement made. In particular, the person's identity and the identity of associated persons must not be disclosed;
- Statements must be made to Parliament at the times specified in the legislation; and
- The Minister is under no duty to consider whether to exercise this power.

In short, the power was arbitrary. It was also noncompellable and nonreviewable.

In government, Labor changed the law so that applicants could lodge protection claims under the Refugees Convention, and under other conventions, such as the Convention on the Rights of the Child; the International Covenant on Civil and Political Rights; and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. These are instruments which, as we have already heard in this debate, this government says it remains committed to.

Regrettably, there has been much tabloid coverage of issues related to this legislation, which has sought to emphasise that the people afforded complementary protection are not
necessarily refugees as defined under article 1 of the convention. But, contrary to what has
sometimes been reported, character and security checks, including criminal checks, are
conducted before any visa is granted. The Minister for Immigration and Border Protection
attempted to suggest otherwise with his claims:

We were having criminals and bikies who were claiming protection ... Now, our signatory status to
important international conventions to protect people's human rights are not about protecting bikies and
criminals.

Of course, that is true. The minister, as has already been mentioned, was alluding to reports of
a bikie from New Zealand. The minister, of course, declined to mention that this man had not
actually been issued with a visa. As far as we are aware he has not yet been issued with one.
The minister's omission was very strange in the context of the apparent need for this
legislation.

There are already exclusion clauses that can be applied to applicants who have committed
crimes. Furthermore, the grounds for exclusion from complementary protection are even
broader than for individuals being assessed as refugees. The minister has an additional
capacity to exclude on security grounds. Nevertheless, if the government wishes to allay any
community concern—albeit concern that it has largely generated itself—then surely it can
work within the existing system, rather than abolishing the category of complementary
protection altogether.

While I am pleased that the minister has stated that Australia continues to be committed to
meeting our non-refoulement obligations, his suggested manner of achieving this stated
commitment is, to say the least, curious. It seems to me that the contrary is in fact the case. I
am indebted to the many—21, I believe—legal academics who prepared a comprehensive
briefing note on this bill for members. I concur with their advice that repealing the present
complementary protection regime would be inconsistent with our international obliga-
tions. This is because removing a codified basis to have claims considered against the
complementary protection criteria means that Australia cannot guarantee that people will be
protected from removal to significant harm.

The minister, in his second reading speech, refers to the complementary protection
provisions as a 'costly and inefficient way to approach the issue'. But that is not the case. Let
me briefly turn to the first limb of this criticism. It simply does not stand up. The explanatory
memorandum makes clear why this is not the case:
The financial impact of these amendments is low. The estimated costs associated with the
implementation of the proposed amendments will be met from within the department's existing funding.
We are, of course, talking about 83 applications over 18 months. It is inefficient. Complementary protection, under the present regime, introduced greater efficiency,
transparency and accountability into Australia's protection regime. The regime that preceded
it was lengthy, inefficient and uncertain. Indeed, the former minister for immigration, Chris
Evans, who introduced the complementary protection regime—proposed for repeal under this
legislation—did so to increase efficiency, as he had received a very large number of requests
each year under previous laws.

How does the minister reconcile the claims in his second reading speech to what he has
provided in the explanatory memorandum? What is the real reason for abolishing the
complementary protection provisions if the minister's own explanatory memorandum
undermines this case? The rhetoric from the current minister indicates that his obsession is to reduce the number of visas issued under his watch. It is nothing but a numbers game. However, even by this measure, the manner in which he seeks to achieve this through the legislation, by simply erasing a category of protection visa, seems a bizarre way of doing it, quite apart from its broader failings of principle and administrative practice.

The minister’s assurances that this bill accords with Australia’s international legal obligations deserves further scrutiny. The briefing note I referred to previously, prepared by a number of prominent legal academics, advises that this bill is contrary to Australia’s international legal obligations and that the bill before us is:

… insufficient to meet the absolute and non-derogable requirement in international human rights law that Australia will not expose people to the real risk of torture, cruel, inhuman or degrading treatment or punishment, the death penalty, or arbitrary deprivation of life.

The Senate Legal and Constitutional References Committee recommended in March 2006 that the Migration Act be amended to:

… introduce a system of "complementary protection" for future asylum seekers who do not meet the definition of refugee under the Refugee Convention but otherwise need protection for humanitarian reasons cannot be returned.

There were a large number of national and international bodies that issued recommendations consistent with this committee’s findings, including the Senate Select Committee on Ministerial Discretion in Migration Matters, the Australian Human Rights Commission and the UN Committee Against Torture. Despite this, the bill before us goes back to the future, as so often has been the case with other legislation proposed by this government—back to the future absent of any meaningful justification.

It is clear that the present minister has a curious notion of his role as a minister under the Westminster system, as we have seen so often in question time in this place. He denies, it would appear, all the traditions of Westminster accountability, yet wishes to, in the words of other ministers, ‘play God’ in dealing with complementary protection matters. Does Australia really want Minister Morrison, or indeed any minister, assuming this role, knowing what we know about how it has operated in the past and how the present certain and efficient regime has been operating?

When former Minister Evans rejected this role for himself, he said:

In a general sense I have formed the view that I have too much power. The act is unlike any act I have seen in terms of the power given to the minister to make decisions about individual cases. I am uncomfortable with that not just because of a concern about playing God but also because of the lack of transparency and accountability for those ministerial decisions, the lack in some cases of any appeal rights against those decisions and the fact that what I thought was to be a power that was to be used in rare cases has become very much the norm.

Parliament has a role to play in applying proper scrutiny to this bill, as it should have in relation to decisions that are the subject of this bill, so I am glad the bill will be referred to the Senate Legal and Constitutional Affairs Legislation Committee, which is due to report in March next year. If it is anything like previous Senate reports on this matter it will make for compelling reading, for all members.

It is very unusual that a government so rhetorically committed to small government and reducing the power of the state is so keen to enhance the power of a minister without
sufficient or real scrutiny, much less real grounds of cost or efficiency in support of these changes. More broadly, as we stand here in the shadow of yesterday's Human Rights Day, let us mean what we say with respect to our international obligations. Let us deal thoughtfully and properly about our complementary protection regime and let us—all of us here—think for a moment about the circumstances of those people seeking asylum in this country.

Mr Hawke: Mr Deputy Speaker, on a point of order: during the last contribution to this debate, the member for Fraser accused me of misleading the House. That is unparliamentary and I would ask him to withdraw that, except by way of a substantive motion.

The DEPUTY SPEAKER (Mr Mitchell): I request, to assist the House, that the member for Fraser withdraw.

Dr Leigh: I withdraw.

Mr Hawke: Mr Deputy Speaker, on a point of order: I seek leave to table page 3657 of Hansard, from 11 May, of the member for Fraser's contribution to the debate, where he says:

For those who've come across the seas 'We've boundless plains to share'. Australia is a big country with a big heart.

Leave not granted.

Mr Coleman (Banks) (10:43): I am very pleased to rise to speak today in support of the Migration Act, regaining control over Migration Amendment (Regaining Control Over Australia’s Protection Obligations) Bill 2013. This bill is another part of the government's effort to undo Labor's myriad mistakes in the area of border protection. It is a sorry history of error after error, and this legislation in one important respect contributes to the correction of those errors.

The bill deals with the process by which applications for complementary protection are considered by the government. Complementary protection visas are typically granted in circumstances where an applicant has been found not to meet the criteria of the UN refugee convention but is nonetheless unable to be returned to their home country due to the harm they would suffer should they be returned. The obligation not to return applicants who would suffer certain types of harm if returned to their home country is known as nonrefoulement. The debate that this bill encapsulates is about the process by which Australia should consider applications for complementary protection. The measures in this bill are in very clear contrast to the process which has been in place since March 2012.

It is instructive to think back to the system which existed prior to March 2012. Under it, the minister of the day considered all genuine applications under Australia's international non-refoulement obligations. In a situation where somebody applied under the convention but was not successful because they did not comply with its conditions, the minister would, as appropriate, consider whether or not to provide a visa to the applicant under complementary protection provisions. This system allowed the minister to take into account a wide range of circumstances, including—as the member for Mitchell mentioned earlier—the broad background of the person who was applying for the visa. The minister's decisions were not subject to legal review.

So, prior to March 2012, we had a very orderly and sensible process by which the minister of the day would take into account relevant matters and determine whether or not an application should be successful under the non-refoulement provisions. If an application was
successful, the minister would issue the appropriate visa and the applicant would not be required to return to their homeland. As was discussed earlier in the debate, the typical situation in which such visas are granted is that in which the applicant, whilst not complying with the provisions of the UN refugee convention, would nonetheless be subjected to substantial harm if they were returned home. Australia certainly has a clear obligation to provide relief in such circumstances.

The ministerial intervention model was successful because it gave the minister the capacity to deal in a flexible and constructive manner with myriad different cases. I am sure you can imagine that an infinite number of different scenarios might present themselves to the minister. The minister of the day—whether from a coalition or a Labor government, as was the case in March 2012—would take into account the relevant matters and make an appropriate decision. (Quorum formed)

The previous system—that of ministerial intervention in the complementary protection visa system—worked very well. But it is important to contrast this system with the system that was introduced by the Labor Party in March 2012. For the information of members who have just joined us I repeat that the previous system allowed ministerial intervention and a sensible approach to granting complementary protection visas, taking into account all relevant matters, and that this system had bipartisan support until March 2012.

In March 2012, Labor passed legislation in government to introduce a very rigid system. This system effectively required the department to consider each application against rigidly constructed criteria. You can imagine the administrative burden that created within the department. In addition to that, it subjected the applications for complementary protection to judicial review. So there was the previous system of ministerial intervention, intervening sensibly on a case-by-case basis when complementary protection visas were appropriate to the issue, in contrast to a very rigid bureaucratic system that creates, as the member for Mitchell so eloquently said, another product for people smugglers to sell. The people smugglers could represent: 'Whilst you might miss out on a visa under the formal provisions of the convention, we can also sell you a capacity to have a separate process under the complementary protection system.' So it is a very rigid system and certainly one that the government does not support.

It is also important to bear in mind that, despite the great formality of this system, it was only used successfully on 83 occasions since March 2012. So there is a huge administrative cost, another product for the people smugglers and a situation which in fact only related to 83 people over a substantial period of time. This bill seeks to broadly reinstitute the system that existed prior to March 2012 where the minister, under advice from the department and taking into account all the circumstances of the matter, can decide whether to issue complementary protection visas. The complementary protection visa system stays in place. There is no substantive change to the complementary protection concept or to Australia's international obligations; it is simply matter of reverting to the system that existed prior to March 2012 so as to make the system run much more efficiently.

In terms of the operation of the border protection and immigration system more generally, it is important to note we are a generous nation and we do have a substantial humanitarian program with 13,750 places available each year. That is one of the most generous systems on a per capita basis in the world. A strong border protection policy and an orderly immigration
system are essential to safeguard the program. Unfortunately, the previous Labor government lost control of the immigration system. That led to a huge financial cost.

The budget blow-out under Labor in this broad area was some $11.6 billion. We throw these numbers around—we say 'billions', we say 'millions'—and sometimes the point can lose its resonance because those numbers are mentioned so frequently. I thought it would be interesting to work out what that actually means on a per household basis in Australia. According to the ABS, there are about 9.1 million households in Australia. That figure of $11.6 billion is a lot of money. If you apply the cost of the budget blow-out to the average household in Australia, $1,272 was the cost of Labor's budget blow-out in this area to every household in the nation. That is a very important point to reflect on. That is money, were it not used in this endeavour of incompetence by the previous government, that could have been used for other purposes. It could have been returned in tax relief and certainly could have been used for a much more constructive purpose than dismantling a system which was working very effectively.

In retrospect, the correct proposition for Labor to have put at the 2007 election would have been along these lines: 'What we can do on the one hand is persevere with the policies of the Howard government, which have been very successful in securing the borders and in supporting a very substantial humanitarian refugee program, or, on the other hand, we can dismantle a system which is working very effectively and create a whole new system, with lots of changes to programs that are working, at a cost of $11.6 billion.' Obviously the proposition was not put in those terms, but, had it been, it is very clear what the answer to that would have been.

It is also important to note that the cost is not only financial; there is also a human cost. Under the Howard government, about 5,000 people a year were allowed into Australia under special humanitarian visas for people who did not comply with the broad terms of the refugee convention, but nonetheless the government took the view that we wanted to provide protection to these people because of their circumstances. That number—about 5,000 people under the Howard government—dropped to just 500 in the most recent financial year. The basic reason is that there were fewer spaces available because of the influx of boats. So there was a very significant humanitarian cost for people who were seeking asylum in Australia and a very significant financial cost, as I have just discussed.

This bill, in reinstituting a sensible system for complementary protection, will contribute to the overall approach of the government in getting our borders back under control and having a sensible system of humanitarian immigration.

Ms PARKE (Fremantle) (10:59): I rise to argue strongly against the bill under consideration in this debate, the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013. To put it simply, this law seeks to take us back to where we were prior to 2012. While I know that some people in this place believe that everything that has occurred post 2007 should now be undone as a matter of course, in this case we are considering a reversion that is neither sensible nor necessary, even with respect to achieving the government's desire to be tough at every turn. The focus of this bill is the complementary protection visa—a class of visa introduced in 2012 to deal more fairly and effectively with a small set of people who do not meet the narrow definition of 'a refugee' under the refugee convention but who nevertheless merit protection in Australia pursuant to other international
human rights obligations on the basis that their return would place them at significant risk of harm.

The kinds of circumstances we are talking about include the prospect of torture or the death penalty, being subjected to cruel or degrading punishment, or being at risk of other inhumane practices like honour killings, slavery, forced marriage and female genital mutilation. I think the average person in the street would find it shocking if a woman at risk of stoning in another country for the so-called crime of pursuing a friendship or relationship of her own choosing would not be eligible for humanitarian protection in Australia of some form or other.

Helping people in such situations of danger is precisely the kind of common sense outcome that the complementary protection visa category exists to provide. In doing so, it draws not only on fairly straightforward humanitarian instincts and values, but also on the obligations that exist under human rights conventions that Australia is party to. These include the International Covenant on Civil and Political Rights and its second optional protocol aiming at the abolition of the death penalty, as well as the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Indeed, the obligation to not return people to situations where they could face torture or slavery is such a fundamental principle of the international rule of law that it is known as 'jus cogens', a peremptory norm from which no derogation is permitted by any country.

Unfortunately, this bill makes it much harder and more complicated for Australia to comply with its international obligation to provide a safe haven for people at a real and serious risk of a fate we regard as utterly unacceptable, yet who are not, technically speaking, eligible for asylum under the Refugee Convention. Broadly speaking, it reverts to the situation that existed prior to 2012, where any consideration for grant of protection under the non-refoulement principles could only occur through ministerial discretion. In that way, the bill will return us to an administrative process that is more bottlenecked, less transparent and much slower. In other words, it will reintroduce all of the administrative and decision-making flaws that the Senate Select Committee on Ministerial Discretion in Migration Matters recommended be cured by the changes that were implemented in 2012. The bill has the substantial effect of removing complementary protection visas, a formal class of protection that has applied to fewer than 100 people since its introduction.

It has the administrative effect of making the consideration of complementary protection visas noncompellable, and any decision made nonreviewable. Again, I think most Australians would believe that, in a scenario where forcing someone to return to their country of origin would mean consigning them to a serious risk of torture, slavery or death, there should be an obligation to consider whether that person ought to be offered protection. And I also believe most Australians would expect that our decision-making process would allow any such decision to be the subject of appropriate review.

That is why, in its briefing note on the legislation, the Centre for International Refugee Law at the University of New South Wales said that, 'Repealing complementary protection would be inconsistent with Australia's international legal obligations and would create considerable bureaucratic inefficiencies.' The note also points out that the existing exception and exclusion clauses mean that complementary protection will not be provided in Australia to any individual judged to present a danger to Australia's security, with specific reference to applicants who have committed crimes in another country before reaching Australia. The
advice states that, 'Character and security checks, including criminal checks, are also conducted before any visa is granted. It is therefore misleading to imply, as the immigration minister has done, that criminals will benefit from complementary protection."

The figures available in September this year from the Department of Immigration and Border Protection indicate that only 55 out of 1,200 protection visas granted onshore were for complementary protection. As the Centre for International Refugee Law points out:

For those 55 individuals, the protection visa was often the difference between life and death.

It should go without saying that it is important to make and change laws carefully.

The changes that were made in 2012 in respect of complementary protection occurred after careful thought was given to the existing state of affairs and its manifest shortcomings. The opportunity to provide complementary protection has always been necessary to ensure the safe and humane treatment of a comparatively tiny category of people. It is a kind of protection that has been available and that has been provided from time to time under Australia's migration laws. All this bill will achieve is to make that protection harder to receive and harder to administer. It creates terrible uncertainty for vulnerable people. It puts too much power at the minister's discretion, with too little oversight.

They say you cannot judge a book by its cover, but you can sometimes judge a bill by its title, especially by the part within the parentheses. This is where some bright spark has no doubt put their political marketing skills to work in coming up with something that sends the right kind of bite-sized, chopped down, simplified and simplistic message. In this case, we have the delightfully bracketed 'Regaining Control Over Australia's Protection Obligations.' This is presumably designed to suggest that those obligations are not under control, or that they were previously under better control, either of which proposition is of course patently ridiculous. Australia has complementary protection obligations under international law, and we have provided safe haven in keeping with those obligations for many years. In keeping with our history as a migrant nation and our ethos as a compassionate, optimistic, outward-looking nation, we have provided safe haven to both refugees and to those seeking complementary protection. All this bill achieves is a return to a poor decision-making process. No amount of sloganeering about 'regaining control', 'sovereign borders' or 'three-star military operations' can change that fact. This is a poor law and it should be opposed by sensible persons in this place.

Mr WILKIE (Denison) (11:06): I am very concerned about the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013. In particular, I am very concerned about the way in which it would alter the process for complementary protection. I am also very concerned about the way that complementary protection will be decided, as the bill fundamentally alters the process that occurs before someone might be granted complementary protection. This is all about abolishing proper process. That is something we should all be very, very concerned about in this place. Currently there are some people who make application to come to Australia, or who come to Australia who, through no fault of their own, do not fit neatly within the provisions of the refugee convention for any number of reasons. Often these cases are very tragic, and there is a self-evident and pressing need to give those people protection.

Up until now, there has been a proper and a good process. People who might fit within the category of this complementary protection could make their case to the Refugee Review
Tribunal and, if there is an unsatisfactory outcome at the tribunal, they might try to progress their matter through the Federal or even the High Court. That would seem to be an eminently sensible, appropriate and reasonable way to respond to those people, particularly for a civilised, wealthy, lucky country like our own. They have the opportunity for their circumstances to be reviewed, and the opportunity to appeal if there is an unsatisfactory outcome. It delivers them natural justice and procedural fairness—just the sort of thing that a country like Australia should have in place, and should be proud of and work hard to defend. But this government would do away with that.

In fact, this government would basically abolish the whole process and say that it is up to the minister to make a case on a case-by-case basis. That may well work when you have a very fine minister—and I am not making any criticism of our current minister or previous ministers—but what would happen if, in the future, you were to have a ruthless minister: someone lacking in compassion; someone wanting to, for their political benefit, clamp down on or even do away entirely with people getting complementary protection? He or she would have that power.

We should not have laws of the land that rely upon good people being in these positions at all times. Our regulatory framework must provide protections against a bad minister or someone making bad decisions. So this abolition of the process is a fundamentally bad thing.

Let us put a human face to this. I am advised that between March 2012 and November 2013 only about 55 protection visas were granted on complementary protection grounds. So we are not talking a lot of people. Why on earth then would the new government want to so brutally attack proper process and so brutally put at risk the welfare of people genuinely in need for the sake of this many people coming to this country and getting protection?

I will give a few examples of these people, because I think we need to personalise this. Far too often the debate in this country about asylum seekers and irregular immigration is about grand policy and grand announcements, and we sometimes lose sight of the fact that we are talking about human beings: men, women, girls, boys, babies—every one of them a precious human being with their own story to tell. If they were members of our extended family I am sure that some people in this place would take quite a different approach to them.

One story comes straight to mind, a story I have been involved in quite recently. Living just outside Hobart is an Iranian—and I am sure he will not mind me mentioning his name—known as Affi. Affi is a young man. He came to Australia from Iran. He is gay, and his is a particularly tragic story. Affi was reported to the authorities by his father for being gay. Affi was arrested, taken into custody in Iran and brutally beaten. He still carries to this day the scars from that episode. He fled to Australia with his partner. He eventually made it to Australia, but the previous Australian government and the current Australian government do not see fit to quickly give him protection. He may not actually fit neatly within the criteria of the refugee convention. He certainly would fit neatly within the provisions of complementary protection, but, regrettably, he is on a bridging visa, or was when last I heard.

Affi, if returned to Iran, would genuinely go back in fear of his life. It is a serious crime to be gay in Iran. People are put to death for being gay in Iran. Why on earth would this government or any government want to deny Affi, for a start, protection, immediately, and not give him certainty that he can stay in Australia?
And why on earth would any government want to do away with an effective and proper process that hears the claims from people like Affi and gives people like him protection when those claims are found to be warranted? That is what a civilised country does—a rich country; a lucky country. But instead this government wants to do away with the sort of process that would effectively hear Affi’s claims and give Affi rights of appeal to the Federal Court and High Court if his claims are not handled in a way that gives a satisfactory outcome.

I know Affi personally and I can say that he would make a very fine Australian. He desperately wants to be an Australian and contribute to this country, and he would be a real asset to this country. He would bring skills and a little bit of a very rich Persian culture which would make this country all the richer and better if only we were to let him stay permanently.

There are some other examples that I have read about of people who have in fact been given complementary protection in recent times. For example—and I will not mention names in these cases—there is one person, a native of Ghana, who developed a mental illness after the death of his parents and fled to Australia. If this person was to be not given complementary protection and forcibly returned to Ghana, there would be a very real risk that this person would be placed in an institution in that country, and those institutions are awful places. It is a country where people with mental illness are often not treated at all, but, to the degree that they are handled by the authorities, it is in a terrible way. This person made it to Australia. He went through the existing arrangements for complementary protection; he went through the proper process. He has been given complementary protection. That is a good thing.

Another example is of a person, a native of Nepal, who gave information to the police in Nepal and fled to Australia. Again, this is someone who would not fit neatly within the refugee convention but who is well suited to the provisions of complementary protection. He cannot be sent back. He has given information to the police and is at risk from a very broad network of criminals in that country. Again, he is just the sort of person who does not fit neatly within the provisions of the refugee convention. He really does deserve to have his case heard through proper process and with resort to appeal to the Federal Court and High Court, and so on.

Another example concerns a person from Syria. He was persecuted for his Christian background and practices, and he made it to Australia. There was not actually enough evidence in his case for him to be granted protection under the refugee convention. Again, he was granted protection under the complementary protection provisions. An interesting thing about this case is that he has low advocacy skills and could not make the case very effectively, yet it was self-evident to the people who were dealing with him that this was someone who was being persecuted and genuinely warranted protection in this country, but he could not quite get over the line with the refugee convention and its requirements. Again, these sorts of people need to have certainty that they can go through proper processes in Australia and can appeal to courts if their claim is not handled satisfactorily in the first instance. He is just the sort of person whose outcome, if it were left to the minister, would depend on the whim of the minister at the time—he may just say yes but then say, 'No, I've had a bad morning and our numbers are up so I will say no to this character.'

Another example involves three people—a daughter and her parents—who came from India. She had entered into a marriage that was violent and cruel, so she wanted to leave it.
But her husband threatened to bring a false dowry claim and have her daughter abducted and raped to force her compliance. Again, it does not fit neatly within the refugee convention, but does meet the criteria for complementary protection. Again, she is just the sort of person who needs to have the certainty to front up to the Refugee Review Tribunal and have her case heard. If there is an unsatisfactory outcome, she needs to know that she is accorded natural justice and procedural fairness and can make an appeal to the Federal Court or the High Court and get a satisfactory outcome, hopefully, at the end of the day. Again, we do not want cases like that decided at the whim of the minister of the day. Maybe we would have a good minister who would say: ‘Yes, no problem there. That person can have protection.’ But what if it is a ruthless minister, or a politically motivated minister or someone who just wants to put a cap on the numbers one year, and that person misses out. This is not the behaviour of a rich and civilised country like Australia.

This is all about minimising the number of people coming to this country, and having in place a ruthless regime of deterrence. It is another theatrical episode by the new government to appear tough on those people who do not look like us but want to come to our country. It is another example of a cruel and ruthless policy by this government, which, I would add, is not much worse, but a bit worse, than the regime of the previous government. We have had a succession of bad policies by bad governments, in my opinion, when it comes to irregular immigration.

But just when you thought the previous government could not make things any worse, the new government are doing so. They are committed to offshore processing—a cruel arrangement. They are committed to mandatory detention and to temporary protection visas. These actions are not in accord with the word or the spirit of the refugee convention. It is about time Australia started to act like the civilised and rich country we are and started to honour both the wording and the spirit of the refugee convention. Until this country adopts a more humane and legal response to irregular immigrants we are going to be judged very badly by the international community, as we should be.

This should not be about putting in place a brutal deterrence regime. This should be about Australia acting like the civilised, wealthy, lucky country we are. When someone comes to our shores or makes an application from offshore, but particularly when they come to our shores, we should give them protection, hear their claim and give them permanent refuge if those claims are found to be true and honest. As a signatory to the refugee convention, that is what we should be doing.

Also, when people coming to Australia do not fit neatly within the refugee convention, but it is self-evident that they are in strife and that we should do the right thing by them and give them protection, we should make sure we have in place the very best process for the granting of complementary protection. We should have a proper and full process, one that accords people natural justice and procedural fairness.

We should hang on to the Refugee Review Tribunal. We should still allow it to make the decisions about complementary protection. We should allow people to continue to make appeals to the Federal Court and High Court if the outcome has been unsatisfactory at that early stage. That is what a civilised and rich country should be doing. I will not be supporting the Migration Amendment (Regaining Control Over Australia’s Protection Obligations) Bill 2013. I suspect I will be one of very few people not to—prove me wrong, Labor. Hopefully
Labor will also oppose this. I pray they will. It is about time Australia started acting like the civilised and lucky country we are.

**Mr Dreyfus** (Isaacs—Deputy Manager of Opposition Business) (11:20): This bill is little more than a stunt to further the belligerent rhetoric of this government in the area of asylum seekers. When one looks beyond the Orwellian title of the bill—the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013—and examines what in fact it does, one can only say that it is a great shame that this government is not prepared to act on evidence but is prepared to introduce bills like this that simply rip up well thought through processes that were put in place following a decade of consideration of this particular area of government administration. It is something to be very alarmed by.

You can see from something that the minister said in his second reading speech that it is probably best to describe this bill as using a sledgehammer to crack a nut if indeed there is any real problem at all that warrants this legislation being brought in. The minister said in his second reading speech that since the legislation that is now to be repealed came into effect on 24 March 2012 there have been only 57 applications that have satisfied the requirements for the grant of a protection visa on complementary protection grounds.

We also need to put in context what this piece of legislation is dealing with. It is not dealing with people who come to Australia seeking the protection of the refugee convention and seeking to call in aid the non-refoulement, the non-return, provisions of the refugee convention. Rather, it is seeking to deal with another category of people who come to Australia seeking our aid. Those are people who would be at significant harm were they to be returned to the countries from which they came. Significant harm is defined in the legislation as it presently stands—the legislation that this bill would repeal—as actions including arbitrary deprivation of life, the death penalty, torture, cruel or inhuman treatment or punishment, or degrading treatment or punishment. Examples of these would be so-called honour killings or forced marriages and the like.

It is in recognition of the need for there to be a visa category that protects people in those situations who are not otherwise protected by the refugee convention that we introduced this system of complementary protection. This is not new. Australia has for some time been a party to the International Covenant on Civil and Political Rights, the second optional protocol aimed at the abolition of the death penalty, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment—sometimes known by the acronym CAT—and also the Convention on the Rights of the Child. Because Australia is signatory to all those international conventions, we as a country have accepted that we have international obligations. What this system of complementary protection does—dealing as it does with quite a small number of people who come here seeking our aid—is to enable recognition in a formal way of the possibility of a visa being granted to the small number of people who are not covered by the refugee convention but who are covered by various obligations that Australia has under those other international conventions.

What is disappointing about this bill and the explanation given for it by the minister in his second reading speech is that it completely fails to say anything at all about the long history of consideration of ministerial discretion under the Migration Act. And it does have a long history. It is a history that is a sorry one, because we saw right through into the early 2000s a tremendous rise in the number of decisions being made by the minister. In recognition of that,
a Senate select committee was established. Its name was the Senate Select Committee on Ministerial Discretion in Migration Matters. It reported in 2004. It made some very sensible suggestions to the then Howard government as to the way in which ministerial discretion—the sole ministerial discretion—could be reduced.

It suggested among other things that the government give consideration to adopting a system of complementary protection to ensure that Australia no longer relies solely on the minister’s discretionary powers to meet its non-refoulement obligations under the convention against torture, the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. That was recommendation 19. The then government ignored that recommendation and indeed ignored all of the recommendations that were designed to reduce the number of ministerial interventions.

It is an almost unique area of government policy. Here, the minister is not dealing with issues of broad policy and not making determinations about competing issues that arise in determining those broad policy outlines but is rather involved in minute decisions on individual cases by the thousands. That is what ministerial discretion is about. It has been recognised for many years that this is not an appropriate way to manage a migration system, let alone the asylum seeker aspects of the system.

To that end, the new Labor government, when it came to office at the end of 2007, commissioned an eminent former public servant and current businesswoman, Elizabeth Proust, to conduct an exercise to bring this area of administration up to date. She produced a report for the government on these ministerial discretions. The suggestion that she made—and she recognised that it would require some quite substantial reconstruction of aspects of the Migration Act—was that the Senate select committee recommendations from back in 2004 should be acted upon. The Howard government had failed to act on the recommendations of the Senate select committee.

Our government, on coming to office at the end of 2007, recognised that there remained a problem with the proliferation of ministerial discretionary decisions and invited Elizabeth Proust to report on this area, which she did. The suggestions that she made were to the effect that people who are in need of complementary protection—people to whom Australia’s obligations under these various international covenants are triggered—should be able to go the Refugee Review Tribunal. That would create transparency in the system and not leave them in the situation which this government wants to put them back in: of relying solely on a ministerial discretion.

What is now to happen to people who almost by definition are people who are in dreadful circumstances, who are terrified of what is to become of them, who have fled some other place because of the threat of the death penalty or torture or cruel or inhuman treatment or an honour killing or a forced marriage, is a great shame. Those people, whose lives are on hold, are now to be made to go through a whole regime of applications and rejections knowing that they will not succeed because their particular circumstances are not covered by the refugee convention, knowing that at the end of all of these refusals they will have to rely on a ministerial discretion.

This is consistent with everything that this government has done in the asylum-seeker area in that it is a move away from transparency, it is a move away from reliance on an open system of courts and tribunals and it is a move away from published criteria. So it is no
surprise to see in the explanatory memorandum that one of the things this bill does is simply remove a series of definitions from the Migration Act. It removes the definition of cruel or inhuman treatment or punishment, removes the definition of degrading treatment or punishment, removes the definition of significant harm, removes the definition of torture and removes from the consideration of the situation of people seeking visa protection all reference to the international conventions that I have already mentioned—the International Covenant on Civil and Political Rights, the Convention against Torture and the Convention on the Rights of the Child.

It is a very sad development that, in pursuit of what is not much more than rhetoric and sloganeering by this government, we have what amounts to a stunt. This bill is being brought to this parliament as a stunt so that the minister can pretend that by removing access to the Refugee Review Tribunal, by removing transparency, by forcing people who are in dire need to go through an empty process that cannot produce a result for them—knowing that at the end of this empty process they then have to go to the minister—he is 'regaining control over Australia's protection obligations'. It is little more than a joke.

The government deserves to be condemned for bringing this bill to the parliament at all and for ignoring all the work that has been done, for ignoring all of the earnest and proper consideration that was given to this by a Senate select committee almost 10 years ago, for ignoring the very detailed consideration given to it by the eminent former public servant Elizabeth Proust and for ignoring the detailed consideration and work done by the former government over several years. We are in a position where this small number of people—and I stress again: it is a small number of people—whose processes here are being changed solely so that this minister and this government can pretend that by this legislative action they are doing something that has any real effect in relation to asylum seekers. I stress again: it is a very small number of people indeed. The minister makes that clear in his second reading speech by referring to 'only 57 applications who have satisfied the requirements for the grant of a protection visa on complementary protection grounds'. Why would a government seek to interfere with a system that is working, with a system that is transparent, with a system that is known to people working with asylum seekers and to lawyers working in this field? The minister does not point in his second reading speech to any problems, other than the unsupported suggestion that the provisions that are now being repealed are—to use the minister's words—'complicated, convoluted, difficult for decision-makers to apply and leading to inconsistent outcomes'. He gives no examples of that and no basis for suggesting that this is difficult to apply.

The provisions that are being repealed form a system that is transparent, a system that people can understand, a system that tells people that their particular situations are able to be considered and demonstrates that Australia takes its responsibilities under the International Covenant on Civil and Political Rights seriously, that Australia takes its responsibilities under the Convention on the Rights of the Child seriously and that Australia takes its responsibilities under the Convention against Torture seriously.

The minister's second reading speech goes on to assert that—again, it is the kind of characteristic attack on the courts that we have come to expect from this government already—the courts 'have since broadened the scope of the interpretations of these obligations beyond that which is required under international law'. The minister gives no examples to
support that assertion—and that is, I would suggest, because he cannot. Were that the case, one would expect a minister acting responsibly to explain and give examples of occasions on which the courts have broadened the scope of interpretation of these obligations. Sadly, this is yet another example of a government that is committed to secrecy and committed to furthering the belligerent rhetoric that we have become used to in the area of asylum-seeker policy from this government.

Ms CHESTERS (Bendigo) (11:36): I also rise to speak in opposition to the Migration Amendment (Regaining Control Over Australia’s Protection Obligations) Bill 2013. This bill lacks fairness, as previous speakers have highlighted. It smacks of political opportunism and meanness. I seek today to explain in a little bit more detail why I believe this to be the case.

The history of this bill has been outlined. It was identified by the previous government that there was a need for complementary protection visas, and that is why they were introduced. There is still a need today. We have not woken up and discovered that around the world there are no individuals in significant harm. And the concept of significant harm is critical to this bill and critical to the legislation around complementary protection visas.

Complementary protection is the term used to describe a category of protection for people who are not seen to be refugees as defined by the refugee convention but who, if returned to their home country, are at real risk of significant harm. It may shock people in this country—not necessarily in this chamber but in the community—that there are people who do face significant harm, including the death penalty, torture, deprivation of life, cruel and inhuman treatment or punishment, and degrading treatment and punishment, such as mercy or honour killings and forced marriages. As a young woman in this parliament—I am 33—it is hard to believe that there are women much younger than me, or young girls in fact, who every year are faced with forced marriages. According to Human Rights Watch, 14 million girls are married worldwide each year, some as young as eight or nine—forced into these arrangements.

And it does not appear just in the countries we are currently taking refugees and asylum seekers from. Entire continents have been listed as countries where this practice occurs: Africa, Asia, the Middle East. We are talking about a significant proportion of the world’s population. Those families, those girls, may seek complementary protection. And as a first-world country, as a country that prides itself on fairness and humanitarianism and compassion, we should continue to give these individuals the opportunity to ask for, to seek, to apply for complementary protection. Mercy killings and honour killings, again, would seem quite foreign to families here in Australia. It would be quite foreign to them to even think of placing their loved ones, their daughters, their sisters, in this situation. Yet all over the world thousands of women are murdered by family members each year in the name of honour. Most of these, again, occur in countries where women are seen as a vessel of family reputation. An act that we might see as quite normal—a young woman falling in love, but not with a boyfriend of her family’s choice—and that in the Western World is written about in novels and talked about as the great love story is in other countries not seen that way; it is seen as women betraying their families and therefore maybe being subject to honour killings. Reports submitted to the UN Commission on Human Rights show that honour killings have occurred in Bangladesh, Great Britain, Brazil, Ecuador, Egypt, India, Israel, Italy, Jordan, Pakistan, Morocco, Sweden, Turkey and Uganda. This list of reports does not include...
countries that refuse to submit to the UN. So, again, in a significant proportion of the world's population, young women could be subject to honour killings. They may not necessarily be categorised as refugees under the refugee convention, but they are people who would otherwise fall through the net. That is why we must show compassion. That is why we must have this form of complementary protection.

The history of why it was introduced has also been highlighted in this debate. It was not just done on a whim. I think that is the thing that has also been overlooked. It took a long time for this country to introduce the complementary protection legislation. And it was introduced in response to a report that recommended increased accountability and integrity in the system that was independent and transparent—that the politics and politicians be taken out of it. And because it was done in a way to catch those one or two falling through the net, fewer than 100 of these complementary protection visas have actually been granted since their introduction. We heard earlier that in fact it is only 57. It is catching those one or two who would otherwise be returned to their home country and face significant harm.

Complementary protection visas, as I have stated, were designed to catch those one or two—people perhaps like ourselves. I am a young woman when it comes to the parliament. I am 33, and I have put my hand up to run for parliament. In other countries that may be seen to be a challenge to the state, a challenge to authority. Yet we seek to deny these people who might just be doing what we are doing. They might just be standing up in their country and speaking up for their values. They might just be saying, 'I want to live the life that others in other parts of the world live', 'I want to be openly gay', I want to be able to have a boyfriend before marriage' or 'I want to be able to refuse a marriage'. Values that we hold very dear in this country are being denied, and that is why there was the need to introduce complementary protection visas.

This bill is an example of how the major political parties differ on this complex issue of asylum seekers. This bill demonstrates the government's lack of compassion and respect for human life. Just the name of the bill—'Regaining Control Over Australia's Protection Obligations'—demonstrates for me the delusional reality that the minister lives within—or political spin at its most extreme. Regain control from whom—our public servants? The independent impartial review board? The whole concept of this term—regain control over our obligations—is about a sound bite, it is about demonstrating to the Australian people and to the media this pretence that this country is under invasion, when clearly we are not. This bill demonstrates the government's obsession with looking tough to the public and the pretence that we are at war. Again, I ask: who are we at war with? Why this combative language that has come into the debate around asylum seekers? It is as though we have, in our government and in the minister, a group of little boys with their toy soldiers, playing war games and in charge of immigration. It is not the compassion that we seek from our government. It is not the fairness that we seek from our government. In the absence of having a real enemy of the state, it appears that the government has just made up an enemy.

Combative language like 'regaining control' and 'Operation Sovereign Borders' suggests our nation is under attack, but from whom? Is it asylum seekers or refugees—people fleeing from persecution and seeking asylum? Is it people like the refugees who have made parts of my electorate of Bendigo their home, such as the young Karen woman from my electorate...
who is a cleaner in the Baptist Church? Today she is 26, and she spent the first 20 years of her life in a camp on the Thai-Burma border. Recently she celebrated her sixth freedom birthday. Are these the people that we are at war with? Are these the people we need to protect our borders from? The Karen community, an ethnic minority within Burma, and the country—as many know—have been at war since 1949. The destruction of villages, the killing and the rape, the forced labour and the landmines have forced them into these camps. Today we hear that the situation in this country is improving. But there is a long way to go before we have reconciliation and we have people no longer seeking asylum from this country.

Another group of refugees have made Castlemaine part of their home. Deng is a Sudanese refugee and today lives in Castlemaine and works at KR meatworks. He, like a hundred other Sudanese men and women, has found work and employment. Again, are these the people we need to secure our borders from: people seeking asylum who are running from persecution in their own country, whether they be activists, political leaders or people just wanting their families to live freely? This is, again, why the combative language in this debate needs to be removed. We need to return to a debate around compassion and around respect for human life.

The Labor Party does hold a very different view. Labor further recognises that those who decide to leave their country in perilous circumstances have the right, under the Convention relating to the Status of Refugees, to have compassion if they do not fit into a significant category like the complementary protection visa system. Labor will work with the United Nations High Commissioner for Refugees and countries of the region to expedite claims for refugee status by asylum seekers in the region to eliminate any pull factors that may exist. Labor believes in treating people seeking asylum or protection with dignity and compassion in accordance with our international obligations and core Australian principles of fairness and humanity. Australia should comply with all other protections and obligations that we have voluntarily assumed in signing the Convention relating to the Status of Refugees and other relevant international instruments and actively engage with the work of the United Nations High Commissioner for Refugees and other relevant international and regional agencies. Labor believes Australia should have a generous humanitarian program that includes providing appropriate support, travel and resettlement for refugees and others requiring protection, and contribute to the international aid efforts alleviating pressing humanitarian needs of displaced persons. Labor recognises that, under the refugee convention, asylum seekers have a right to seek protection and asylum. These lines are from the ALP national platform, where members get together every term to debate and discuss this issue. Within our side we do acknowledge that there needs to be compassion, that there needs to be debate. We need to restore this debate to one around human life, around seeking asylum and around recognising that we are a global citizen.

In conclusion, as I stated at the beginning, it is time that we saw principled leadership from this government and not point-scoring and jockeying for political advantage. It is time that we removed the sound bites from legislation and started to focus on what really is needed. As I stated earlier, fewer than 100 people have successfully been provided with a complementary protection visa. These visas were designed to catch those people who were falling through the net, those people who would otherwise face significant harm if returned to their country of origin. The proposal under this bill contradicts, as we have said, the years that have been
spent debating finding a way to support those who would otherwise be in significant harm if they were returned home. I believe that it is dangerous for this parliament to allow decisions that require mature, passionate consideration to be made by a single person—a minister. He is a minister who quite frequently stands up in public and demonises asylum seekers. He is a minister who, by his very nature in designing these bills, uses combative language. There is a reason why the previous government introduced an independent, impartial review panel to deal with these matters. It is to take the politicians out of it and to ensure that every decision that is made in relation to complementary protection visas is a fair decision. I urge the House to oppose this bill.

Mr BANDT (Melbourne) (11:50): This is a mean bill from a minister who is prepared to hurt some of the world's most vulnerable people for the sake of a headline. Australia has obligations. They are obligations that most decent citizens would share, but that also stem from the international conventions that we have signed up to. Core to that is the obligation that, if someone comes here seeking our help where there is a real risk that if we send them back to the place that they have come from they will suffer significant harm—which includes arbitrary deprivation of their life, the death penalty, torture, cruel or inhuman treatment or punishment or degrading treatment or punishment—we are not allowed to send them back, and we have to find some other way of dealing with someone who has come here seeking our help. That is the essence of the refugee convention. I would suggest that most Australians would think that that is a good thing. That is how we should treat other people, and it is how most people would like to be treated if they ever found their lives, their safety or the safety of their families at risk.

The vast bulk of the applications that we receive from people saying, 'I want help because I fall into that category,' go through the refugee system, to refer to it colloquially. There is a definition of who counts as a refugee and who does not, and people are assessed according to that. There are also various processes of independent review that people can go through, and people are able—although this option is less available now—to take matters to the court if they feel that they were not given a fair hearing.

But what has become apparent over the years is that some people fall through the cracks. Some people do not meet the strict definition set down by the refugee convention even though it is clear that they would face the same kind of threat if they were sent back to the place that they came from, as would someone who met the definition. One example is a woman who says that she, or her daughter, might be subject to female genital mutilation if sent back. Another example is someone who says, 'I'm gay, and it's a crime to be gay in my country,' or, for other reasons, 'There are people who will hurt me physically, and I may die, if I go back to where I have come from.' There are women who come here and say, 'I may not fit the strict definition of a refugee, but, because of standards in the country that I came from, I might be killed in an honour killing,' as they are called.

Australia has a system—and when this parliament rejects this bill, hopefully, it will continue—for proper assessment of those kinds of claims. They are not assessed on the basis of politics but are assessed dispassionately, by an independent panel. The panel looks at those claims and works out whether or not those people are really at risk of suffering harm or, potentially, death. There has been absolutely no suggestion to date that that system has been abused—absolutely no suggestion. In fact, the system has allowed Australia to become a
home to people who, simply because of their gender, their sexuality et cetera, might have been killed, been subject to genital mutilation or been subject to other kinds of treatment that we here in Australia would consider cruel, inhuman and abhorrent. So rigorous has the independent process been that only a few dozen people have actually had their claims granted. We are talking about numbers in the 50s, with maybe another 80 or so claims in the system awaiting judgement. We are talking about a few dozen people.

On the issue of genital mutilation, in my electorate of Melbourne we have many people who have come here as refugees from countries in the Horn of Africa. Amongst the members of that community are some who do not have formal education, who came here seeking a better life for themselves and their families. There are many girls and women in that community who, until recently, saw genital mutilation as something that would be visited upon them. The members of the community in my electorate have taken advantage of the fact that they are now in Australia, where Australian values apply, where women are treated with respect, to begin educating other members of their community in the electorate. Over a period of years, the community elders have all but stamped out the practice of female genital mutilation in communities here, and the lessons are spreading back home. It is a very real issue and it is a demonstrable example of how the values that apply here in this country—equality, respect for women and democracy—attract people from countries all over the world that do not grant their citizens the basic human rights that most of us in Australia take for granted. We have a system that has given protection to a few dozen people who would not have met the definition under the refugee convention.

This minister has said, for the sake of a headline—which did not even eventuate; no-one reported on his press conference last week—and for the sake of a few votes: 'I will demolish that system and I will give myself the sole power of deciding whether or not someone deserves this country's protection. I will remove the independence that has applied and the definitions that have been set out. There's been no suggestion they've been abused, but I'll give all that power to myself.' Why? Not because there is a problem with the system but because it is perceived that there is some narrow, opportunistic political gain to be had.

The worst thing about this is that it is attacking the people who have come here seeking our help. These are people who have said: 'Australia seems to be a place where, when someone is in trouble, when someone is at risk of being killed because they're gay, of being subject to forced genital mutilation or of being subject to an honour killing, they will be looked after. Australia is quite prepared to send troops to the other side of the world to fight these regimes; we hope that when we flee them you will offer us some protection.' Instead, this minister has decided that he wants to be the fox in charge of the henhouse and that he is going to use this parliament to try and give himself that authority.

I will say one thing about this minister and this government: this minister is consistent in his cruelty in exactly the same way as, in the lead-up to the election, we saw the most base of politics on display, where the most vulnerable people in the world were used in a base attempt to gain votes. That applies to both sides of the House, both Labor and the coalition. We are seeing it again now—without there even being any demonstrable problem—for the sake of trying to gain a few votes or perhaps to distract attention from the fact that this minister will not tell us what is happening in refugee policy in this country. He has again decided, instead of speaking to the best in us, to try to fan the flames of the worst in us.
If this parliament votes for this bill it will diminish this country. This is not, I believe, what the Australian people want politics to be about. Politics should be about reaching for new heights, not a race to the bottom. It should be about speaking to the best in us, not fanning the flames of the worst in us. Not only is this bill unnecessary; it is mean. I hope that, even if it passes this place, it is defeated in the Senate and this latest spray of cruelty from this minister is given no further life—that he is put back in his box and Australia hopefully retains some semblance of decency and some ability to look at those few dozen people who are coming here seeking help. I hope that we can maintain an open hand towards them and not a closed fist.

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (12:02): I thank members of the House for their contribution on this important debate on the Migration Amendment (Regaining Control Over Australia's Protection Obligations) Bill 2013. (Quorum formed) This bill corrects the actions taken by the former government in opening up complementary protection to abuse, adding another product to the people smugglers' trade and allowing advantage to be taken of our nation's generosity. The bill amends the Migration Act to remove the hard-wired criterion for the granting of a protection visa on the grounds of complementary protection and returns to the former process of this protection being considered, where appropriate, under ministerial intervention. The purpose of this bill is to allow the government to restore the most appropriate mechanism for considering these claims and thereby to significantly reduce the risk of the process being abused.

When the Howard government left office, the Rudd-Gillard government inherited from the coalition a robust immigration program that Australians trusted. Labor broke that trust and outsourced the management of Australia's refugee and humanitarian program to criminals and crooks. This government is restoring the sovereignty of Australia's borders and regaining control of Australia's protection obligations. This government will restore the faith of the Australian people in our migration program.

This bill in no way resiles from our international obligations, as has been suggested in this debate. We are not backing away from our commitment to provide protection to those in genuine need, but we are protecting those places for legitimate applicants and delivering on our promise that this government will not reward those who game the system. This government believes in restoring integrity to our processes so we can be sure that visas are going to genuine applicants. Importantly, this bill will bring the interpretation of complementary protection back in line with international expectation and experience. The term 'complementary protection' is used to describe a category of protection for people who are not refugees, as defined by the 1951 refugee convention, but are nonetheless in need of protection on the basis that they cannot be returned to their home country due to a real risk they would suffer a certain type of harm.

The very real principle of nonrefoulment not only exists in all of the conventions to which we are signatories but has become a well-established and accepted principal and cornerstone of international law. The principal of nonrefoulment should be and is upheld in this bill. It should be defended, against those who would seek to abuse it or subvert it, but the framework put in place by the former government is not the most effective or robust way to achieve that end. The ministerial intervention model has the advantage of allowing the minister to deal flexibly and constructively with specific cases of individuals and families whose
circumstances are invariably one-off and complex and who may be disadvantaged by rigidly codified criteria administered by department officials and subject to other, broader processes. This may include people fleeing significant harm, such as women fleeing honour killings or genital mutilation, who will continue to have and should have the protection of this country in those circumstances under our complementary protection obligations, which exist under the various conventions to which we are a signatory.

The former system enabled legitimate claims to complementary protection to be identified and addressed, while not opening up the system to vexatious onshore claims to try to game the system in the courts or allow a broader interpretation of claims and other intended measures by the courts. Indeed, former Minister Bowen acknowledged in the House in 2011 that, if presented with a case of those circumstances:

All immigration ministers that I know would intervene in such cases and would grant that visa.

That has been the practice under ministers for immigration of all political persuasions and certainly will be in my case. The bill will not result in protection being denied to anyone in genuine need, as some in this debate have sought to suggest.

The interpretation of the courts as to who should be provided complementary protection has made provisions that were intended to be exceptional the norm. The courts have extended complementary protection well beyond what was intended by the treaties to which Australia has been and remains a signatory. I note that, since complementary protection was introduced in March 2012 by the former government, the tribunal has remitted 83 matters to the department with the direction that the person met the complementary protection criteria and that 41 of these cases related to people who had arrived illegally by boat. That is 50 per cent. We said when we introduced this bill that the previous government had put another product on the shelf for people smugglers, and that is what we are seeking to do away with through the introduction of this measure. I commend this bill to the House.

The DEPUTY SPEAKER (Mr Broadbent): The question is that this bill be read a second time.

The House divided. [12:13]

(The Deputy Speaker—Mr Broadbent)

Ayes .................85
Noes .................53
Majority ..............32

AYES

Alexander, JG  Andrews, KJ
Andrews, KL  Baldwin, RC
Billson, BF  Briggs, JE
Broad, AJ  Brough, MT
Buchholz, S (teller)  Chester, D
Christensen, GR  Ciobo, SM
Cobb, JK  Coleman, DB
Coulton, M (teller)  Dutton, PC
Entsch, WG  Fletcher, PW
Frydenberg, JA  Gambaro, T
Gillespie, DA  Goodenough, IR
Griggs, NL  Hartnett, L

CHAMBER
## AYES

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Question agreed to.
Bill read a second time.

Third Reading

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (12:20): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

REGISTER OF MEMBERS' INTERESTS

The DEPUTY SPEAKER (Mr Broadbent) (12:21): As required by resolution of the House, I present a copy of the Register of Members’ Interests for the 44th Parliament. I also table copies of notifications of alterations of interest received during the period 27 June 2013 to the dissolution of the House on 5 August 2013.

BILLS

Australian Capital Territory Water Management Legislation Amendment Bill 2013

Second Reading

Mr HUNT (Flinders—Minister for the Environment) (12:22): I present the explanatory memorandum to the Australian Capital Territory Water Management Legislation Amendment Bill 2013 and move:
That this bill be now read a second time.

The Australian Capital Territory Water Management Legislation Amendment Bill 2013 (the bill) demonstrates the government's commitment to delivering the Murray-Darling Basin Plan in full and on time. I also want to congratulate both my predecessor and his predecessor for actions taken, particularly Senator Simon Birmingham, who, as parliamentary secretary, has taken the lead on bringing other states across the line, and all of those officials involved in the process.

The bill is a further step to improving the management of Murray-Darling Basin resources by making the appropriate level of government responsible for managing water in the Australian Capital Territory (ACT) on a day-to-day basis.
The ACT is part of the Murray-Darling Basin. Under current arrangements, the management of water on national land in the ACT is a Commonwealth function. The ACT government manages water on territory land.

The bill will remove this dual management and streamline arrangements by providing the ACT government with genuine authority to manage all water abstraction in the ACT. This legislative change will also enable the ACT and Commonwealth water abstractors within the ACT to fulfil their obligations under the Basin Plan.

The bill further facilitates the implementation of the Basin Plan by enabling the ACT to fully manage surface waters of the Googong Dam.

Under the Basin Plan, the ACT is required to prepare a water resource plan that covers all the territory's water resources, as well as the Googong Dam. Googong Dam water resources, while managed by the territory for the purposes of supplying water to the territory, are a Commonwealth water resource located on New South Wales land.

Furthermore, through amendments to the Australian Capital Territory (Planning and Land Management) Act 1988 (PALM Act), the Water Act 2007 and the Canberra Water Supply (Googong Dam) Act 1974, this bill provides the appropriate legislative backing for the ACT to prepare a basin plan with a compliant water resource plan.

The Basin Plan was adopted, as the House will know, in November 2012, recognising the importance of restoring health to the Murray-Darling Basin and providing certainty to communities. It takes its origins from the work of predecessors in this House, both Prime Minister Howard and the then Deputy Prime Minister John Anderson, then subsequent minister for the environment, Malcolm Turnbull, and successive ministers on the now opposition benches, whom I recognise and acknowledge for their work.

The Basin Plan provides a national strategy to ensure integrated and comprehensive water resource management throughout the Murray-Darling Basin. The ACT surface and groundwater resources discharge into the Murrumbidgee River.

Water resource management in the ACT has ecological and hydrological impacts and changes the volume of water that is available to other water users not only in the ACT but also in New South Wales, Victoria and South Australia.

Therefore, it is important that the ACT is able to prepare the water resource plan required of it under the Basin Plan. The bill provides the necessary legislative backing for this process.

Once the legislative changes commence, the abstraction of water in the territory will be managed by the territory government under the ACT's Water Resources Act 2007.

This will be achieved by amendments to the Australian Capital Territory (Planning and Land Management) Act 1988 and associated Commonwealth legislative instruments.

This change will allow the territory to cover all of its water resources in its water resource plan, in accordance with its obligations under the Basin Plan.

Furthermore, the bill will also provide appropriate legislative backing for the Googong Dam area to be included in the territory's water resource plan area.

Under the Basin Plan, the territory is required to prepare a water resource plan that covers the Googong Dam as well as all of the territory's water resources. This outcome will be achieved through the amendments to the Water Act 2007.
Finally, the legislation will ensure that the ACT executive has the necessary powers to fully manage the surface waters of the Googong Dam under the territory's Water Resources Act 2007.

This outcome is achieved through the amendments to the Canberra Water Supply (Googong Dam) Act 1974. The aim of this amendment is to ensure that all water resources under territory control are managed under a consistent framework.

The combined effect of these changes is that the territory and Commonwealth water abstractors within the ACT will be able to comply with their obligations under the Murray-Darling Basin Plan.

This change will not affect any agreements reached by the Commonwealth, New South Wales and Australian Capital Territory governments on the supply of water to Queanbeyan.

I particularly want to say that cooperative, consistent and efficient management arrangements of water abstraction within the ACT will have long-term benefits on the sustainability of water resources within the ACT.

I thank all of those involved as officials, administrators, scientists and water advisers. I acknowledge the work, going backwards, of the Wentworth Group and others who argued so passionately for the Basin Plan.

I commend this bill to the House.

Mr BUTLER (Port Adelaide) (12:28): The opposition supports the Australian Capital Territory Water Management Legislation Amendment Bill 2013. Indeed, this was a bill prepared before the election as part of the implementation arrangements for the Murray-Darling Basin Plan but was not able to be processed through the parliament before the election. I am grateful to the minister for bringing this bill before the parliament, and I think all Australians are grateful for the bipartisan support the Murray-Darling Basin Plan, in its broader sense, has from this parliament.

The opposition do have differences with the government about certain aspects of their implementation arrangements for the plan, particularly their decision to defer $650 million in buyback funding by two years. But the minister is correct that, in its essential elements, this Murray-Darling Basin Plan now has bipartisan support from this parliament. That must be a great relief to communities along the Murray-Darling Basin but also to those in cities such as the one I live in, Adelaide, which had very great concerns, particularly during the millennium drought, about even something as basic as reliable access to drinking water.

This bill deals with a microcosm of the inefficiencies that have bedevilled the Murray-Darling Basin area and the communities that live within it for decade upon decade upon decade. Australia has been trying to deal with those inefficiencies since the Federation debates, since the first meeting of Murray-Darling Basin communities or, should I say, Murray-Darling Basin governments in 1915 and, as we all know, in the very difficult debates that have happened over the last several years, to arrive at the place where we are now.

The minister has outlined the impact of this bill. I do not intend to belabour the point, but what it essentially does is allow the ACT to discharge its water abstractor obligations under the Murray-Darling Basin Plan and deal with some of those inefficiencies that have been in place for the best part of 100 years, since the community of Canberra was founded. It finally deals with those inefficiencies in a way that will ensure that New South Wales, the
Commonwealth and the ACT are able to discharge their obligations under this watershed plan.

Ms BRODTMANN (Canberra) (12:30): Water management in the ACT is an issue that I am particularly passionate about. That is why I spoke on this legislation, the Australian Capital Territory Water Management Legislation Amendment Bill 2013, in June of this year and that is why I am taking the opportunity to speak on it again today.

The ACT has some spectacular waterways. However, as is often the case in cities, sometimes these waterways have suffered with the urbanisation of their surrounds. Since my election in 2010, I have campaigned for the better protection and restoration of Canberra's waterways. In particular, I have advocated for the development of a wetland area in the Lake Tuggeranong catchment area. The beautiful Lake Tuggeranong is the heart of the Tuggeranong community. From my electorate office, I see people using this lake every day, walking or running around it, using the parks on the shores of the lake. However, I join many residents of Tuggeranong in my concern for the lake's wellbeing.

That is why I have supported a community initiative for the restoration of the ecosystems of the Tuggeranong catchment. That is why I am a regular at the 'clean up Lake Tuggeranong' sessions—one was held just recently, and we pulled an enormous amount of debris out of the lake—and that is why I take great joy in the Great Carp Catch of the Tuggeranong Festival, hauling out dozens and dozens of hideous carp to protect the Lake Tuggeranong ecosystem. The Tuggeranong catchment project will encourage and empower the community to become directly involved with the restoration of the lake through activities such as clean-ups and tree plantings. The project also has the long-term aim of developing a wetland area by the lake, which I know would be a huge benefit to the community and to the environment of Tuggeranong.

The bill we are debating today is an important step in the water management of the ACT. It will enable the ACT to complete its responsibilities under the Murray-Darling Basin Plan. For over a century, the Murray-Darling Basin has not been managed with a basin-wide approach; rather, it has been managed state by state, catchment by catchment. This has resulted in environmental degradation, a lack of resilience and an ongoing uncertainty for basin communities.

October 2010 saw the Murray-Darling Basin Authority, set up by the former, Labor government, release the draft Basin Plan, which was heavily criticised by those opposite at the time. The report made it clear that we needed a new way to manage the Murray-Darling Basin and highlighted the poor approach taken by the Howard government. Labor undertook a comprehensive consultation process, working with the basin states and the communities that rely on these rivers, like those in Albury-Wodonga, Echuca, Swan Hill, Mildura, Renmark, Murray Bridge, Goolwa and other towns and population centres right along the basin, because Labor know that our farming communities have a proud history of sustainable farming, with an outlook to protecting our natural environment.

The Basin Plan acknowledged that environmentally sustainable limits on the quantities of water that may be taken from the basin needed to be in place not just in a local or state based setting but nationally. An efficient water trading system right across the basin, from Queensland through New South Wales and the ACT right down to South Australia and Victoria, was needed. We needed to ensure that water quality and salinity objectives were put
in place and then met year in, year out. Throughout the development of the plan we acknowledged that we needed strategies in place to keep the social and economic fabric of our rural and regional towns strong while also achieving the plan's environmental outcomes. After an extensive consultation period, the 43rd Parliament, in a moment that brought together environmentalists, rural communities, farmers and small-business operators, made the Basin Plan Australian law, guaranteeing that 2,750 gigalitres of additional water will be returned to the Murray-Darling Basin.

The bill we are debating today is a legacy of Labor's reforms and is vital for ensuring the ACT government can fulfil its obligations under that plan. The Murray-Darling Basin Plan requires that the ACT prepare a water resource plan that covers all of the territory's water resources, as well as Googong Dam. However, currently, the management of water on national land in the ACT is a Commonwealth function and is not managed by the ACT government. This bill amends the act which regulates the management of land in the ACT so that the abstraction of water on national land is no longer managed by the Commonwealth government and can be managed by the ACT, consistent with the Basin Plan. This bill therefore enables the ACT government to take full responsibility for the management of water within the territory and enable an end to the peculiar and inefficient system that currently designates the management of water on territory lands to the ACT government and water on national lands, such as the Googong Dam, to the Commonwealth.

Cooperative, consistent and efficient management arrangements for water extraction within the ACT will have long-term benefits on the sustainability of water resources here in the territory. However, this bill is about more than water. By giving this responsibility to the ACT government, this bill is further recognition that the government of the ACT has well and truly come of age. The ACT achieved self-government in 1988, and I was privileged enough to work for our first Chief Minister, Rosemary Follett, shortly after that. It was a privilege to be a part of the unfolding of self-government in the ACT, and it has been a privilege to watch the ACT Legislative Assembly mature over the last 25 years.

In 2011, I was proud to be a part of this parliament and part of the Labor government when we passed laws to remove one of the final and most significant barriers to ensuring the democratic rights of the citizens of the ACT and Northern Territory. That was the Territories Self-Government Legislation Amendment (Disallowance and Amendment of Laws) Bill 2011, which removed the ability of federal parliamentarians to veto the laws made by the ACT government. This was an important step for ACT self-government, and so is this bill we are debating today—handing the important role of water management in the ACT to the ACT government, where it rightly belongs.

For over 25 years, the Legislative Assembly has been making laws for the peace, order and good governance of the ACT. It has grown to be a mature, stable chamber which is accountable to its constituents. As former Chief Minister of the ACT Jon Stanhope said:

From ambivalent beginnings, self government is now firmly embedded in the consciousness of our community. The ACT, through its stable government and mature parliament, has embraced the social responsibilities with which it is charged. On average, Canberrans are among the healthiest, best educated and most prosperous in Australia. We are just, free and relatively free of prejudice. We have grown in population terms and as an indispensable presence in our region. We have also grown as a community, a vibrant and engaged polity, and increasingly we are recognised as such by a nation whose capital and seat of government we are proud to uphold and sustain.
This is a significant moment for me to be speaking in this place about territory rights. As members will be aware, tomorrow the High Court will hand down its ruling on whether or not the ACT’s same-sex marriage laws are inconsistent with the federal Marriage Act.

The Commonwealth has argued that the 2004 Howard government amendments to the federal Marriage Act to define marriage as being between a man and a woman in order to prevent same-sex marriage make it clear—

Dr Stone: Mr Deputy Speaker, I raise a point of order. I ask that the speaker return to the topic of this debate. It is not about same-sex marriage.

The DEPUTY SPEAKER (Mr Craig Kelly): This is a bill for Australian Capital Territory water management, and I would ask the member to refer to the bill.

Ms BRODTMANN: I have been referring to the bill, Deputy Speaker. This is about territory rights, and that is what I am discussing now.

They made it clear that marriage is between a man and a woman and there is no room left for the states and territories to pass laws about same-sex marriage. The ACT has argued that the 2004 amendments actually narrowed the Commonwealth law. The Commonwealth law now only deals with heterosexual marriage, so it leaves room for a state or territory to pass a law on different forms of marriage. The ACT law would therefore be able to sit side by side with the federal law.

I am no constitutional expert, so I can in no way guess or pre-empt the High Court’s decision tomorrow. However, as a supporter of marriage equality and of self-government, I hope that tomorrow’s decision upholds territory rights. ACT Labor has taken a policy of marriage equality to every election since 2001 and has won government each time. Tomorrow we will learn a great deal about the rights of the ACT to make laws for its citizens. Water management is—

Mr Hunt: Mr Deputy Speaker—

The DEPUTY SPEAKER: Order! I call the minister.

Ms BRODTMANN: I am making concluding remarks, Mr Deputy Speaker. It is about territory rights.

Mr Hunt: Are you? If you are concluding—

The DEPUTY SPEAKER: The member for Canberra has the call.

Ms BRODTMANN: Thank you, Deputy Speaker. Water management is a very important responsibility, and the ACT government has well and truly demonstrated that it is mature enough to manage this responsibility. Not only is this bill an important milestone for our environment; it is an important milestone for the ACT and territory rights, and I commend it to the House.

Dr LEIGH (Fraser) (12:40): It is my pleasure to rise to speak on this important piece of legislation, which ensures that the ACT has the necessary powers to control the management of the Googong Dam. The Australian Capital Territory Water Management Legislation Amendment Bill 2013 enables the ACT to prepare Murray-Darling-Basin-Plan-compliant water resource plans when current ACT water resource plans expire at the end of 2014.

Canberrans know the importance of the Googong Dam, a resource that ensures that we have water sustainability but also a great recreational resource for Canberrans. It was my
pleasure to attend the official opening of the Googong Dam and to have the opportunity with many Canberra families to walk behind the dam wall. It is an impressive piece of construction. I pay tribute to the many construction workers and engineers who were involved in bringing it about. The Googong Dam also has recreational facilities—sailing, boating and mountain biking—and a range of short and long walks, allowing Canberrans to enjoy this beautiful part of our neighbourhood.

I am also pleased to rise to speak on this bill because of its importance in ensuring that the Murray-Darling Basin Plan can be realised. The Murray-Darling Basin Plan is a great tribute to the former Minister for Sustainability, Environment, Water, Population and Communities, the member for Watson, and his hard work with local communities. That hard work saw the Basin Plan passed through this House with just a handful of fringe members opposing it. Among those were some members of the Nationals and the Greens.

The Nationals I can forgive, perhaps. Their view was that the Murray-Darling Basin Plan was fundamentally flawed and that we should not be engaging in such a buyback, restoring water to the Murray-Darling Basin. The Greens, however, I find it harder to forgive. Their view was that somehow, if the plan were voted against, a better plan might magically come along. I think that was wishful thinking indeed. The Murray-Darling Basin Plan restored nearly 3,000 gigalitres of water to the Murray-Darling Basin and was a vital achievement.

This bill will ensure that the abstraction of water on national land is not managed by the Commonwealth government but is managed by the ACT government, and that, I think, is as it should be. The pressures that have been placed on the National Capital Authority at times have been significant. This is an appropriate role for the ACT government. It recognises, as my friend and colleague the member for Canberra has noted, that the ACT Legislative Assembly—an assembly which has taken nation-leading steps on same-sex marriage and whose size should, I believe, be increased—has come of age. I commend the bill to the House.

Mr HUNT (Flinders—Minister for the Environment) (12:44): I thank all of the speakers for their contribution to the debate on the Australian Capital Territory Water Management Legislation Amendment Bill 2013. I note that some took an excursive route in order to get back to the topic of water resource management within the ACT, but I commend the bill to the House.

Question agreed to.
Bill read a second time.

Third Reading

Mr HUNT (Flinders—Minister for the Environment) (12:44): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.
Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013
Second Reading

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (12:45): I present the explanatory memorandum to this bill and move:

That this bill be now read a second time.

The Indigenous Education (Targeted Assistance) Amendment Bill (No.2) 2013 makes administrative amendments to the Indigenous Education (Targeted Assistance) Act 2000. The IE(TA) Act enables targeted education funding to provide valuable additional support to Indigenous students. All children, but particularly disadvantaged Indigenous children, need access to a proper education. This bill ensures that the government can continue to deliver targeted education programs to Indigenous students through IE(TA) programs, including programs that have a clear focus on supporting the government's priority of increasing school attendance for Aboriginal and Torres Strait Islander students.

The bill addresses changes from the 2013-14 budget resulting in IE(TA) being administered as an annual appropriation rather than a special appropriation. This change to the funding mechanism better aligns IE(TA) programs and payments with other similar payments and provides greater transparency and accountability.

The amendment enables the Minister for Indigenous Affairs to enter into funding agreements with service providers from 1 January 2014 for targeted education programs delivered under the IE(TA) Act. The Australian government is committed to working with the states and territories to ensure that right around Australia Indigenous children go to school. This bill reconfirms our commitment to increasing school attendance and employment opportunities for Aboriginal and Torres Strait Islander students, families and communities through the delivery of targeted programs.

Mr SNOWDON (Lingiari) (12:47): My electorate is Lingiari, and 40 per cent of my constituents are Aboriginal people. My electorate has the poorest educational outcomes in the country. The Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013 is important. It is important that we acknowledge the deficit that exists in Aboriginal and Torres Strait Islander education in this country, but, most particularly from my perspective, the deficit that exists in my own electorate.

I say this in the context of investments which were made by the Commonwealth over the course of the last parliament for a Stronger Futures package, where a considerable amount of money was put aside for the next decade for special, additional education funding for the Northern Territory government. As part of this process the Commonwealth put in resources for employing an additional 200 teachers and for the provision of in excess of 100 teacher-housing units in the bush. This, of course, is vitally important because unless and until we get highly motivated, highly professional, well-trained teachers in the bush we will not get the outcomes we are after. There is no doubt, of course, that education is about a lot more than teachers. It revolves around the community, the parents, the family and the conditions in which they live. And poverty is a key determinant of educational outcomes. We know that in the context of the Northern Territory many Aboriginal people live in abject poverty.

The importance of this legislation cannot be overstated, but at the same time as we are talking about targeted educational assistance here in the federal parliament, the Northern
Territory government are in the process of pulling out $250 million from education over the forward estimates—$50 million next year. So, at the very same time as they are accepting additional resources from the Commonwealth—at the same time as we are talking about the potential for targeted assistance programs for Aboriginal students in the Northern Territory—the Northern Territory government are trucking the money out the back door by shutting down services.

This is grossly irresponsible. It is irresponsible for a range of reasons—not the least of which is its abject dishonesty when it comes to working with the Commonwealth in advocating for and looking after the interests of Aboriginal people and Aboriginal students in the Northern Territory. There is absolutely no excuse for the Commonwealth accepting the proposition that, at the same time as we are talking about targeted assistance programs, the Northern Territory government can withdraw its investments in education. It is not consistent. It is illogical and it is wrong.

So I hope that the minister, when he is talking to the Northern Territory government about the targeted assistance programs and when he is talking to them about the COAG arrangements and the Stronger Futures resources—the additional money going into the Northern Territory—that a condition of that money is that the Northern Territory government maintains and improves its own efforts to get the outcomes that we all want. Because if there is not that condition then we are doing a major disservice and we are being dishonest with the people of Australia. We cannot, in my view, in all good conscience, say to the people of the Northern Territory, including the Aboriginal people in the Northern Territory, 'We care for your educational outcomes. We have these targeted assistance programs but, by the way, we don't mind if the Northern Territory government withdraws its resources from education.' It is a pitiful response from the Northern Territory government, yet they have Aboriginal members of parliament who sit by and watch as the people they represent have their educational opportunities diminished because of the actions of their own government. It is not reasonable, it is not fair and it is not acceptable.

We need to ensure in this place—government and opposition—that the Northern Territory and indeed other state governments are held accountable for what they do for education but particularly for Aboriginal and Torres Strait Islander Aboriginal outcomes. If we do not, not only will we be marked down but also we will not get the outcomes we are after. You cannot, on the one hand, accept that we the Commonwealth—quite rightly and properly—want to invest more resources to get better educational outcomes for Aboriginal and Torres Strait Islander people but, on the other hand, accept that the Premier of Queensland and the Chief Minister of the Northern Territory want to withdraw resources from education. It is not possible. The contradiction, the hypocrisy, is writ large.

There are a range of issues we need to deal with over time in this place on educational outcomes. I am a former teacher in the Northern Territory. My partner is a teacher in the Northern Territory. I understand the implications of poor educational outcomes. We have the Prime Minister talking about being the 'Prime Minister for Aboriginal and Torres Strait Islander Australians' but, if he is the Prime Minister for Aboriginal and Torres Strait Islander Australians, he will hold chief ministers and premiers to account when it comes to these issues.
We hear a lot of words being said in this place about educational opportunities and employment opportunities. What we know is this: unless you get the educational opportunity, unless you get the opportunity to attend high school, unless you get decent outcomes in year 10, 11 or 12, the possibility of you getting a job is almost nil. The possibility of getting access to training programs is nullified. So this investment is very important. It is too trite to just observe. Prior to 2001, when the former Labor government was elected in the Northern Territory, the CLP—the current government of the Northern Territory—disinvested in education in much the same way it is disinvesting in education now. We had then not one Aboriginal community in the Northern Territory where a child could attend year 11 or 12. This legacy was left to the former Labor government to address and try to clean up, which it did, so that now all significant communities of any size have years 11 and 12, and kids are now advancing through the system.

If we have the possibility of schools closing, as a result of decisions made by the present Northern Territory government, those very educational opportunities that we regard as important will not continue. We cannot accept that. We would expose ourselves, quite properly, to the criticism that we just do not care, because if we did care we would hold people to account. We need to make sure that we understand and talk in this place, again, about child and maternal health and early childhood education. There is a continuum here. If you invest in early childhood education you need to make sure you are investing in primary school education and in high school education so that the child who starts preschool will be guaranteed an educational outcome at the end of year 12. At the moment we cannot, because the Northern Territory government is taking money out of education. That is pitiful and a shocking indictment of all members of the current Northern Territory government.

This bill is really important. The Commonwealth must have the ability to provide targeted assistance but, at the same time, it needs to understand that it cannot do this alone. Whilst we hold the purse strings in more than one way, the Northern Territory government is pulling out resources. We need to make sure it is held properly to account. I commend the bill the House.

Dr STONE (Murray) (12:56): I too rise to speak on this most important bill, the Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013. I understand the member for Lingiari's concerns about Indigenous education. As he stated, he represents a very significant proportion of Indigenous Australians in Central Australia. I too represent a significant number of Indigenous Australians, in my electorate of Murray.

The thing that made me very concerned was that during the period of the Labor government student school-retention rates declined, right across the country. They declined in the Northern Territory, all across the eastern states, in both remote and rural areas, and in metropolitan areas. I find that absolutely appalling. It is not right that a developed nation like Australia—a country that boasts having doubled the education budget over the last 15 or so years—stood by and saw, particularly over the last six or seven years, a decline in Aboriginal and Torres Strait Islander retention rates in schools.

The statistics from my own electorate are sad, if not compelling. In 2010, some 6,000 Indigenous Australians were in Shepparton, in my electorate. In year 7, 58 Indigenous people were enrolled in Shepparton in the secondary school system but, by year 12, there was not one. There were no year 12 secondary school Indigenous students enrolled in Shepparton in 2010. You would expect primary students and children still to be there in grade 6, but in
Shepparton we went from 50 enrolled in preschools to only 44 in grade 6, a decline. Some might have shifted away; that could be the case. But it is sad that in the secondary level 58 started in year 7 and none were still there in year 12. That was on Labor's watch, in 2010. So I do not think we can stand up and beat our chests and say that the previous government was amazing and 'What's going to happen from now on in?'

I remind this place and the public of Australia that this is the first time we have had a Prime Minister who has said that he will be the Prime Minister specifically—amongst his other duties—for Aboriginal and Torres Strait Islander affairs. This is a Prime Minister committed to making sure that in Australia we no longer have this extraordinary gap between the life experiences and expectations of our first Australians and those of other Australians. It is not acceptable, and it is not going to be tolerated by this government, which takes its responsibilities towards all of our children very seriously. We take particularly seriously our responsibilities towards disadvantaged children—among whom, unfortunately, are our Indigenous Australians.

The Prime Minister has declared that this government has three main planks in its Indigenous platform: the first and most relevant to this bill is that we will get the kids—meaning our Indigenous children—into school, and we will keep them in school; the second is that we will make sure that there is meaningful work for our Indigenous population—and, as the previous speaker noted, unless you have had a formal education in Australia and have learned functional English, it is virtually impossible to get employment in Australia; and the third plank is a commitment to creating safer communities for our Indigenous Australians.

We are going to make sure that it is not just a case of standing back and saying, 'Look at us; we have thrown more dollars at Indigenous education.' Dollars are not, unfortunately, the answer to the problems in Indigenous education, outcomes and school retention. Dollars are not the answer to the problems in non-Indigenous education and student outcomes either. The introduction of Labor's Building the Education Revolution program, which spent billions of dollars on bricks and mortar, neglected the fact that the most important factors in educational outcomes for students are not bricks and mortar but teacher quality, parental support and the socioeconomic status of the children themselves.

As this bill makes quite clear, we now have to address school retention. We have to make sure that Indigenous students in particular, when they begin their years of formal education, hopefully at preschool level, are supported all the way through and that any issues they have with their health—their development, their hearing, their eyesight or their nutrition—are dealt with at the very earliest age; even, in fact, while their mother is still bearing them in the womb.

We need to make sure that children are not forced into schools—no-one can really force a child to stay in school—but rather that they choose to stay in school because the education offered there is relevant to them and because the teachers and teachers' assistants who educate them are skilled and offer meaningful engagement using the students' first language, whether it be a creole or a traditional first language of our first Australians, if that is what the child presents with at school in the first instance.

I commend to all a report of an inquiry undertaken during the term of the last government by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, where we looked at the languages spoken across Australia by our Indigenous
Australians. We noted that one of the biggest problems associated with lack of school attendance and failing at school was the fact that young remote area Indigenous students who were presenting at preschool level often came with English as a second or third language—or with no English at all—but were taught as if they had arrived with functional Standard Australian English. The teachers were not qualified or experienced in teaching English as a second language. Often there was no respect for or understanding of the fact that the children were arriving to learn with a language other than English. No doubt the parents of some children, in looking at their children's experience, had a terrible historical backward glance at when they were forbidden to speak their native languages. Some of the children who arrive in the preschools and remote Australian schools are not allowed to learn in their first languages; they are taught as if they have English. We know that that is detrimental to the educational outcomes of these young students.

So there is a lot we have to do, and our government will do it because we do not simply yell loudly about trying to change policies which do not work and we do not simply quote budgets and say, 'Look: a lot more dollars spent; it must be okay.' We actually look at outcomes. We are going to carefully measure the school retention rates and educational outcomes of our Indigenous students. How are they going in the NAPLAN scores? How are they comparing with non-Indigenous students in the same remote areas or suburban schools? Are they able to stand toe to toe on their outcomes in maths, literacy and all of the other key parameters which show that a student is succeeding in their school?

As I said at the beginning of my remarks, we have shocking evidence that school retention rates among our Indigenous students are falling. Sadly also, we have data which shows that on almost every front our Indigenous students perform at a level far below that at which our non-Indigenous students perform. IETA funding of programs is intended to achieve equality in the educational outcomes of Indigenous students. We are not being discriminatory. We acknowledge that there have to be special measures for Indigenous students. Such special measures do not trigger the Racial Discrimination Act, because they are forms of affirmative action designed to give support to our minority groups.

As I said, our Indigenous students are underperforming compared to non-Indigenous students. In 2010, the proportion of Indigenous 20- to 24-year-olds who had completed year 12 or equivalent was around half that of the proportion of non-Indigenous students in the 20- to 24-year-old age group. Participation rates in the NAPLAN, the National Assessment Program—Literacy and Numeracy tests, were much lower for Aboriginal and Torres Strait Islander students than they were for non-Indigenous students in 2010. In remote areas participation rates were similar among Indigenous and non-Indigenous students. Of Indigenous people aged 15 years and older, 34.1 per cent reported year 9 or below as their highest level of schooling—in other words, they are probably still functionally illiterate and innumerate and therefore have no hope of getting a job. This 34.1 per cent compares to just 16 per cent of non-Indigenous people of the same age reporting year 9 as their highest level of schooling. About one third of Indigenous students achieved the minimum proficiency level in international tests for science, maths, reading and literacy in 2009 compared to two thirds of non-Indigenous students—so, among the Indigenous, there was half the number of students who achieved minimum proficiency compared with non-Indigenous students. These statistics
are intolerable and unacceptable in a country such as Australia, which declares itself egalitarian, all-caring and all-knowing.

Of course, attendance rates of Aboriginal and Torres Strait Islander students are well below those of other students in every jurisdiction and year level—and, unfortunately, no sustained improvement has been observed over the last 10 years.

So let's be absolutely serious about this. Let's not just take a partisan view and try to beat up on the government of the day and say, 'It's all the fault of the states, so why isn't the Commonwealth beating up on the states?' We have a significant problem in Australia where our teaching quality, our teaching resources and our parental support for our Indigenous students, both Torres Strait Islanders and Aboriginals, is not adequate. It is not anywhere near the standards which non-Indigenous students expect in schools.

I was saddened recently. I was at the graduation in Shepparton of my Ganbina student support group. This is a magnificent program, which began some 17 years ago. Mr Adrian Appo has been the chief executive officer right through the time of that program. He is now moving on to other things. I note in this place the excellent work of Mr Adrian Appo, himself an Aboriginal person, as he has mentored literally hundreds of young Indigenous people in my electorate. He has mentored them, given them a sense of what they might achieve and helped them with special leadership programs. I was saddened when I talked to him about the aspirations of the young people. As they went up on stage to receive their awards, they gave a brief talk. One said, 'I want to go to university.' A second said, 'I want to go to university too. I want to study engineering or teaching.' I said to Adrian, 'Isn't this wonderful?' He turned to me and said, 'Yes, but they won't get there at the moment with their results.' I asked, 'What do you mean?' He said, 'It used to be the case that at Mooroopna and Shepparton high schools, when we talked to the teachers, they said, "Your Indigenous students are underachieving because they're not going to school. Their retention rates are very poor. Their attendance is very poor."' He said, 'Now these students are going to school. They're not missing school. These Indigenous students are there every day, but their results are not significantly improving in many cases.'

We talked together and agreed that the problem is too often that teachers' aspirations or expectations of the students had not changed. Too many students were still not gaining sufficient support in the classroom or sufficient recognition of their deficits as they began each new year level in order to give them special support. So it is not just a case of getting the retention rates up; we also have to make sure that the teachers in the classrooms recognise where extra help might be needed, that they cast away their stereotypes about Indigenous students in the classroom and that, if a young person aspires to go to university and she or he is in year 10 or 11, they are actively supported to gain the results they need to succeed in tertiary education—first gaining entrance and then succeeding. I want to commend the Ganbina project for working so well. They have had some stunning outcomes with young Indigenous people from the Murray electorate going on to university, completing apprenticeships, going into small business and exceeding in some very high-tech areas. But, unfortunately, we still have too many in our schools who do not even make it to year 12.

This is a bill which, on the surface, looks like it is just process—it is noncontroversial; it is just administrative—but behind the pure process of this bill is a deeply serious matter: the business of equal opportunity for our Indigenous Australians, our First Australians. This bill
is about making up for the earlier generations of neglect. This is a bill to make up for the stolen children who were removed from their parents, who were supposed to be educated in the broader Australian education system to a point where they could gain useful work, when in fact too often they were taken to institutions, like the Alice Springs institution or the Darwin institution, where their education was ignored. They received next to no education or training except in the most menial of tasks. We have a lot of catching up to do in this country. Our government is committed to that; our Prime Minister is committed to that. I commend this bill to the House and say: let's get away from party politics here—that is just cheap tricks. Let's look at realities. I commend this bill to the House.

Mr NEUMANN (Blair) (13:11): I speak in support of the Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013. Labor is supporting this bill, and I say that as the shadow minister for Indigenous affairs. Yesterday I attended the Australian Medical Association launch of the Aboriginal and Torres Strait Islander Health Report Card titled The healthy early years—getting the right start in life. If members take nothing else away from that report—and I encourage those opposite to read the report—it is this: Indigenous policy cannot be treated in isolation. Health outcomes are linked, inevitably and invariably, to justice outcomes, which are linked to educational outcomes, and so forth. That is why the previous federal Labor government committed itself to closing the gap targets. Each outcome impacts on every other.

The AMA's report made recommendations to improve health and wellbeing of Aboriginal and Torres Strait Islander children in their early years, addressing justice issues and education. Targeted education is essential to improving the lives of Indigenous people. It improves their chances of employment, it improves their chances of avoiding incarceration, it improves their health and it improves their chances of living longer and better lives.

I am aware that this House has seen many passionate debates in recent days about the importance of quality education, but it is important to note that the Labor Party has always been a champion of universal, world-class education. We believe that every Australian student, no matter their circumstances, should have the opportunity to have the best education. That applies to all Australians, Aboriginal and Torres Strait Islander children included. That is why we have demonstrated a strong commitment in the last six years to improving the outcomes of Indigenous students and improving Indigenous learning outcomes.

Since 2008 we have seen unprecedented investment, with more than $5.5 billion through the Closing the Gap framework, resetting the terms of relations between Aboriginal and Torres Strait Islander Australians and non-Indigenous Australians. It is important in terms of improving health, education, housing, essential services, welfare reform, recognition and advocacy, Indigenous languages and art. While I am addressing the last issue, I want to commend, in my own electorate, Annie Clarke for the opening of the Ipswich Indigenous Art and Culture Hub in Collingwood Park at the old Colliers house last Saturday. I was very pleased to see the first performance of the Aboriginal and Torres Strait Islander children at that facility. The kids were from Riverview State School. They were nervous at first but showed tremendous commitment and enthusiasm. I thank them for the way in which they were prepared to be bold in front of a lot of people.

I welcome that particular hub to my electorate. My electorate of Blair has many Aboriginal and Torres Strait Islander People. We have schools in Ipswich North with 40 per cent
Indigenous population. Riverview State School has about 25 per cent Indigenous population. Even the big high schools like Redbank Plains State High School and Bremer State High School have hundreds and hundreds of Aboriginal and Torres Strait Islander students attending. I have seen the benefit of targeted education funding in terms of nutrition programs in schools like Bundamba State Secondary College, which I attended when I was a young fellow.

Under Labor's Better Schools Plan every one of the 170,000 Indigenous students in schools across the country would have received more funding, extra loading with a sliding scale. Increasing the proportion of Indigenous students in every school will result in increased funding. It is important that we get Indigenous students into preschool, into high school and into university. We have seen universities in my home state of Queensland, like USQ, not just achieving their Bradley target but also dramatically increasing the number of students at tertiary colleges doing education, law and arts.

Contrary to what the member for Murray has had to say in this place we have made progress. We will meet our first close the gap target of ensuring access to early childhood education for all Indigenous four-year-olds from remote communities. We will do it this year. Our historical level of investment under the National Partnership Agreement on Early Childhood Education means there are now more children than ever attending and participating in preschool and early education programs. In 2007, the Council of Australian Governments agreed to six targets for closing the gap between Indigenous and non-Indigenous Australians. These included two education targets. These were to halve the gap in reading and writing and numeracy achievements for Indigenous children within a decade, and to halve the gap for Indigenous students in year 12 attainment or equivalent rates by 2020. We formalised those close the gap targets in a National Indigenous Reform Agreement in 2008 and renewed that commitment in 2012. So no-one should come into this place and say that Labor in government failed in its commitment in funding and its effort of making sure that we close the gap.

Our commitment did not end there. In 2011, as part of the COAG reform agenda we endorsed the Aboriginal and Torres Strait Islander Education Action Plan 2010-14. We committed the Australian government to 55 actions aimed at accelerating improvements in the outcomes of Aboriginal and Torres Strait Islander children and young people.

Every child is different. Every student is different. Every teacher will tell you that. Every parent will tell you that. Every school has its own individual needs. We understand these things, because we spoke to teachers and parents in communities, to principals right across the country, and we continued to engage with them.

Indigenous students often face challenges in their learning environment different from those who might be from a non-Indigenous background or from a CALD background. They require assistance in a range of areas, not just in the Northern Territory and regional and remote areas but in capital cities as well. They require assistance in areas including culture, language, nutrition and health, just to name a few. Most Indigenous people actually live in the major cities of this country and in provincial cities, places like Newcastle, Toowoomba, Ipswich, Logan, as well as the Illawarra and other places. Most Indigenous people in this country live in states like Queensland and New South Wales. We should never forget the Northern Territory and make sure we can assist in any way we can, but it is important to remember that these programs need to be targeted across the length and breadth of this
country as well. We understand that Indigenous students in a classroom in Arnhem Land have
different needs to those Indigenous students in a classroom in Hymba Yumba, a school in
Ipswich close to my electorate.

That is why this legislation before the chamber is really important. It amends the
Indigenous Education (Targeted Assistance) Act 2000. The IE(TA) Act currently provides a
range of targeted Indigenous education programs to assist the education outcomes and
achievement of Indigenous students. The amendments before the House change the funding
arrangements for these programs, collectively known as non-Abstudy payments, from a
special appropriation to an annual appropriation, from 1 July 2014. The bill itself implements
a decision made by the previous federal Labor government in the 2013-14 budget process to
change the way that funding on this particular basis is administered, to secure important
funding for the long-term future. It means that appropriations for non-Abstudy payments are
to be included in annual appropriations acts so that the IE(TA) Act will no longer have to be
amended for each new funding period as currently occurs. It is a sensible outcome and we
support the current government doing that which we proposed before the election.

These amendments are important and significant in that Indigenous students will continue
to benefit from the former federal Labor government's investment in targeted education and
training programs beyond 2014 and well into the future. These programs include the School
Nutrition Program, encouraging and supporting school attendance by providing meals to
school children in Northern Territory communities. It is a program that involves parents and
school communities. And it is working. Between 1 January 2013 and 30 June 2013, 2,972
breakfasts and 5,419 lunches were provided each day to children attending 67 schools. Of the
276 people directly employed by the program, 186 are Aboriginal and Torres Strait Islander
people. It is a very important piece of legislation. An evaluation in 2011 by KPMG found that
there was consistent anecdotal evidence that the program had a positive impact on student
engagement and behaviour, and noted that the program:
… represents a solid platform from which government and communities can build other health and
education initiatives, as well as increase avenues for local employment for community members …
This funding supports Indigenous Youth Leadership programs, offering scholarships and
leadership opportunities to young Indigenous Australians. The IETA legislation supports 200
additional teachers, and the Achieving Results Through Additional Education project, which
encourages and supports school attendance through sporting and recreation activities. The role
of sport in closing the gap cannot be underestimated.

These are successful and effective programs and initiatives of the former federal Labor
government that have been lifting results. We have seen success under this legislation and
funding and it cannot stand alone. If we are going to close the gap in educational outcomes,
we need a range of complementary measures in place to support Indigenous students and
improve learning outcomes. It is vital that we maintain consistent funding so that individuals,
communities and educators can plan to ensure we close the gap that still exists between the
educational results of Indigenous and non-Indigenous students and, to that extent, we have
placed a big emphasis on loading in terms of the Gonski reforms and Better Schools Plan.

Contrary to what the member for Murray mentioned, we are seeing real and measurable
progress towards halving the gap in reading, writing and numeracy achievement between
Indigenous and non-Indigenous students, and our goal is to do that by 2018. Under our
unprecedented investment in closing the gap, we have seen improvement in primary school student outcomes. The 2012 NAPLAN results showed that, from 2008 to 2012, reading improved for year 3 students, with 74.2 per cent of Indigenous students meeting the basic year 3 reading levels, up from 68.3 per cent when the Closing the Gap framework began in 2008. We are seeing more of our young Indigenous people completing year 12 and certificate II equivalency, with the percentage of Indigenous students attaining their qualifications improving to 53.9 per cent in 2011, from 47.7 per cent in 2006. But the challenge remains to lift those outcomes into the future.

The Australian Early Development Index for 2012 showed that Indigenous students are more than twice as likely to be developmentally vulnerable as non-Indigenous children. The latest COAG report showed a drop, sadly, in meeting basic levels of numeracy, down to 72.7 per cent from 78.6 per cent in 2008. So more work is to be done in the future there.

There are some improvements in students’ school attendance. I note that the current government is funding the Cape York welfare outcome for $24.5 million. We funded that as well when we were in government, and we are supporting that and have done so in this parliament. We introduced the School Enrolment and Attendance Measure, known as SEAM, into remote communities, and evaluations have shown that we are seeing better outcomes there.

We can close the gap, but we need to maintain our commitment, and funding is a great demonstration of the need to close the gap. Sadly, and contrary to what the member from Murray said when she talked about carefully-measured outcomes, there is no reference in the current government's ministerial council to closing the gap in the terms of reference. I cannot understand why they established a ministerial advisory council led by Warren Mundine without any reference to closing the gap in the terms of reference. If they are fair dinkum about closing the gap and in terms of Indigenous educational outcomes, you would have thought that getting a good education and better educational outcomes would have resulted in better employment outcomes in the future. Sadly, we have not seen any real commitment on the other side of politics to inclusion in justice targets and disability targets. The member for Murray also talked about safer communities. Well, we would like to see funding for the Safe Communities building blocks with the national partnership agreement entered into by those opposite.

You cannot divorce Indigenous health from Indigenous education. I mentioned the AMA report. It was also mentioned by the member for Murray and of course health was also mentioned by the member for Lingiari. But I urge the government opposite to do what we were proposing to do and were working on—that is, the $777 million national partnership agreement with the states and territories for Indigenous health, because better health for Indigenous young people results in better educational outcomes. I would also like to see those opposite commit themselves to the 10-year Indigenous health plan that was announced and in fact launched by the member for Lingiari as Minister for Indigenous Health when we were in government.

If we are to close the gap in education, we need those types of measures undertaken by the current coalition government. I do urge them to commit themselves to Labor's Better Schools Plan funding. It is so crucial, as I referred to before. It is simply not good enough to write blank cheques from Canberra to the states without any conditionality in terms of that loading
for Indigenous young people and Indigenous schools. It is not good enough for the Prime Minister to offer a hollow promise on Indigenous loading without any explanation about its delivery and making sure that Indigenous students receive the support they need and deserve. Our Indigenous students deserve better than simply a blank cheque from the current government and no commitment by the states and territories to roll it out.

We have seen in the Northern Territory, as the member for Lingiari mentioned, cuts to education funding. We have also seen that in my home state of Queensland under the current LNP government; it seems they cannot find a program they do not want to axe, or a public servant they do not want to get rid of. So that is what is happening in Queensland and the Northern Territory. I hope those in this government, who have raised the bar in terms of its rhetoric—certainly by the Prime Minister referring to himself as the 'Indigenous Prime Minister'—will match our commitment when in office and provide the kind of funding that is necessary.

I support this legislation. The Labor Party supports the legislation. It is a good step that the coalition has seen fit to introduce this legislation into the chamber. But we deserve guarantees from those opposite in terms of Indigenous funding. If we want good-quality educational outcomes for Indigenous people, to lead a pathway away from Indigenous disadvantage, the other side of politics, now in government, need to match their rhetoric with the reality of funding.

**Mr Wyatt (Hasluck) (13:28):** I rise to talk on the Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013. As we consider the proposition, I want to quote Nelson Mandela. He said: ‘Education is the most powerful weapon which you can use to change the world.’ Equally, education and the acquisition of skills in literacy and numeracy, and an understanding of the globe on which we live and our role within it, are important steps in the transition from a cycle of welfare dependency or from levels of disadvantage into the opportunities that are so well founded within our own economy.

What I like and strongly endorse in this bill is that funding is now guaranteed.

In my electorate I serve on two school boards. One, Yule Brook College, has an emphasis on community engagement. It has a number of programs, but when there is uncertainty about the funding then they have to make decisions as to whether there is continuity in that program. When you do not have continuity there is a sense of whether we continue to provide that level of support, the fact being that there is no guaranteed funding that goes beyond the scope of the annualised allocation that is often a hallmark of these particular sets of programs. Each of the programs has been designed over a period of time.

The Abbott government is committed to improving outcomes for Indigenous Australians and is strongly supportive of the propositions that came out of the National Indigenous Advisory Council meeting, chaired by Warren Mundine, which I had the privilege of attending in an ex officio capacity. The debate the members of the committee had was around the fact that if we want to bring change we have to focus on school attendance, literacy, numeracy and educational attainment. Part of the advice the council gave the Prime Minister was on the strengthening of the commitment to educational outcomes. In those discussions there was also a plea and advice that COAG needed to join states and territories to work towards addressing the disadvantage within education.
If we take the politics totally out of this and we rely on the COAG reform report, we see that there are areas in which we have not made significant gains—not to the extent that you would expect and would anticipate. In 2006 I was on a committee with Fiona Stanley in which we surveyed 4,000 Aboriginal children and their families in Western Australia. Four reports were produced, one being the report on education. The education report fundamentally said that all of the programs that were provided had beneficial derivatives with respect to the community and to the needs of Aboriginal children but the educational attainment was not delivered in a way that you would expect over three decades.

One message that came through very clearly was the lack of continuity in funding. The uncertainty in planning each year for the programs that were required to make a difference, including, improving attendance and engaging with the community, meant that developing and designing programs in concert with the community was a missing ingredient.

In proposing the amended changes to the act, the minister is giving schools, such as the ones in my electorate that have large Aboriginal enrolments—Sevenoaks College, Yule Brook College, Guildford Grammar, St Brigid's College, La Salle College and Thornlie Senior High School—the certainty they need to have the capacity to design a course of study and programs that are interventionist but at the same time build on the learning foundation that is required in the pathway to lifelong learning.

It is disappointing sometimes when we politicise the debate, because the education of any child in a society, and in this instance Aboriginal and Torres Strait Islander children, is the responsibility of all of us. It is the responsibility of every jurisdiction to ensure that we do not have gaps that leave people at a level of disadvantage that does not allow them to participate in the workforce and be part of the economic opportunities that will prevail for them.

The Abbott government is totally committed to ensuring that the gap in education that exists now is addressed and that the initiatives of all previous governments are built upon. But we also have to examine what the opportunities are for change and reform that will make a difference.

If we do not improve the literacy and numeracy we do not create the journey into the higher education pathways and we do not create the journey into the employment industry. When I talk with companies in Western Australia about employing young Indigenous males in the mining sector—the focus in these discussions was on males but there are key initiatives to encourage young Aboriginal women to become part of the mining and resource sector workforce—two things were always stated. One was the educational attainment level in terms of literacy. Literacy is absolutely important in the workplace in terms of occupational health and safety.

The second was around the health issues. I recall that from the early 1980s until 1985 some work was done showing the nexus between health and education. They are interrelated. There was a need to ensure that we addressed both equally. Without literacy your health does not improve. The WA child health survey showed that if a girl left school at year 10 she was likely to exhibit harmful behaviours when she was pregnant. Substance abuse would not cease. Some of the judgements around looking after a child in utero were problematic.

If they exited year 10 but went into year 11, they made some more discernable choices. So education is an influential factor that is absolutely critical to the early years of life. More
importantly, those who exited year 12 showed that they did have the capacity to make informed choices. They ceased all harmful substances. They made sure they looked after themselves. In the process, when their children started to go to school, they engaged them in education.

But one of the frustrations that I have often seen in the education arena is the establishment of targeted programs that cease at the end of 12 months. That means that, in the context of a working environment, when you are planning you cannot give certainty to continuity. From the discussions that I have had with him, Minister Scullion's thinking is that it is about a commitment to continuity and to reliable funding that will enable schools to better plan educational opportunities. It is about making sure that the targeted funding makes a difference in the educational pathways and opportunities offered.

I would hope that all political differences will be set aside in the debates that we have on education and that, regarding Indigenous students in this nation, we enjoin and make sure that the continuity of programs becomes the underlying factor. This will enable educators and teachers who are totally committed and passionate and a driving force behind children in their classrooms achieve literacy and numeracy outcomes to be supported by knowing with a high degree of certainty that they have the required level of funding. When you have that certainty, you can plan for three, four or five years.

Having been on the staff of a school, I know that when you have certainty of funding, from both the state and the Commonwealth, you are able to project your thinking forward regarding the initiatives and the programs that you provide. Your ultimate goal as a teacher is always to give the children you teach a very rich tapestry of learning and experiences that build on the foundation of what they require to be successful not only in the year that you teach them but in the following years as they progress through each stage of schooling. This bill proposes to give that certainty.

Without education, you cannot make an impact on the distinguishing differences caused by the social determinants that impact on any individual child or family. When you are equipped with the power of education, then you can make choices and can understand the opportunities and avenues opened for you to access not only government services but employment opportunities in the long term that generate your own wealth such that you do not require intervention. I hope that by the end of this decade the work that all of us do in this parliament with respect to targeted educational programs will change those incredible gaps that have been and are reported so frequently. The benefits that will be derived from giving continuity and assurance to the education systems in both the government and non-government sectors will mean that the gaps will be tackled in a way that makes a difference.

All of us have had some incremental success. Over the last 20 years, change has happened. But it has not been sufficient. The COAG reform council's report indicates that attendance is critical. I acknowledge the thinking of Minister Scullion regarding the work that he intends to do on truancy and school attendance. Certainty will come through this amendment bill. Schools will know with certainty what resources will be available to them to use to engage individuals. In five years, that will enable COAG to produce a report that will show that there is substance to what we are agreeing to and endorsing.

That difference will be the beginning of a journey for many young people across this nation. It will enable them to stand as equals among their peers and be equal in the
opportunities available to them. It will enable them to stand as equals in being capable on merit to gain opportunities in workplaces, in further studies and wherever their aspirations take them. On that basis, I commend the bill to the House. I support the intent of Minister Scullion and Minister Pyne in putting forward this amendment bill.

Ms BRODTMANN (Canberra) (13:42): The Indigenous Education Targeted Assistance Act is an important act. I was pleased to have the opportunity to speak on it in May this year and I am pleased to speak on it again today. The amendment bill that we are talking about today enables the delivery of programs that complement mainstream schooling, programs that encourage and reward improvements in school attendance, behaviour, academic achievement and effort. The amendment bill that we are debating today gives effect to the decision of the previous Labor government to better secure this important education funding for the future. The bill reflects Labor's ongoing commitment to ensuring that Indigenous students are supported in their school setting so that they are best able to achieve their potential and to ensure that the significant gap that still exists between the education results of Indigenous and non-Indigenous students is closed.

The amendment bill will ensure that Indigenous students will continue to benefit from Labor's investment in targeted education and training programs beyond 2014 and well into the future. This change to the funding mechanism better aligns the programs under the act with similar payments and provides greater transparency and accountability.

If we are to close the gap between the education results of Indigenous and non-Indigenous students, we must have continued investment in programs that we know can lift results. That is why it is so important for the Abbott government to honour its commitment to Labor's education reforms and to commit to the Gonski model of school funding that guarantees extra funding and extra loading for every Indigenous student across this country, no matter what school they attend.

I have witnessed in my electorate of Canberra how such targeted complementary programs such as those that are funded under the act can have a significant impact. In my electorate of Canberra there is a wonderful school called Richardson Primary School. About 20 per cent of the students at Richardson are Aboriginal or Torres Strait Islander. This is the highest percent of Aboriginal and Torres Strait Islander students at any school in the ACT. The community of Richardson Primary School proudly celebrates its Aboriginal and Torres Strait Islander identity and culture, as does the whole of the Canberra electorate. Richardson Primary School embraces the inclusion of all Indigenous Australians in the school community and supports their hopes and aspirations.

The DEPUTY SPEAKER (Hon. BC Scott): Order! The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour and the honourable member will have leave to continue her remarks at that time.

STATEMENTS BY MEMBERS

Keller, Mrs Trish, OAM

Ms BRODTMANN (Canberra) (13:44): Canberran Trish Keller OAM retires this week after a distinguished career as an educator and primary school principal. Trish has been the principal of Giralang Primary School since 2007 and was the principal of Narrabundah Primary School from 2000 to 2006. During her time at Narrabundah Trish set up the
innovative Koori classroom, a place where Indigenous students, parents and community members could feel comfortable and where other schools could learn about Indigenous culture.

Another of Trish's Narrabundah projects was to get local businesses to provide food for students whose families were unable to give them breakfast. Trish has always believed in making the school an integral part of the community and has worked hard to achieve equity and excellence for vulnerable groups.

Trish was awarded the Order of Australia Medal in 2006 for service to the community. She is the ACT President of the Order of Australia Association and was involved in establishing the school-based Student Citizenship Awards program.

Trish has nurtured a caring and inclusive environment at Giralang primary. She developed the school's unique relationship with the Rats of Tobruk Association and the special opportunities that has created for the association and the school.

Trish is involved in a number of organisations outside of education, including the Friends of the National Arboretum and the Friends of Opera. She has made a special contribution to the Canberra community and I wish her a very happy and fulfilling retirement.

**Barker Electorate: Kingston SE**

Mr PASIN (Barker) (13:46): I rise to recognise the community of Kingston SE, in my electorate of Barker, for being awarded the title of the Tidiest Town in South Australia. Kingston SE is a very picturesque coastal town in the south-east region of South Australia. Last month it won the state KESAB Award after being named South Australia's Best Medium Town for the second consecutive year. Kingston was also presented with awards for Best Community, Environmental Sustainability and Community Action and Partnership. I am pleased to note that Mundulla, which is also in my electorate, was named Best Small Town in the same KESAB initiative.

Kingston is now in the running for the title of Australia's Most Sustainable Community, which will be announced early next year. This is a tremendous achievement for the wonderful community of Kingston SE, especially given the town endured a mini-tornado in August this year. I am very pleased for the local residents of Kingston, whose sense of community spirit and local pride is to be admired.

The KESAB award is timely recognition of the range of sustainability works that the Kingston District Council and community groups have been doing, including the use of reclaimed water along the local foreshore. Congratulations to Mayor Evan Flint and the entire Kingston SE community.

**Ayaan Mohamed**

Mr MARLES (Corio) (13:48): Viewers of *The Project* last night were deeply moved by the case of Ayaan Mohamed, a young woman from Somaliland in Somalia who has a serious facial disfigurement because of a gunshot wound incurred as a child during the war in Somalia. Now, through Aussie generosity, facial reconstruction surgery in Australia has become a real possibility, with this surgery and the passage to Australia being offered to Ayaan free of charge by Brisbane's Wesley Hospital and the Rotary organisation. But Ayaan has been denied a short-term medical visa by the Abbott government to come to Australia for this life-changing surgery.
Now, at our best, the Australian identity is characterised by compassion. To be sure, running an orderly migration program is very difficult—but facing up to this challenge should ultimately be driven by compassion rather than being the reason for shunning compassion. For if we allow this to be, we deny the very essence of what it is to be Australian and in the process we deny our fundamental humanity.

In this instance the refusal of Ayaan’s visa application also denies surgeon John Arvier and the Wesley Hospital in Brisbane, along with the wonderful people of Rotary, the opportunity to give expression to their idea of what it is to be big-hearted Aussies and help Ayaan. So, as it stands, Minister Morrison, this decision makes no sense. It appears profoundly unfair and it needs to be reconsidered.

**Brisbane Electorate: Institute of Modern Art**

Ms GAMBARO (Brisbane) (13:49): I would like to take this opportunity to shine the spotlight on an emerging icon in the Brisbane contemporary arts scene. Established in 1975 the Institute of Modern Art in Brisbane's Fortitude Valley is one of the key contemporary art institutions in Australia. For almost 40 years it has presented the work of important artists from Queensland, Australia and beyond. It has supported and sustained the careers of key artists including Robert MacPherson, Tracey Moffatt, Gordon Bennett, Vernon Ah Kee, Michael Zavros, Eugene Carchesio, Scott Redford and Judy Watson. It has also operated as an incubator for emerging artists. It interfaces with galleries, museums and universities throughout Australasia, touring and jointly producing exhibitions. It is highly respected and is the only space of its kind in Queensland.

Next year there will be a change of director, as Robert Leonard is leaving after eight years in the role to become senior curator at City Gallery, Wellington. Robert will also curate New Zealand’s representation at the Venice Biennale in 2015. It is of note that of the 19 applicants for the new director position 14 were international, reaffirming the very high reputation the IMA maintains within the global contemporary arts scene.

The new directors of the IMA will be Aileen Burns and Johan Lundh from Canada and Sweden respectively. They come from the Centre for Contemporary Art in Londonderry, Northern Ireland, where they have just hosted the Turner Prize. I wish them all the very best.

(Time expired)

**Early Childhood Education and Care**

Ms PARKE (Fremantle) (13:51): Pay and conditions in the early-childhood education sector, in an industry overwhelmingly made up of committed female educators, are manifestly inadequate and have been held down through the kinds of factors that create the gender pay gap in Australian society as a whole. The Labor government took the first step to addressing this inequity in recognising that early childhood educators have absolutely earned a modest but important increase in their remuneration for performing one of the most important roles in our society. Only last week the Prime Minister said in question time that he would honour the provision of $300 million by the Labor government for the purpose of improving pay and conditions for childhood educators. I know that at that point many workers in my electorate breathed a sigh of relief that common sense and fairness had won out. This week, unfortunately, that commitment by the Prime Minister has gone onto the pile of broken promises that includes Gonski. The coalition is asking those hardworking women to take the
coins back out of their pockets and purses. At the same time as the Abbott government is giving back the fair contribution of mining profits to the massively profitable mining companies and at the same time as the Abbott government is giving back the contribution big polluters pay to help address the climate effects of their pollution, the Abbott government is asking poorly paid childhood educators to hand back a small pay increase in the shadows of Christmas. I pay tribute to the Big Steps campaign, and we will continue the effort to achieve professional wages and conditions for early childhood educators.

**Forrest Electorate: Relay For Life**

Ms MARINO (Forrest—Government Whip) (13:52): I rise to congratulate the teams, volunteers, supporters and sponsors and the organising committee who took part in the record-breaking 2013 Cancer Council Relay For Life Bunbury-Southwest, which raised more than $485,000. In terms of funds raised, the Bunbury event is Australia's biggest regional relay and has now become the second biggest overall. In total the local relay has raised more than $2.6 million in 11 years for cancer research and assisting regional cancer patients and their families. The annual celebration of teams at Payne Park was a wonderful way for the event to cement itself as the city's most supported community fundraising occasion. A new Australian record was also set by grand champion fundraising team the Summit Stars. Summit Realty South West raised $101,050 to continue their extraordinary commitment, which has raised more than $500,000 over 10 years. This year the highest fundraising double team was Bunbury Toyota—Racing For A Cure, with $43,450. Money Makers had the highest amount for a single team, with $40,028. I am very proud to be a supporter and sponsor of this truly remarkable community event, which so many people hold close to their hearts. With the colourful costumes, the decorated tents, the live music and family-friendly attractions over 24 hours, it is a wonderful way to remember loved ones.

**Throsby Electorate: Youth Connections Program**

Mr STEPHEN JONES (Throsby) (13:54): I want to brief the House on the great work of a local education training, and employment organisation in my electorate of Throsby, Access Community Group. In particular, I want to talk about the success of the nationwide Youth Connections Program. Youth Connections has provided assistance for over 30,000 disadvantaged young people between the ages of 13 and 19, helping them break down the barriers to education or entering the workforce. In the Illawarra and Southern Highlands, Access Community Group has served over 350 young people in the program, with 223 reported to have successfully re-engaged in education or employment. One of these kids was Jeremy, who was referred to Youth Connections for not attending school for almost two years because of family breakdown and bullying by classmates. Jeremy had a long history of running away and used drugs and alcohol to cope. He engaged in criminal behaviour to get basic items like food and clothing. But after getting one-on-one attention and support from his Youth Connections case manager, Jeremy was supported to enrol in Wollongong Flexible Learning Centre to complete his studies. Ongoing contact shows that he is attending regularly and doing well, with a goal of going to TAFE to study hospitality and become a chef, like his dad. The former Labor government funded Youth Connections to run until December next year. However, there is no commitment at this stage from the coalition government to re-fund Youth Connections—a shame considering the hard work and fantastic results the program is
achieving in communities across Australia. I strongly encourage the government to continue funding the program to deliver real assistance for kids like Jeremy.

**Braddon Electorate: Mount Lyell Copper Mine**

Mr WHITELEY (Braddon) (13:55): This week was a very sad week in my electorate of Braddon. I want to focus my comments this afternoon on the township of Queenstown and the west coast community of Tasmania. Tragically, earlier this week, on 9 December, two miners at the Mount Lyell copper mine in Queenstown—Craig Gleeson, 45, and Alistair Lucas, 25—died as a result of the injuries they sustained in a fall while doing their job. These men were maintenance workers who had been standing on a platform 600 metres below ground level, on level 18 in the main shaft, before they fell. Both men have young families, and my heart goes out to their loved ones at this unbelievably painful time. The west coast is a tight-knit community that will always stand side by side at times like this. As one friend, Craig Richardson, said in the media yesterday, 'We have to bond together and make sure these families are looked after.' I have no doubt that this will be the case. Both men were an intrinsic part of their community—a respected friend, work colleague and team mate. Mining sites and many industry workplaces can sometimes be extremely unforgiving, and despite every human effort being made to ensure safe workplaces and work practices, accidents still happen. Now is not the time to presume what may have happened. But no words by me—or anyone, for that matter—are adequate at this time to offer comfort to the families. I simply offer them the thoughts and prayers of a supportive electorate.

**Indi Electorate: Yackandandah Township**

Ms McGOWAN (Indi) (13:57): I rise to congratulate the people of Yackandandah on winning a place in the Guinness book of records. On Saturday 7 December 2013 the beautiful township of Yackandandah entered the world stage when they broke the record for the longest bunting line, with a whopping 7.7823 kilometres of bunting—more than three kilometres longer than the previous record. It has been a wonderful community effort for the town of 950 people, who, since June, have gathered together their friends and family to begin cutting, sewing and hanging. I would like to congratulate the Yackandandah Primary School, Yackandandah Community Education Network, Yackandandah Garden Club, and Yackandandah high street businesses, as well as Beechworth High School, Osborne Flat Primary School, Appin Park Primary School and the friends of Cafe Derailleur in Wangaratta. Congratulations to the visionary community leaders, including Lauren Salathiel, Judy Davies, Denis Ginnivan and Kevin Poyner, among others, and to the judges who did the verifying of the results. The last record holder for bunting hanging was the town of Torpoint in the UK. The Yackandandah community have wrestled this record by dint of hard work, community spirit and their tireless dedication to having very good fun. Record aside, they have succeeded in making opportunities for people to come together and make something much bigger than the seven kilometres of cloth triangles, all exactly 19 centimetres by 25 centimetres and hung exactly five centimetres apart on bias binding.

**Banks Electorate: St George Men's Shed**

Mr COLEMAN (Banks) (13:59): This afternoon I would like to congratulate the St George Men's Shed on some of its tremendous activities within my local community. There are more than 1,000 men's sheds around Australia, and they obviously do a whole lot of
A fantastic work is being done right around the country. I have visited the St George Men's Shed in Penshurst on three occasions, and each time I have been taken by the camaraderie that is there and by the great work the people of the men's shed do for the St George region. Recently they have been doing some work for the Carinya School in Mortdale, a school for kids with special needs. They built seating around a large tree in the playground, and this will allow the kids to have sheltered seating—(Time expired)

The SPEAKER: In accordance with standing order 43, the time for members' statements has concluded, and we move to questions without notice.

QUESTIONS WITHOUT NOTICE

Broadband

Mr CLARE (Blaxland) (14:00): My question is to the Minister for Communications, if he is here. I refer to an article in the Australian Financial Review where the minister confirmed that he owns a yacht with the person in charge of the NBN's strategic review, which will be released by the minister tomorrow. My question to the minister—if he were here—is: given this fact, how can we believe anything that this report says?

Mr Truss: I am sure that the Minister for Communications will be able to respond very effectively to the matters raised. But what the Labor Party always need to remember when they are talking about the NBN is their failure to deliver on any of the commitments they have made in relation to high-speed broadband in this country.

Mr Burke: I rise on a point of order, Madam Speaker. I appreciate the situation that the Acting Prime Minister finds himself in, but if he needs to—

The SPEAKER: What is the point of order?

Mr Burke: The point of order is, as you used to raise, Madam Speaker, if he does not know the answer he should sit down. The question can be re-asked now that the minister has turned up for work.

The SPEAKER: There is no point of order.

Mr TURNBULL (Wentworth—Minister for Communications) (14:01): JB Rousselot and I are very flattered to learn that the opposition regards our ancient couta boat as a yacht. It was built in 1923, and it is, in fact, the same age as my father-in-law, who insists, however, that he has more of his original parts than does the boat. JB Rousselot has done an outstanding job in heading the transformation and review at the NBN Co., and I would have thought that the honourable members opposite would have had a little bit more class than to sink to the character assassination practised by Senator Conroy in the Senate committee. It is a low effort to impugn JB Rousselot's ability.

Unlike Mike Kaiser, who was employed by the Labor Party at the NBN Co., JB Rousselot is, in fact, qualified to work at a telco. He has worked in telecommunications for over a decade. He is an engineer. He has a degree from one of the oldest engineering schools in the world, the Ecole Nationale des Ponts et Chaussées—which, as Mr Ripoll would understand is a school of bridges and roads—which was founded by the King of France, Louis XVI. He is a highly qualified individual, and the best that the Labor Party can do is combine with Senator Conroy in a desperate effort to smear the work that is being done on the strategic review. The truth is that the Labor Party have misled, spun and deceived on broadband for four years.
They know that there has been an objective review undertaken by KordaMentha, Deloitte, Boston Consulting Group and leading executives at the NBN Co., and the shadow Attorney-General does not want you to—

Mr Dreyfus: Madam Speaker, had you given me the call, I would have raised a point of order on relevance. The minister strayed well beyond the question, which was about his conflict of interest.

The SPEAKER: The member will resume his seat.

Mr Turnbull: Tomorrow we will see the truth about the NBN. The Labor Party do not want to hear it. They do not want to know how many billions of dollars they have wasted. They do not want to know how many falsehoods they have told. They do not want to know about how distorted a reality they still live in on this great project. The truth will out, and it will be out tomorrow. (Time expired)

Carbon Pricing

Mr Laundy (Reid) (14:05): My question is to the Acting Prime Minister. I refer the minister to an electricity bill from Mr Brett McDonald, managing director of Homebush Export Meat Company in my electorate. It shows his energy costs rising $6,000 each year as a result of the carbon tax. What is standing in the way of the government keeping its election commitment to abolish the carbon tax and reduce energy prices?

Mr Truss (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:05): This example is just so typical of what is happening to businesses right across the nation. The impact of the carbon tax on their costs is costing jobs, it is costing competitiveness, and it is making Australian industry think twice about whether they can invest in this country. The meat processing sector is one of those that is affected perhaps worse than most by the carbon tax because they are hit in so many different ways. Someone like Homebush Export Meat Company is affected as a result of the carbon tax that they pay on their direct emissions. They pay it on their electricity. They pay carbon tax on their gas. They pay carbon tax on their water. They pay carbon tax on their refrigerants. And, of course, if the Labor Party has its way, they will also pay carbon tax on transport. This all makes the Homebush Export Meat Company, like all other meat exporters in Australia, just so much less competitive than they otherwise would be. There was $6,000 on his electricity bill alone. But he would also be paying much higher refrigeration costs for his refrigeration needs. In fact, the unit price for the gas that is used in his refrigerants and his freezers has gone from $129 to $2,492. The unit price has gone from $129 to $2,492 as a direct result of Labor's carbon tax. This is the kind of burden that Australian meat exporters can ill afford and have to try and address.

The carbon tax will be a hindrance to everyone in business until it goes. Unfortunately, we have an opposition that has not listened to what the people have said in their judgement on the carbon tax. This tax has to go. We have a mandate from the people to get rid of it. The Greens and the Labor Party have enough termination notices on their CV as it is as a result of this carbon tax, without resisting the legislation even further. It is time we get on with the task of getting rid of this carbon tax so Australian businesses can be properly competitive.
Ministerial Conduct

Mr GRAY (Brand) (14:08): My question is to the Acting Prime Minister. Given that it is the general practice of Prime Ministers to have and to publish a code of conduct for ministers and members of the parliamentary executive, is it the intention of the government to have a code of conduct, and when will it be published?

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:09): I expect to table the code of conduct at the conclusion of question time, and it will be available on the Department of the Prime Minister and Cabinet website.

Carbon Pricing

Mr PITT (Hinkler) (14:09): My question is to the Treasurer. Will the Treasurer outline the impact of the carbon tax on electricity prices for Queensland families and businesses? What are the impediments to removing the impact of the carbon tax?

Mr HOCKEY (North Sydney—The Treasurer) (14:09): I thank the member for Hinkler for his second question to me this week. He recognises how important it is for the parliament to repeal the carbon tax legislation, to get rid of the carbon tax, and how important it is for Queensland families and Queensland small businesses, because the carbon tax increases the cost of everything. Particularly, it increases the cost of doing business in Queensland.

Over the last two years the average Queensland family has paid more than $300 in carbon tax on their electricity bills. With the carbon tax removal, the typical Queensland household would save $116 next year, and the average family of four would save $174. That would go up to $240 with the abolition of the carbon tax—on just their electricity bills next year. Of course, on average, Australian families would be $550 better off next year with the abolition of the carbon tax.

So why are the Labor Party blocking this? The Labor Party said they wanted to terminate the carbon tax. The legislation is now in the Senate, and the Labor Party are opposing their own policy to terminate the carbon tax. A typical Queensland small business would save $152 next year in electricity prices if we got rid of the carbon tax, if they did not have that burden on their business. And that is just electricity—of course, it flows through to every part of the business. For example, for operators on the Barrier Reef, it flows through to the cost of fuel for their boats. It flows through in tourism to the electricity bills in the hotels, and that then flows through to every hotel bill.

So I would just say to the Labor Party: if you care about economic growth, the best thing you could possibly do at this moment is support the repeal of the carbon tax, because getting rid of the carbon tax, according to Treasury's own modelling, will improve economic growth. So, if you want to grow the economy, get rid of the carbon tax. If you want to help families, get rid of the carbon tax. If you want to help small businesses, get rid of the carbon tax. As we approach the release of the mid-year budget next week, surely the Labor Party will come to realise the best thing they could do for Australians is get rid of the carbon tax.
Automotive Industry

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:12): My question is to the Acting Prime Minister. Holden has just now announced that it will close its doors in 2017. What happens to Holden workers now and others in the car industry?

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:12): About 10 minutes before question time I spoke with the Chief Executive Officer of General Motors in Australia, Mike Devereux, and he informed me of the company's decision, made in Detroit, that they would be closing their operation, or a significant part of their operation, in Australia and New Zealand by the end of 2017. I did not speak about it earlier in the House because Mr Devereux is at this moment addressing his employees and I felt that the employees had a right to hear it from their own management rather than through the media or reporting of question time.

Naturally, like all members in the House, we regret the fact that GM is to phase down its operations in this country. Holden has been an iconic national brand for Australians, a part of our heritage.

Opposition members interjecting—

The SPEAKER: Be quiet on my left. This is an important issue.

Mr TRUSS: It has meant a great deal to Australians over several generations. Many of us have had the pleasure of travelling in and owning Australian-built Holdens, and it is a pity that that will not continue into the future. This government indicated right from the very beginning that we wanted Holden to remain manufacturing cars in Australia.

Opposition members interjecting—

The SPEAKER: There will be silence on my left.

Mr TRUSS: We want to have a strong and active motor-vehicle-manufacturing industry in Australia. We, unlike Labor, do not believe that manufacturing ought to be yesterday's industry in this country. We want, in fact, to see a manufacturing sector that is strong, vibrant, and able to stand on its own feet and make significant contributions to Australia. That is part of the reason we acted to get rid of the fringe benefits tax impost that Labor had imposed. That is why we want to get rid of the carbon tax now so that car making can be more competitive in this country.

On this day, though, we are most concerned about the capacity of those who have been working in this industry—some 1,600 at the Elizabeth vehicle-manufacturing plant and 1,300 at the Holden Victoria plant—who will no longer be employed by that company sometime between now and 2017. The government stands ready to work constructively with General Motors to support these people through this difficult time. We will do what we can, with General Motors, to achieve the very best possible outcomes for these people.

Holden will still have a significant presence in Australia and we want to make sure that their dealers and their employees are supported through this transition. But this is a difficult day for Australians, particularly for the Holden employees. And we will stand with them to work constructively to make sure that they can transition into good jobs in other parts of our industry.
Mr WILKIE (Denison) (14:16): My question is to the minister responsible for emergency management. Minister, every year Australian governments spend a fortune leasing foreign firefighting aircraft like the acclaimed Erickson Air-Crane. Why don’t we establish our own firefighting air force of large specialised aircraft? The Defence Force, for instance, operates hundreds of aircraft, many of which never see operational service. Imagine the good that a dozen or so large specialised firefighting aircraft would do. They could even be profitable by helping other countries in the northern summer.

The SPEAKER: The member asked the question of the minister responsible for emergency management. That is not the minister’s title, but the Minister for Justice has responsibility in that area. Perhaps you might like to address your question to the Minister for Justice.

Mr WILKIE: My apologies, Madam Speaker. I did say, ‘the minister responsible’.

The SPEAKER: No, ask the minister by his proper title.

Mr WILKIE: All right. I direct that question to the Minister for Justice, please, Madam Speaker.

Mr KEENAN (Stirling—Minister for Justice) (14:17): I thank the member for Denison for that question. It is a good question, and I acknowledge that his home state has been subject to very serious bushfires as recently as this year. One capability that we have in Australia to address what is always an ever-present danger is firefighting aircraft. They remain a very important tool for us. We know a lot about this. We have been using firefighting aircraft in Australia since the 1920s, and we have been using water-bombing aircraft since the 1960s. The consensus among the experts is that we get a better bang for our bucks by leasing those aircraft. That allows us the flexibility of taking advantage of emerging technologies as well.

Currently, in Australia we have a very significant fleet, and it covers a vast geographical area. It includes such things as the Erickson Air-Cranes—mentioned in the member’s question—which are better known as Elvis, even though there are quite a few of them, and a number of heavy-lift helicopters as well as surveillance and intelligence-gathering aircraft, which assist us with hazard mapping.

Leasing aircraft allows us to acquire more aircraft and expert crew for our summer season. Purchasing a standing fleet of aircraft would be incredibly expensive and not considered to be good value for money, because of the extensive costs associated with maintaining that fleet of fixed-wing aircraft and also maintaining and supporting pilots, engineers and specialist support crew.

We do have a very significant capability. We work at it in conjunction with our state and territory colleagues through the National Aerial Firefighting Centre. This centre leases specialist aircraft for us, and brings them to Australia for our summer season. The Commonwealth government contributes about $14 million per year for that capability. The states and territories contribute a similar sort of amount.

To help the member for Denison, and to highlight the cost of fixed-wing aircraft—a lot of this information is commercial-in-confidence—to purchase one Canadian fixed-wing aircraft would cost us about $40 million. You could understand that the numbers of aircraft deployed to deal with emergency situations could be quite significant. In New South Wales, during the
recent bushfire emergency about six weeks ago, the New South Wales Rural Fire Service deployed about 90 aircraft to deal with the height of that emergency. So you could understand that maintaining a fixed fleet of that large volume of aircraft would be incredibly expensive. And it is not considered to be good value for money.

The other point I would like to make is that we have looked at using larger fixed-wing aircraft for this sort of work. We have trialled RAAF C-130s, and also, more recently, a DC-10, but the expert consensus still remains that, because it is very difficult for those larger fixed-wing aircraft to operate in difficult geographic locations— *(Time expired)*

**Carbon Pricing**

**Mr BUCHHOLZ** (Wright—Government Whip) (14:20): My question is to the Minister for Industry. I refer the minister to this article in today's *Courier Mail* titled 'Queensland households to cop shock $270 power bill whack'. Will the minister outline to the House what impact various policies, including the carbon tax, will have on this surge in power prices facing the Queensland people in the electorate of Wright?

**Mr IAN MACFARLANE** (Groom—Minister for Industry) (14:20): I thank the member for Wright for his question and congratulate him on what a fantastic job he does. He is my neighbour, so I guess I am a bit biased, but the member for Wright does a fantastic job in his electorate. Not only did he have a very difficult start in that electorate because of the floods, but he has gone on to make sure that he is there for every issue that the people in his community face.

The issue that his community is facing at the moment is a cost-of-living pressure coming from the carbon tax. We did not need this report in the *Courier Mail* today to know that electricity prices are going up because of the carbon tax. But this report today in the *Courier Mail* highlights the fact that Queenslanders can expect an increase in their power bills of $270 per annum.

**Mr Burke:** If ever there was an example of this government being out of touch!

**Mr Christensen interjecting**—

**The SPEAKER:** The member for Watson! The member for Dawson will desist.

**Mr IAN MACFARLANE:** I do not mind taking that interjection, because if anyone is out of touch it is those who sit on the other side. How out of touch can you be when families are facing power increases and the Queensland Competition Authority says that without the carbon tax the increase will be more than halved?

How out of touch can you be when faced with those statistics that you continue to support a tax on households, when the people of Australia have given those on this side of the chamber a mandate to remove the tax? That side is so far out of touch that they do not know the pain that families are going through at the moment in relation to increased electricity prices.

**Mr Perrett interjecting**—

**The SPEAKER:** The member for Moreton is warned!

**Mr IAN MACFARLANE:** The figures released today by the Competition Authority show that removing the carbon tax would cut the increase in Tariff 11 prices, from 13.6 per cent to 5.4 per cent. That is more than half—halving the increase is something that is important to every Queenslander. Of course, it does not just relate to Queenslanders; it relates
to every household and every business in Australia. Every household and every business in Australia is being choked by this carbon tax. We want to start 2014 with some momentum in business. We want to start the year with some confidence. We need to get rid of this carbon tax. We need to make sure that households can see an end to the tyranny that the Labor Party imposed upon them through higher taxes, higher carbon taxes and higher electricity prices. The people who sit opposite are committing Queenslanders and all Australians to higher electricity prices.

Automotive Industry

Mr CHAMPION (Wakefield) (14:24): My question is to the Minister for Industry. I refer to the Victorian Liberal government yesterday joining the South Australian government in calling for the federal government to return the $500 million it had cut from autoassistance. Given Holden's announcement today, why was this government so complacent about Australian jobs?

Mr IAN MACFARLANE (Groom—Minister for Industry) (14:24): How quickly the opposition degenerate to raw politics. When the workers of the Holden factory are going through an extraordinarily traumatic time—

Opposition members interjecting—

The SPEAKER: There is too much noise on my left. The members for McMahon and Adelaide will desist.

Mr IAN MACFARLANE: there is not one word of sympathy from those who sit opposite. There is not one word of 'We'll cooperate with what this government puts in place, to ensure the industry and economic diversity of Adelaide is continued.' Not one word. Straight to the politics—the problem that they created. They were the ones who were in power for the last six years—

Mr Bowen interjecting—

Mr IAN MACFARLANE: They were the ones who oversaw the industry lose two manufacturers—half the manufacturing capacity. They are the ones who laid the foundation for this closure. They are the ones who failed to address the fundamental economic issues that are affecting Holden. They are the ones who would not even revoke the carbon tax to try to help Holden. They would not even be a part of that. I am asked specifically about cuts in funding. It brings to mind—

Mr Danby interjecting—

Mr IAN MACFARLANE: if I can get a word in edgeways—

The SPEAKER: The member for Melbourne Ports is warned!

Mr IAN MACFARLANE: Excellent.

Mr Danby interjecting—

Mr IAN MACFARLANE: Keep going. Are you going to warn him, Madam Speaker?

The SPEAKER: I just warned him.
Mr IAN MACFARLANE: Those who interject the loudest have the most impact on this decision. They are the ones who were in government for six years. Let me just outline to the House, for their benefit.

Ms Rishworth interjecting—
Ms Kate Ellis interjecting—

The SPEAKER: The member for Kingston and the member for Adelaide will desist.

Mr IAN MACFARLANE: When I left this portfolio there were 335,000 cars being made in Australia and when I resumed it, after the Labor Party, that number had dropped to 221,000.

Mr Conroy: 250,000 jobs.

Mr IAN MACFARLANE: They continue to interject, but I will keep going. The reality is that the number of businesses involved—

Mr Conroy: You couldn't stand up for—

The SPEAKER: The member for Charlton will desist.

Mr IAN MACFARLANE: had dropped from 200 to 150 under their watch—

Dr Chalmers interjecting—

Ms Owens interjecting—

The SPEAKER: The member for Parramatta and the member for Rankin.

Mr IAN MACFARLANE: The amount of money taken out of the car sector was $1.23 billion by the Labor Party, two tranches of $400 million out of the green car fund and then finally the coup de grace of $430 million out of the Cleaner Car Rebate Scheme—$1.23 billion taken out by that government. We know, just to finish the industry off, they introduced a $1.8 billion fringe benefits tax, which drove sales, including Holden's, through the floor.

Ms Owens: What about the workers?

The SPEAKER: The member for Parramatta is warned!

Mr IAN MACFARLANE: They are hypocrites. They did nothing for six years and now they want to politicise the payment to the workers who have suffered today.

Opposition members interjecting—

The SPEAKER: Before I call the member for Hindmarsh to ask his question, we are clearly dealing with some serious issues today and the chamber would be well served if we could have some more silence and hear answers as well as questions.

Automotive Industry

Mr WILLIAMS (Hindmarsh) (14:27): My question is to the Treasurer. I refer the Treasurer to the announcement by General Motors, in Detroit, today regarding their Australian operations. What is the Treasurer's response?

Mr Dreyfus: You got what you want.

The SPEAKER: I asked for silence, Member for Isaacs.

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga is warned!
Mr HOCKEY (North Sydney—The Treasurer) (14:28): I thank the honourable member for Hindmarsh for his question.

Mr Dreyfus: You got what you wanted, Joe!

The SPEAKER: The member for Isaacs is warned!

Mr HOCKEY: Now that Mike Devereux has had time to speak to his workers, it is appropriate for us—

Mr Champion: Have an arm wrestle—

The SPEAKER: The member for Wakefield is warned!

Mr HOCKEY: Obviously, they are not taking it too seriously. Now that Mike Devereux has had the chance to speak to his own workers, I want to provide—

Mr Dreyfus: You got what you wanted, Joe!

The SPEAKER: The member for Isaacs will remove himself under standing order 94(a).

The member for Isaacs then left the chamber.

Mr HOCKEY: There wasn't that outrage around when, under Labor, Mitsubishi left and Ford left! Where was that outrage? Where was that outrage from Labor? What a surprise! Ford left and Mitsubishi left and Labor wasn't too outraged then.

Mr Bowen interjecting—

The SPEAKER: The member for McMahon is warned!

Mr HOCKEY: We are the ones who are concerned about the workers not only at Holden but at all of the components manufacturers associated—

Opposition members interjecting—

The SPEAKER: The Treasurer will resume his seat. There is a general warning to all those sitting on my left. This is a serious issue. As I said before, the questions are important and the answers are important.

Mr Albanese: Madam Speaker, I rise on a point of order on the contradiction between a general warning—which, by definition applies to every member of the House—and the fact that you said—

The SPEAKER: I said, 'On my left.'

Mr Albanese: That is my point of order. It is not possible to have a general warning to just one side of the House, Madam Speaker.

The SPEAKER: Then I will name you one by one, if I have to.

Mr HOCKEY: Now that Mr Devereux has had—

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga has already had a warning. If she wishes to leave under 94(a), that is just fine.

Mr HOCKEY: Now that Mr Devereux has had the opportunity to speak to his workers, I say on behalf of the government—together with the Minister for Industry, the Acting Prime Minister, the member for Sturt and all members—that we will work closely with the government of South Australia, the opposition in South Australia, the unions and all of the stakeholders to ensure that the fact that Holden are leaving in 2017 will not lead to a
significant economic downturn in South Australia or Victoria. We will do everything we can to assist during this transition. This is hugely important and we will do it, because it is not a surprise that this should have happened. The members know it is not a surprise—and why? An OECD report to the member for Lilley in 2012, when his own former chief of staff was at the OECD, recommended:

As underlined by the authorities, there is a case for help to smooth the transition, but not preventing it, when its pace and scale make it difficult to absorb, for instance at the regional level.

That was written in relation to the closure of car plants in Australia.

The facts are that the car industry in Australia has had enormous financial support from taxpayers. During the period when there has been a significant reduction in activity in Australia, the government—whether Labor or Liberal—has provided enormous financial support: over $1 billion a year. But the net result is that we have seen a halving in the production of Australian cars on a world scale. These are the things that we have to deal with in order to address some of the challenges for Holden—(Time expired)

Automotive Industry

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:32): My question is to the Acting Prime Minister. I refer the Acting Prime Minister to his letter to Holden yesterday and to Holden's reaction to that letter, which was that the letter was 'designed for political consumption rather than being a genuine effort to communicate'. Haven't the government got exactly what they wanted, and won't Australia's workers pay for their failure?

The SPEAKER: Before I call the Honourable the Acting Prime Minister to answer that question, I would remind the Deputy Leader of the Opposition that you have to say from where the quote comes and show why it is relevant to the question. The quote had no source, so the question cannot stand. Can the deputy leader rephrase her question?

Ms PLIBERSEK: Madam Speaker, I can table the source.

The SPEAKER: That is not what I asked you, Deputy Leader. I will give you one more chance. I said: rephrase your question and give the source of the quote in the question.
Ms PLIBERSEK: My question is to the Acting Prime Minister. I refer the Acting Prime Minister to this article in the *Australian Financial Review*, which says that his letter to Holden was:

… designed for political consumption rather than being a genuine effort to communicate.

The SPEAKER: And whose quote are we talking about?

Ms PLIBERSEK: Haven't the government got exactly what they wanted, and won't Australian workers pay for their failure?

Mr Pyne: Madam Speaker, I rise on a point of order. On two points the question does not stand. In spite of your giving the Acting Leader of the Opposition an opportunity to rephrase her question, she still has failed to state the source: who she is quoting—

Opposition members interjecting—

Mr Pyne: The point of order is that the question is out of order. The second reason it is out of order is that the last part of the question was entirely hypothetical—it was argument, not a question—and therefore it cannot stand. The Manager of Opposition Business needs to get the questions right rather than simply expect you, Madam Speaker, to put up with questions that do not fit the standing orders.

Ms PLIBERSEK: Madam Speaker, my question is to the Acting Prime Minister. I refer him to an article on the *Australian Financial Review* website which says, in the article:

A Holden spokesman said the company would not respond to Mr Truss’s letter, which it was felt was designed for political consumption rather than being a genuine effort to communicate.

Haven't you got what you wanted?

The SPEAKER: I am going to let the question stand and call the Acting Prime Minister. But I would make this point: the standing order requires a quote to have a proper source, and 'a Holden spokesman' is getting very close to the line.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:37): Obviously I am not competent to comment on the statements of a Holden spokesman; that is a matter for them.

Mr Bowen interjecting—

The SPEAKER: The member for McMahon has been warned. He will leave under 94(a).
The member for McMahon then left the chamber.

Mr TRUSS: I did indicate yesterday that I thought it was important for Holden to make their position clear so that Australians knew whether they intended to keep manufacturing in this country or not. Holden have made that statement now and, whilst I regret the nature of the statement and the fact that Holden are to downsize their operations in Australia, they have at least delivered certainty to the Australian marketplace and, in particular, certainty to their employees. Holden will continue to have a large number of employees in Australia but some will no longer—

Mr Conroy interjecting—

The SPEAKER: The member for Charlton will remove himself under 94(a).

The member for Charlton then left the chamber.

Mr TRUSS: be needed because of the closure of their manufacturing operations. This downsizing is going to occur over a period of four years and, for that reason, we as a government will stand ready to work with them—

Mr Perrett interjecting—

The SPEAKER: The member for Moreton will remove himself under 94(a).

The member for Moreton then left the chamber.

Mr TRUSS: to try and make this transition as smooth as possible. There is one other thing I would like to convey to the House from my discussions with Mr Devereux. He said in his statement that he would not be seeking to blame governments, either state or federal, for the decision that Detroit has made. They have—to use his words—confronted a perfect storm of events which are affecting their decisions about their future as a company, not just in Australia but in other parts of the world. The reality is that there are a number of things that have happened over a number of years which have made vehicle manufacturing in Australia less competitive than it once was. It is self-evident to us all that wages paid in Australia are much higher than wages in other parts of the world; costs in Australia are much higher than in other parts of the world. On the other hand, this is a country with a skilled workforce and the natural advantages of working in an environment where there can be a supportive community and people live in a pleasant lifestyle.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta will remove herself under 94(a).

The member for Parramatta then left the chamber.

Mr TRUSS: This government has sought to work with the motor vehicle industry to make its environment as satisfactory as possible so that they can manufacture and do so in a profitable way. I am not going to take the opportunity again to refer to what happened over the last few terms of government. The reality is we must face the situation as it is now and get on with helping the Holden workers to make a transition and helping the economy of South Australia to move into new areas where it can prosper and provide work for its people.

DISTINGUISHED VISITORS

The SPEAKER (14:40): I advise the House that we have in the gallery the former member for Barker, Mr Secker; the former Western Australian senator Ross Lightfoot; and a
Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE
Automotive Industry

Mrs MARKUS (Macquarie) (14:40): My question is to the Treasurer. Will the Treasurer outline the challenges the government faces in managing the Commonwealth's budget? What are the impediments to addressing the situation the government inherited?

Mr HOCKEY (North Sydney—The Treasurer) (14:41): I thank the member for Macquarie for her question. The challenges we face in relation to the budget are obvious, given the fact that we now have $20 billion of savings—$5 billion of the $20 billion was actually announced by Labor—that are held up and blocked in the Senate by the Labor Party and the Greens. Of course, the Australian economy is facing challenges. That is what we have inherited from Labor.

The challenges identified by the chairman and CEO, Dan Akerson, today in Detroit are the same challenges that many other manufacturers and businesses in Australia are facing. I quote the CEO of General Motors Holden in Detroit. He says: The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces in the country, including the sustained strength of the Australian dollar, high cost of production, small domestic market and arguably the most competitive and fragmented auto market in the world. He says that and he is right: it is a challenging market in which to operate. And it is a market that has been heavily subsidised by Australian governments—in the case of Holden, $1.8 billion between 2001 and 2012. But, if money were the issue as to why Holden is leaving Australia, then why did Ford leave and Mitsubishi leave whilst Labor was in government? The money was flowing, but they decided to leave.

One of the things that needs to be noted is the high cost of production. I say emphatically to the workers at Toyota, who are due to make a decision this Friday about a proposal put to them by the management of Toyota: please vote for your jobs this Friday. The AMWU is recommending a vote against a proposal put forward by Toyota to try and have a fairer arrangement in the workplace. For example, Toyota exports 70 per cent of its produce to the Middle East. At the moment, Toyota has to close its plant for 21 days over Christmas. How does that work when you are trying to export to the Middle East, where they do not celebrate Christmas? And now Toyota has gone back to the workers and said, 'Please reduce this to 10 days so that we can have consistent supply,' and the AMWU is recommending a vote against it. The AMWU would not even meet with Toyota management, because the AMWU wanted to have 53 people turn up—

Ms Kate Ellis interjecting—

The SPEAKER: The member for Adelaide is warned!
Mr HOCKEY: to a meeting with Toyota management in order to negotiate the deal. So the destiny of other manufacturers in Australia is inevitably in all the hands of all the stakeholders, including in particular the union leaders.

Automotive Industry

Mr BRENDAN O'CON (Gorton) (14:44): My question is to the Assistant Minister for Employment. Can the minister advise what assistance will be made available to workers who lose their job as a result of the government leaving Holden with no choice but to leave Australia?

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (14:44): I thank the member for his question. This is a very important issue that confronts us, ensuring that we have competitive industries in this country. It seems passing strange that the member can feign support for these workers at a time when the opposition are standing in the way of this government making Australia a more competitive place, because that is the key to ensuring the future of jobs, ensuring that we have a competitive economy that is in fact operating at a world-class level. So rather than the assistance of the members opposite, we have the gaggle opposite just standing there and moaning rather than getting behind the abolition of the carbon tax, the abolition of the mining tax and the government improving the efficiency of this economy.

But with regard to the matters that the member raises specifically, I would say that any worker made redundant in the automotive manufacturing industry will receive immediate access to intensive employment assistance support through the Automotive Industry Structural Adjustment Program. This program is delivered by Job Services Australia and provides support for job seekers at a stream 3 level. That is support. But the best way that we can ensure the future of these workers is to make the Australian economy as competitive as it can be. So it is about time members opposite got out of the way of this government and allowed us to make Australia the efficient economy that it should be.

Automotive Industry

Mr WILLIAMS (Hindmarsh) (14:46): My question is to the Minister for Education, representing the Minister for Employment. What will the impact of General Motors' decision, in Detroit, to close the operations in Australia by 2017 be on employment?

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:46): I thank the member for Hindmarsh for his question. As a senior South Australian in the parliament and as the Minister for Education representing the Minister for Employment, can I say that it is a very sad day for South Australia that this announcement has been made by General Motors in Detroit. Nobody should be making light or politics about this decision. This is a decision that affects thousands and thousands of South Australians and Victorians. It is a tragic situation that Australia is in the position that it is. It is the kind of country that makes it very difficult, very difficult to manufacture such high-end products as motor vehicles because of our labour costs; because of the way that we do business in this country; because of our high Australian dollar; because of our lack of export markets, particularly for Holden; and because of decisions that have been made beyond our shores that we have had very little, if any, control over. South Australians have been well aware of this for a long time. South Australians understand how important the car industry is to our state, but they also understand how fragile
it has been for a very long time. This government, as the previous government did, tried to keep those operations in South Australia and Victoria because we always put people first—never ideology, always people. The Deputy Prime Minister has outlined very well the difficulties that Holden and other car manufacturers have faced. Mitsubishi faced these difficulties and Mitsubishi closed. It does not matter on whose watch it closed, Mitsubishi closed.

Mr Marles interjecting—

The SPEAKER: The member for Corio is warned!

Mr PYNE: Ford faced these problems and Ford closed.

Mr Marles interjecting—

The SPEAKER: The member for Corio is warned!

Mr PYNE: Again, it does not matter on whose watch Ford closed—Ford closed. Holden is closing in 2017. So this is not a day—

Opposition members interjecting—

The SPEAKER: The member for Corio will remove himself under 94(a), as will the member for Adelaide.

The member for Corio and the member for Adelaide then left the chamber.

Mr PYNE: for political point scoring. It is a day to think about the workers and families of South Australia and Melbourne who will be affected by this decision. This government stands ready to do everything in its power to support the employment of workers in Victoria and South Australia. We will announce over the coming months and years ways to ensure that we can—

Opposition members interjecting—

Mr PYNE: Well, that is right, because it is closing in 2017—ways to support the workers and their families in South Australia. I just quote the statement:

The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces in the country, including the sustained strength of the Australian dollar, high cost of production, small domestic market and arguably the most competitive and fragmented auto market in the world …

Automotive Industry

Mr BRENDAN O'CONNOR (Gorton) (14:49): My question is to the Acting Prime Minister. I refer to Holden's announcement today that it will discontinue vehicle manufacturing in Australia by the end of 2017. What does the Acting PM say to the 1,600 Holden workers in South Australia and 1,300 workers in Victoria who will lose their jobs as a result of the government's complacency and to workers in the autoindustry across Australia whose jobs, of course, are now in jeopardy?

Mr Pyne: That question is entirely out of order. It makes insinuations about the thinking of the government, it is full of argument, it is hypothetical and the opposition must try to get their questions within the standing orders.

Mr Burke: Madam Speaker, I rise on a point of order: the matters raised in that question are a direct reflection of what happened in question time yesterday.
The SPEAKER: That is not a proper point of order. The question is asked by the member for Gorton. I will give him the opportunity to rephrase it. He will leave out the argumentative part of it.

Mr BRENDAN O'CONNOR: Thank you, Madam Speaker. I am happy to rephrase the question. I direct the question to the Acting Prime Minister. I refer to the announcement by Holden today that it will be discontinuing vehicle manufacturing in Australia by 2017. What does the Acting Prime Minister say to the 1,600 Holden workers in South Australia and the 1,300 workers in Victoria who will lose their jobs as a result of the government's inaction to deal with this very important issue?

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:51): The question indeed contains a great deal of argument which I would dispute. The reality is that this government has taken substantial steps in the short time it has been in office to actually improve the environment for the manufacturing industry in Australia and, in particular, for the car-manufacturing sector. It is unfortunate that I have to report to the House that it is well known to everybody who has been observing what has happened in the parliament over the last few weeks that the opposition, who, today are feigning concern about the fate of the industry—

Ms Plibersek: Madam Speaker, I raise a point of order. I take deep personal offence at the suggestion—

The SPEAKER: I am sorry, there is no point of order.

Ms Plibersek: I am asking for a withdrawal.

The SPEAKER: The Deputy Leader of the Opposition will resume her seat. I said: the deputy leader will resume her seat. There is no point of order.

Mr Burke: Madam Speaker, on a point of order: under standing order 90, a deeply serious reflection has just been made on members. It should be withdrawn.

The SPEAKER: Yesterday I ruled on that point of order. The ruling is the same: that if there is a reflection on a particular member, then the standing order is infringed; if it is general, it is not. That is a consistent ruling in this place.

Mr Burke: Madam Speaker, if you are ruling that, so long as they are offending more than one of us at a time, it is okay—

The SPEAKER: That is a constant ruling that is made in this place.

Mr TRUSS: I do not wish to, in any way, downplay the concern that members opposite feel on this occasion, but please do not impugn our motives either. We have worked constructively to try and provide a better environment for the car industry in this country. You have had the opportunity to indicate support and to take a significant cost, around $400 a vehicle, off that industry by supporting us in our endeavours to get rid of the carbon tax. You would not have sought to put a significant tax on fringe benefits, had you been really concerned—

Ms Plibersek: Madam Speaker, I raise a point of order. The Acting Prime Minister continues to use a figure that is wrong. He knows it is wrong.

The SPEAKER: That is not a point of order; it is an argument, and that is in the wrong place.
Mr TRUSS: So I take offence at the way in which the opposition is seeking to imply some kind of ill intent on this side towards the car industry which we as Australians admire, and for which we as Australians have worked together and are determined to do what we can to make it a better industry for our nation as a whole.

The SPEAKER: Does the member wish to raise a point of order?

Mr Brendan O'Connor: Madam Speaker, I seek leave to move the following motion.

The SPEAKER: I am sorry, you cannot do it while the minister is on his feet.

Mr Brendan O'Connor: I can seek leave to move the following motion, and I am seeking leave, and the motion is—

The SPEAKER: You can only rise on a point of order while the minister is speaking.

Mr Brendan O'Connor: I am seeking leave to move the following—

Mr Pyne interjecting

Mr Brendan O'Connor: Yes, you can do that. You have done that. You did it, Chris. You've always done it.

The SPEAKER: I will hear the Leader of the House.

Mr Pyne: Madam Speaker, on a point of order: we perfectly understand if the opposition want to move a motion or seek leave, but the correct course in which to do so is between two items of business—

The SPEAKER: Correct.

Mr Pyne: and if they would read the standing orders, they would know that and they could calm down. When the Acting Prime Minister resumes his seat then they will be entitled to seek the call.

Mr Burke: Madam Speaker, on the point of order: there have been a number of occasions—and I have raised them previously directly with you—when the Leader of the House has risen, claiming it was a point of order, and then moved that the member be no longer heard. I have raised it with you, and you have told me that it was in order.

Mr Pyne: Madam Speaker, on the same point of order: moving that a member be no longer heard is a procedural resolution that can be moved at any time. Seeking leave to move a motion is not a procedural motion—

The SPEAKER: Correct.

Mr Pyne: and therefore has to be between two items of business.

The SPEAKER: The Leader of the House is correct.

Mr Brendan O'Connor: Madam Speaker—

The SPEAKER: The member for Gorton will resume his seat.

Mr Brendan O'Connor: Madam Speaker—

The SPEAKER: The member for Gorton will resume his seat! The member will resume his seat! The Acting Prime Minister was still continuing his answer. He has the call.

Mr TRUSS: In addition to the matters and the initiatives that I have mentioned earlier, let us never forget that there is still more than $1 billion in the Automotive Transformation Scheme which has not been allocated. So there is significant funding there, still available, to

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assist the automotive industry in this country. So suggestions that reductions of $500 million, or whatever it might be at some stage in the future, have made any impact in relation to the industry at this time are clearly nonsense. There is substantial funding still available.

It may be forgotten that the original question was actually about the welfare of the workers, and let me assure you that we share those concerns. As I said earlier, we will be working with the South Australian government and the industry itself and all other interested parties to try and find new workplace opportunities, and we call on the opposition to work with us constructively to create the kind of environment in this country which encourages manufacturers and supports those who invest in this country.

The SPEAKER: Now the member for Gorton has the call.

MOTIONS

Automotive Industry

Mr BRENDAN O'CONNOR (Gorton) (14:57): I move:

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

That this House condemns the Abbott Government for its failure to protect Australian jobs in the automotive and manufacturing sector.

This is indeed a very, very sad day for Australia. An iconic company that has had a remarkable history does not look like it has much of a future, and we have to ask ourselves: why is it that this great company, Holden, sees itself in such a difficult situation? Well, you need not go any further than to look at the conduct and behaviour of those opposite in terms of not engaging with this company and looking after the 1,300 workers in Victoria and the 1,600 workers and their families in South Australia.

Yesterday, we had the remarkable situation where the Treasurer of this country threatened the company and dared them to leave Australia. I quote from this newspaper: 'Hockey dares GM to leave'.

The SPEAKER: All those waving newspapers are out of order—

Mr BRENDAN O'CONNOR: And guess what? The Treasurer got his wish!

The SPEAKER: and should they be seen again the members will be asked to remove.

Mr BRENDAN O'CONNOR: The Treasurer got his wish, because, unfortunately and tragically, as a result of the lack of engagement, the lack of regard—

Mr Pyne: Madam Speaker, on a point of order: if the member for Gorton seeks leave to move the motion, leave will be granted and the Manager of Opposition Business and I have agreed that if he pursues that course there will be two speakers per side from the government and the opposition.

The SPEAKER: Is the member for Gorton prepared to move that way?

Mr BRENDAN O'CONNOR: I am happy to do that, Madam Speaker, and—

The SPEAKER: In that case—

Mr BRENDAN O'CONNOR: I am happy to move the motion—

The SPEAKER: the member for Gorton has the call to move his motion—
Mr BRENDAN O'CONNOR: I seek leave to—

The SPEAKER: but he does not have the call to flash any newspapers, and if he does he will be asked to remove himself from the chamber.

Question agreed to.

Mr BRENDAN O'CONNOR: I move:

That this House condemns the Abbott government for its failure to protect Australian jobs in the automotive and manufacturing sector.

This motion needs to be debated in this House, because today we have seen a very difficult and terrible decision for 3,000 workers in this country. But it is not just those 3,000 workers. As a result of the decision by Holden today we will see a multiplier effect on job losses throughout the automotive sector and other sectors of our economy.

What we have also seen, not only today but as a result of the inaction by the government this week, is a government that is not interested in ensuring that an iconic company like Holden stays in this country. That is an absolute shame.

Yesterday in this place we saw the Treasurer stand up and effectively goad General Motors-Holden into leaving Australia. He effectively said that if you do not make a decision you might as well get out. That was the impact and the import of what he said yesterday in this place. Unfortunately for that company and the workers and their families the Treasurer has had his way.

Also, before the decision that was taken today, and even well before the comments made by the Treasurer yesterday, we have seen a fight going on within the government about how they can stop taxpayers' money from in any way providing support for this important sector of our economy. Instead of them using their energy and their industry to support these workers and the company, we have seen them fighting each other to see if they can drag this company out of Australia. They should hold their heads in collective shame over their inability to look after Holden.

As a result, almost 3,000 workers in this country go to Christmas with great uncertainty. There is nothing worse for a family than not having secure employment. There is nothing worse, particularly at this time of the year, than not having any sense of security about income for your household—having sufficient money to pay for food, rent and the mortgage and to look after your kids. These are the real issues that are being discussed around kitchen tables all over the country.

Instead, we have this ideological battle within the government about whether taxpayers' money should be used in any way to support this industry. We should have seen this coming, because before the election they made it very clear that they were going to rip a half a billion dollars out of the automotive sector. That was the first thing we saw. The second thing we saw was the Treasurer's own comments—he was obviously very weak on GrainCorp, but wanted to toughen up when it came to this issue. So, what does he do? He says: 'Enough is enough. We do not have to put any extra dollars in.'

Let us look at the facts here. Of course we should be very careful with taxpayers' money. But let us look at the economic effects of investment. This company directly and indirectly employs a quarter of a million Australians. That is the first thing. The second thing is that at the very least there is about a nine-fold return for every dollar invested by taxpayers. In the
case of this company it could be argued that it is up to 18 times higher, as a result. So this is not just providing support for support’s sake; it is ensuring that we provide sufficient support for the company. Unfortunately the government has abjectly failed in that regard. Time and time again we have had ministers on the other side making it clear they want to see an end to that support.

What are we to say to those workers, and indeed other workers in other companies, who will want to see their federal government provide support for them in times of trouble? We would all recall that for the last four years we had the now Prime Minister, the then Leader of the Opposition, going around the country, visiting ever workplace that would have him, talking about his concern for Australian workers.

Mr Fitzgibbon: In a hi-vis vest.

Mr BRENDAN O’CONNOR: As the member for Hunter said, he was in a hi-vis vest. He was wearing a hard hat and protective glasses. He had Australian blue-collar workers standing behind him and he said that he was going to be a Prime Minister who concerned himself with those people. He used those workers as a prop for his media conferences. You have to think a bit more about Australian workers than just use them as a backdrop for your political gains. Australian workers expect their government to act in the national interest and look after their back—to look after them when they are in a bit of trouble.

What have we seen in that time? We have seen the inability of this government to engage with the sector. We have had threats by the Treasurer and we have had a Prime Minister who on the one hand said he was going to have a calm and methodical government but then he refers this issue to the Productivity Commission and, before the Productivity Commission can even start, the Prime Minister says that there will be no more money for this industry. What sort of message does it send to Holden and the automotive sector when the Prime Minister had already made his decision and pre-empted the outcome of an inquiry by the Productivity Commission? It says that this is just a sham. It says that we are referring this to the Productivity Commission as an alibi for doing nothing and not really caring about these workers. Today, unfortunately and most tragically, we see the news that thousands of workers will lose their jobs, and that is a dreadful thing.

On top of that we have already seen the problems that confront Qantas. We would hope the government starts to engage more fully with that company.

Just think about how important the automotive sector is to this country. We want to be a country that builds things. We want to make sure that we have a manufacturing sector. We are one of only 13 countries that have the capacity to design and manufacture a motor vehicle. We are an open and competitive market but we also ensure that we provide the right support. And we are no different from other countries. The United States and other countries provide support for their auto workers. They look after them because they know it is a tough industry. They helped them restructure. They helped them innovate. What we have seen here instead is, firstly, a reduction of $500 million in support from the government. Since then, every message sent by this government has been, ‘We are no longer going to support those workers.’ That is the problem here: this government has turned its back on Australian workers.

The reason that I sought to move a suspension of standing orders in this place was that you would have thought that on a day that this announcement was made the Acting Prime
Minister would have gotten up on his feet and announced it to the parliament and talked to the Australian people via this chamber. In fact, it took a question.

The SPEAKER: I would remind the member that he is moving the motion to suspend standing orders and should be speaking to that motion.

Mr BRENDAN O'CONNOR: Madam Speaker, this goes to the genuineness of support that the government has shown towards these workers. It took a question from the Labor opposition to raise this matter in this place, even though the Acting Prime Minister was well aware of the facts when he entered the chamber in the first place. What sort of government is this when the Acting Prime Minister does not even stand up and make this issue the biggest matter in this place?

By way of contrast, even Premier Napthine understood the importance of standing up in the chamber and announcing the consequences of that dreadful and awful decision. But we saw none of that from the government. The first time that they got up to answer a question on this from their own side was at 2.30. That was the Treasurer in response to a question. Prior to that we had questions coming in from the backbench that had nothing to do with the automotive industry and nothing to do with Holden. That pretty much underlines the insincerity that this government has when it comes to these people.

Government members interjecting—

Mr BRENDAN O'CONNOR: They can keep shouting all they like. They sound overly defensive. The reason they sound defensive is that they have something to defend, and that is a dreadful reputation with a dreadful disregard for Australian workers. Remember: they are the party of Work Choices. We should not forget that.

Government members interjecting—

Mr BRENDAN O'CONNOR: Yes, it is all a bit of a joke; Work Choices is all a bit of a joke. But the fact is that whenever it comes to workers they are always put last by this government. Why should the lack of regard that this government shows when it comes to the needs of working people in this country surprise me or other members on this side of the House?

This government needs to start to engage and look after companies in this country. It should continue to look at better ways to provide support for innovative sectors of our economy. It needs to start to engage not just with the automotive sector but with the aviation sector and other sectors of our economy instead of obsessing and fighting with itself about whether taxpayers should provide any support whatsoever. As a result of the lack of regard and investment by this government and the fact it has have been divided on this issue ever since it was elected, it has fallen asleep on its watch. It has only been three months—it is hard to believe—but it has failed to respond.

Today, the Australian automotive industry is in crisis. Around 250,000 Australians employed either directly or indirectly by that sector face a sleepless night. Australia's car industry and the workers and business dependent on it deserve more than a death by dithering. But that is at best what we have had from this government. Mr Devereux, on behalf of Holden, was not clear on the government's position. At best, he was hoping that it was making up its mind and might provide some support. But all hope was lost when we heard the Treasurer yesterday make very clear that he wanted to see the end of Holden in this country.
Unfortunately, the arm wrestle between the Minister for Industry and the Treasurer was won by the Treasurer. As a result, workers in that company and other workers in similar companies will be facing a very uncertain Christmas. That is a very unfortunate thing.

Mr Pyne interjecting—

Mr BRENDAN O'CONNOR: You can interject all you like, member for Sturt. Here is a bloke from South Australia who has so little regard for Holden workers that he thinks it is funny. It is not funny and the member for Sturt should not think it is funny. What is this photo about?

The SPEAKER: The member for Gorton will put that photo down.

Mr Pyne: I rise on a point of order, Madam Speaker. The member for Gorton has routinely throughout his speech tried to mislead people about the attitudes of the Acting Prime Minister and now me. The idea that I would find that the—

The SPEAKER: The Leader of the House will resume his seat.

Mr Pyne: I am asking him to withdraw the statement that I find this funny, because I do not find it funny at all.

The SPEAKER: The Leader of the House will resume his seat. This is a debate. There will be the opportunity to refute those statements made by the member for Gorton in the course of the debate.

Mr BRENDAN O'CONNOR: I will finish where I started. This is a very sad day for Australia. It is such an iconic company that has employed Australians over many decades. It is a company that most Australians grew up with. Instead of finding a way to ensure its future, it is fair to say that the government has been derelict by failing to support the company when support was needed. That is why this motion needed to be debated today. That is why the opposition has brought this matter on. When it comes to looking after industry and indeed workers in this country you will always find Labor standing up for them, defending their interests and ensuring that we find the best way possible to provide support for those industries. That is the exact opposite to what we have seen. But that should not be surprising: everything this government said in opposition has turned out to be the complete opposite to what it has done when elected.

The SPEAKER: Is the motion seconded?

Mr Champion: I second the motion and reserve my right to speak.

The SPEAKER: I call the honourable the Treasurer.

Opposition members interjecting—

Mr HOCKEY (North Sydney—The Treasurer) (15:14): Enough of the confected anger from the other side, thanks.

Opposition members interjecting—

The SPEAKER: If I see that copy of the Financial Review held up again, whoever holds it up is out under 94(a).

Mr HOCKEY: Let's deal with some of the facts. If the Labor Party thinks that something that was said in this House yesterday caused General Motors to suddenly decide, after being here for decades, that they should leave the country, then that just illustrates how poorly
informed the Labor Party is about how enterprise works. These decisions are made over a matter of months, if not years—and it was a very significant decision for General Motors. And it was no secret. It was in the Wall Street Journal. It was well known to people that General Motors Holden were contemplating leaving Australia.

The confected anger from Labor is appalling, because it treats the Australian people and stakeholders and workers with total contempt. In their statement in Detroit the Chief Executive of General Motors Holden said emphatically:

The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces in the country, including the sustained strength of the Australian dollar, high cost of production, small domestic market and arguably the most competitive and fragmented auto market in the world.

The hypocrisy of the Labor Party knows no bounds. This morning they were railing against the high Australian dollar and in the meantime they invite Paul Keating to come and address the caucus about how good it was to float the Australian dollar!

Mr Danby: It was right!

Mr HOCKEY: That's right: it was right to float the Australian dollar, and General Motors Holden identified it as one of the reasons why they are leaving Australia—the high Australian dollar. So please spare us the hypocrisy—

Mr Danby interjecting—

The SPEAKER: The member for Melbourne Ports!

Mr Stephen Jones interjecting—

Mr Clare interjecting—

Mr HOCKEY: Are you going to throw them out?

The SPEAKER: The member for Melbourne Ports, the member for Throsby and the member for Blaxland are all warned.

Mr HOCKEY: They are warned? But there was a general warning. Australia's share of world car production has decreased from 0.8 per cent of cars in 2000 to 0.32 per cent of cars in 2011. That is our share of world car production. So it has virtually halved.

In contrast, during that period, from the beginning of this century, in Asian economies and the Middle East car production has increased from six per cent of world production to 36 per cent of world production. So global manufacturers have moved to places of production where it is cheaper to produce a motor vehicle. That was best evidenced by Toyota's submission to the Productivity Commission inquiry, which states that by 2018 it 'needs to reduce the cost of producing each vehicle in Australia by $3,800'. Holden has said 'it costs $3,750 per vehicle more to build cars in Australia relative to other countries such as Thailand'. And of that $3,750, $2,000 is within Holden's own plants—and it mainly relates to the cost of labour. Another $1,500 is associated with their buy-local program and the final $250 is the cost of logistics for imported components.

The high cost of production in Australia is no secret. Everyone knows it has been the case; it has been regularly stated by the manufacturers themselves. As it is no secret that the costs of production were proving so prohibitive—

Mr Zappia interjecting—
The SPEAKER: The member for Makin will desist!

Mr HOCKEY: The costs of production in Australia have inhibited our ability to compete on the world stage, therefore we must do everything we possibly can to try and reduce our costs of production without reducing the real wages of workers.

So I say emphatically again in this place, as I did yesterday, to the workers at Toyota: please on Friday vote to support Toyota being in Australia. Please do that. Please do not listen to the AMWU, which is urging you to vote against a change in the work conditions at Toyota. If there is any lesson that must be learnt it is that you cannot push against the tide; you must work with the flow to get maximum benefit for Australian workers. That is what you have to do.

Now we have the union saying that Toyota, which exports 70 per cent of its production to the Middle East, should close for 21 days over Christmas—when the Middle East needs that constant supply of Toyota motor vehicles. And it is not as if Toyota is saying, 'No Christmas'—it is coming back and saying, 'We just want to close the plant for 10 days, please, so that we can be a consistent supplier to the Middle East.'

What about this clause in the agreement between Toyota and its workers: currently, union representatives are entitled to 10 days paid education leave per year for the purpose of union sponsored training. Union reps get 10 days pay for 10 days of sponsored training, and the union representatives are able to pool their collective days. So some senior union reps can take months off work and be paid by Toyota. Toyota is legitimately saying, 'We want to be able to allow our union representatives to take days off for union training, but let's get the balance right.' How do you explain in Tokyo that workers are entitled to have four hours paid leave for the purpose of donating blood? Really, this is the sort of stuff that sends the worst message overseas.

And Detroit as a capital city has just gone bankrupt. General Motors has just lost billions of dollars. The American government has just lost nearly $10 billion on its investment in General Motors. General Motors is closing plants right around the world. And in Australia the costs of production per vehicle are $3,750 higher than anywhere else. And why is it a surprise?

Mr Danby: Why are they exporting?

Mr HOCKEY: They are not exporting; that is the problem. You don't get it. The export market has fallen apart for General Motors-Holden in Australia.

The SPEAKER: The member for Melbourne Ports is not in his seat. He is interjecting and will remove himself under 94(a).

The member for Melbourne Ports then left the chamber.

Mr HOCKEY: The Labor Party just does not get it. And as if there was not any warning from General Motors executives, from Toyota executives: the OECD, in a report compiled in 2012, said emphatically that all the reasons General Motors identified today were the reasons that in 2012 the government at the time should have worked with the motor vehicle industry on the transition arrangements. This is not a surprise to Labor. They were warned by the OECD in 2012. The chief of staff of the former Treasurer, the member for Lilley, was at the OECD as a Treasury representative at the time. And the warning was clear: if you do not deal
with these transitional issues there will not be a future for motor vehicle manufacturing in Australia.

Of course we are upset about this; of course we are. We hate the fact that Australians are losing jobs. And we want to do absolutely everything we can to stop that. We were the ones who said that you cannot put a new $1.8 billion tax on the motor vehicle industry. We were the ones who said that the best way to help manufacturing in Australia is to get rid of the carbon tax. We were the ones who said that if you want to stimulate other industries, like the mining industry, the worst thing you can do is impose a mining tax. And we were the ones who said that you have to get rid of the regulation, you have to get rid of the red tape, you have to lower your costs of production in order to compete with the rest of the world. But the Labor Party do not get it. They have never run a business. Most of them have never worked in a business. It is all pure politics from Labor. And the losers out of that are the workers, because the Labor Party are more concerned about a political headline than they are about the worth of everyday workers.

We are going to do everything we can for the workers, not just at General Motors-Holden but also at Toyota—all the component manufacturers' workers—and also for the taxpayers of Australia. Ultimately what it comes down to is that prosperity comes only from hard work and enterprise; it does not come from the benevolence of taxpayers.

Mr CHAMPION (Wakefield) (15:24): In 1947 Joseph Benedict Chifley went to watch the first Holden leave the line at Fishermans Bend. And the great question before this House is whether this Treasurer, Joseph Benedict Hockey, the member for North Sydney, is going to go and watch the last Holden leave the line, in my electorate. This is a Treasurer with an iconic brand and 50,000 jobs hanging around his neck. Make no mistake about it. We all know the headline, even though we have been banned from showing it to anybody: 'Hockey dares GM to leave'. There he was in this House: belligerence, shouting, bravado. And all the same things we saw in this parliament were no doubt seen in the cabinet room, because we all know that this came down to a fight between the member for North Sydney and the member for Groom. That is what this was all about.

I remember on 3 October seeing the ABC headlines, after we had toured the factory. The member for Hindmarsh toured the factory with us. He came down with the industry minister, and we toured the factory—Senator Xenophon, all the Liberal senators, Senator Sean Edwards and others. It was a big tour around Holden, with pictures of the industry minister standing there proudly, using workers as props. And then he went and said, 'Just have patience'. In fact, I have the headline here: 'New Industry Minister Ian Macfarlane tours Holden plant and seeks patience from Detroit over federal assistance'. That was the headline on ABC—'seeks patience'. What they were trying to get was silence—silence from the Labor Party, silence from Senator Xenophon, silence from South Australia, silence from the unions, silence from the company. They were buying time to have an argument in cabinet. And it did not come down to these other factors; it came down to whether or not the Treasurer, with all his bravado and arrogance, prevailed over the member for Groom. That is why we had silence for so long—deathly silence, right up until the point that there was a leak.

And what was the leak about? It was about shifting blame onto a company that has been trying its level best and whose workforce has been trying its level best. Those opposite talk about labour costs and flexibility. What other workforce in this country, during the global
financial crisis, worked one week with pay and one week without? It was only at GMH. And when they were asked to give up hard-won entitlements to secure production, when they were asked for $15 million in costs, what did the workforce do? They voted to agree with the company, setting up the framework for future investment. What they needed to remain in Australia was government assistance—the same government assistance that car workers get in Germany, in Japan, in Korea and in any other country that supports its car workers. But in Australia they found a government that was indifferent to the economic circumstances of the world and indifferent to jobs in this country. Let's make no mistake: this was all about the division in the government; this was all about the heart and soul of this government. And what we find is that a callous, flint-hearted Treasurer has won the day. If there is unemployment in this country, and if there is a tragic human cost to this decision in this country, it will be on the head of the Treasurer, it will be on the head of the member for Hindmarsh, it will be on the head of Senator Edwards and all of the other Liberals who sat quietly for two months, lulling the whole place into silence, and then, at five minutes to midnight, leapt on this iconic national brand.

For 50-odd years governments have been supporting car manufacturing in this country. That is why we had Minister Hodgett from the Victorian government say yesterday: 'My message to federal colleagues is any speculation on future of Holden is not helpful. It's disappointing.' What response did he get? The Treasurer, and the Acting Prime Minister goaded this company into making a decision before Christmas—of all times! The Acting Prime Minister sent a letter. Who sends letters these days? Couldn't he pick up the phone? Couldn't he go down and have a meeting? Federal industry policy has descended to a one-page excuse. That is what federal industry policy has become.

There are workers in my electorate—and I was with them last week—such as Murray Akehurst who, in the Advertiser on 2 December, was talking about how he wanted to fight for his job. He has been there for 16 years. He is 50 years old. Where is he going to get a job? Damien Griffiths of Andrews Farm is a father of two children. He has a mortgage. Where will he get a job? The human cost will still be there in 2017. Make no mistake, it will be there in no uncertain terms. All that this government has given the workers of Holden is the certainty of unemployment. That is what they have given them. What we have is a Treasurer who has forsaken that title. Have no doubt about it, he will not have the courage to go down there to Elizabeth and watch the last car rolled off the line. He will not have the courage to go down there and face those workers. None of you will. When component workers came up to this House, with whom did they get a meeting? They got a meeting with the industry minister, who is a good man who is trying his best, I am sure. But they could not get a meeting with the Treasurer. You can be sure that what we have is a government that is completely indifferent to these workers.

I know we are not allowed to hold up headlines, but we should remember this other headline from today: 'PM's pansies'.

The SPEAKER: The member is defying the chair. He will remove himself at once under standing order 94(a).

Mr CHAMPION: You name me! I will take the loss of a day's pay in solidarity with the workers at Holden.
The SPEAKER: The member will not defy the chair. He will remove himself forthwith under standing order 94(a). Remove yourself.

Honourable members interjecting—

The SPEAKER: The member has behaved deplorably. He will remove himself at once from the chamber, under standing order 94(a).

The member for Wakefield then left the chamber.

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:33): I rise to speak on the motion moved by the member for Gorton that this House condemns the Abbott government for its failure to protect Australian jobs in the automotive and manufacturing sector. I move an amendment to that motion:

That all words after ‘that’ be omitted and the following be substituted:

That this Parliament pledge to work together to protect and support manufacturing and employment in Australia, through policies that promote growth, particularly taxation and regulatory policies.

This issue is far too important for the political game-playing that we are seeing from our Labor colleagues in the chamber today. The people in South Australia and Victoria and the Holden workers in both Melbourne and Adelaide are not really interested in the political game-playing by the opposition on this issue today. They are sitting in their homes and workplaces thinking that by 2017 at the latest they will have had to find new careers and new jobs to feed their families.

The amendment that I move to the motion moved today by the member for Gorton reflects the fact that this parliament should rise above the petty point-scoring that we are seeing from the opposition on this issue, because there are hundreds of thousands of people in the manufacturing sector around Australia, not just the car workers. There are hundreds of thousands of families, workers, small-business people, whether it is in the component industry or other manufacturing, that are all affected by exactly the same issues that have impacted on Holden in their announcement today. Nobody seriously believes—that Holden is the only company in Australia that is affected by the high Australian dollar, high production costs, high real wages. That is what was reflected in the press statement that General Motors made from Detroit. They did not seek to blame the federal government, the state government or anybody else for what has happened to Holden. They very pointedly, clearly and factually set out why this commercial business decision was made in Detroit, probably in the last few months but communicated today. They said in the statement:

The decision to end manufacturing in Australia reflects the perfect storm of negative influences the automotive industry faces in the country, including the sustained strength of the Australian dollar, high cost of production, small domestic market and arguably the most competitive and fragmented auto market in the world.

General Motors themselves made it perfectly plain.

The opposition are still playing the games. It is pathetic.

Mr Albanese: I raise a point of order, Madam Speaker, as to whether the amendment moved by the Leader of the House is in order, because it contradicts the original motion that is before the House.

The SPEAKER: The amendment is in order.
Mr PYNE: As a South Australian—and I am not the only South Australian in the House—I understand how important the car industry has been. For years, people like me, the member for Hindmarsh, the member for Boothby and senators from South Australia have campaigned and argued for the car industry. Money from the taxpayer is not the reason General Motors-Holden have made this decision today. There has been $1 billion to 2015 from the Australian taxpayer—$1 billion of taxpayers' funds—to support the car industry to—

Mr Albanese: Madam Speaker, I rise on a point of order. It goes to your ruling. The motion is about 'automotive'. The amendment moved does not mention 'automotive' or the car industry—not once. Not once does it mention it, and therefore—

The SPEAKER: The member will resume his seat. The standing orders permit such an amendment to be moved.

Mr PYNE: Of course, manufacturing is the car industry so it is a relevant amendment to the original motion. Beyond 2015, $1 billion sits on the table for the car industry. So taxpayers' money is not the problem. If taxpayers' money was the problem, why would it be that, six months after previous Prime Minister Ms Gillard announced a $275 million package for the car industry, in March 2012—and heralded it by saying 'through the announcement that we've made together today we know Holden will be here through to 2022'—Holden announced that they were reducing their workforce by eight per cent? That was in spite of the fact that the Premier of South Australia, Mr Weatherill, said, 'What we're guaranteeing is no jobs decline.' He said that in the paper on 24 March 2012, and then, six months later, Holden reduced their workforce by eight per cent.

All fair-minded people in this place and in the community know that there has been a tremendous amount of taxpayers' money put into the car industry over decades, not just since the Howard government's automotive plan. General Motors have made it absolutely clear today that the reasons they are closing the operations have nothing to do with the decisions the federal government made. Labor can spin their wheels and try their best to pretend to the Holden workers that this has something to do with the federal government. They will find it very hard to explain how, if it is our fault, Holden is closing its operations. It was not their fault that Ford closed their operations, that Mitsubishi closed their operations, or that the Olympic Dam expansion is not going ahead. They will find it very hard to explain why they thought support for the car industry was to make fringe benefits tax changes that hit the car industry with $1.8 billion of extra tax. They will find it very hard to explain to the people of my great state how a carbon tax that added to the cost of building a car did not have any impact on the car industry. It did not have any impact, apparently, on the car industry!

Their hypocrisy is writ large in this debate. The sanctimony coming from the Labor Party is gut-wrenching. This goes beyond politics. I see the member for Kennedy here. He has been arguing for years for policies for the car industry, and other industries that we probably do not support. But at least he has been genuine from the beginning. I did not hear these howls of outrage and condemnation for their own government when Ford and Mitsubishi announced that they were closing. I do not remember the South Australian members of parliament standing up here and criticising the previous government when BHP said that sovereign risk, uncertain government policy, extra taxes and the demands of the union movement were the reasons that the Olympic Dam expansion was not going ahead. The public are not stupid. The
public know full well what has been going on in manufacturing in Australia. It is in the statement made by General Motors-Holden.

I ask the question, as a South Australian: what has my state government done in the last 12 years to diversify our state's economy? Why hasn't it been putting resources into agriculture, education services, construction or the mining industry? Why didn't it diversify our economy rather than relying on more and more taxpayers' dollars to keep a car industry here—an industry that said today that taxpayer dollars were not the reason they were staying in the first place and taxpayer dollars would not keep them here?

Even if the Abbott government had announced another half a billion dollars for the car industry on top of the $1 billion that is already on the table, would it have kept the car industry here? It is very unlikely that it would have, because the decisions about this were made in Detroit. It was Detroit's decision not to allow Holden to export. There was a time a few years ago when Holden was exporting to the United States, when, in California, if you got into a police car—hopefully not!—or saw a police car, it was made by Holden at Elizabeth. They were exporting to the Middle East, one of their biggest export destinations. Then Detroit made the decision that Holden should not compete with their own operations in America by exporting to the United States and the Middle East. It was Detroit's decision not to reinvest in equipment for Holden at Elizabeth, to make the plant more and more competitive.

The reason the House is basically quiet is that everybody knows this is true. All the political point-scoring in the world, all the outrage in the world, will not change the fact that what I am stating is known facts. I mourn what Holden has announced today, but unfortunately we have to work together to make it better for the future.

Mr KATTER (Kennedy) (15:43): I wrote a small history book.

Honourable members interjecting—

Mr KATTER: This is serious stuff. I do not think this is really the time for laughing and humour. You cannot write a history of Australia without putting in that history the story of Holden. It is one of the great achievements of the Australian people—the story of the Holden family and Laurence Hartnett. We are watching that great path of Australian history, that great achievement of the Australian people, cease.

I and others, almost exclusively from the crossbench, have risen in this place again and again and spoken about the value of the dollar. You should not come into this place if you do not understand the value of the dollar; you really should not be here.

Paul Keating did the right thing initially. He allowed the dollar to float, and it went down to 49c. That was the true value of the Australian dollar: 49c. Then he drove it up.

Honourable members interjecting—

Mr KATTER: Please listen. You might learn something.

Then he drove it up through the roof. Peter Costello came in and again did the right thing and allowed the dollar to free float. It went down to 5c. If you allow the dollar to free float, that is where it will go. Then, like Keating, for reasons best known to himself—or the Reserve Bank—he drove it up to over 92c.
I have asked for a picture; I do not have it here, but it is a picture of me filling up a car in Sao Paolo in Brazil. The car is an Australian motor car. I said, 'Is your fleet all Australian motor cars?' He said: 'Yes. The Holden motor car, the Caprice, is an excellent car. I have always had Holden Caprices but I won't be buying them next year.' I said, 'Why?' He said: 'Because your dollar has doubled in value and that means that, in terms of Australian money, I was paying $36,000 and now I'm paying $72,000. So I'm going to buy the Brazilian car which is $37,000. I don't think it's quite as good but I can't afford to pay $72,000.'

That is what the manager of Holden said today. If our interest rates are 2.7 per cent—that was the three-year average last time I looked—and the rest of the world's is an average of 0.2 per cent, it not only says to the world, 'Put your money here in Australia and buy Australian dollars because you'll get a much better interest rate'; it also says to the rest of the world that we have a policy of having a high dollar, which will continue. All I am saying is that, when it was allowed to free float, it came down. That is where it went. Both those men, Mr Keating and Mr Costello, allowed the dollar to free float and it went down to 50c. I hold up for the edification of the House that picture of me filling up a Holden motor car in Sao Paolo. If the dollar were allowed to free float today, when our economy is much narrower, then God bless people. Leading economists—including David Koch, who was on a morning program, and Ross Garnaut, with whom I disagree violently on many things—and business people throughout this country have said we must bring the dollar down.

Cattlemen were done incredible damage by the ban on live cattle export to Indonesia but we were already in trouble before that. We simply cannot live with the dollar. Our incomes in the cattle industry and the wheat industry and at Holden have effectively been cut in half because the dollar went down. We do not have a problem with wages if the dollar is cut in half. The people on my left talk all the time about wages being too high; I would suggest we let them set a good example. But I do not want to make cheap shots. I take that back.

I say to you: you will live in a country without the ability to build a motor vehicle. I sit under a picture of one of the greatest ever Australians, Jack McEwen. Jack McEwen said the third reason for having tariffs was that:

… I will never see my country plunged into another war without the ability to build a main battle tank.

The immediate solution to this problem, and our little tiny party has been screaming this for ages, is for every car bought under a government contract in Australia—which is 25 per cent of the cars in Australia—to be an Australian motor car. That is very easy, and the Americans have already done it in the steel industry. George Bush moved the legislation and it was carried through by Barack Obama. Both of them said that if it receives one dollar of government money, then it will contain 100 per cent American steel.

The Americans are attacking the Chinese for artificially holding their currency down, and they are. You can use the word artificial if you like but they are holding their currency down, no doubt about that. The Chinese have accused the Americans of holding their currency down—and they are, no doubt. No-one will ever accuse this country of holding its dollar down because we have actually pushed it up through the roof. One of the greatest damages done in this place was when Peter Costello—and I like Peter Costello personally—continually skited in this place that a high dollar was an indication of the success of the government. That comment demonstrates the complete opposite, but I am not here to denigrate him or anyone else today.
I agree with the amendment being pushed forward, to be quite frank with you, even though I also agree with the opposition that action should be taken. But let me say to you that when the Reserve Bank said they were reducing interest rates and addressing the issue of the value of the dollar—when they put that magic combination together—the dollar went down 20c. So we know where the answers are.

David Koch, for all his humour and light-heartedness on his program in the mornings that we all love, is also a very eminent economist. He put this proposition forward with great aggression, as did his wife and Ross Garnaut and many of the leading business figures in this country. But I have mines closing. I have cattlemen shooting themselves, very sadly, at the rate of one every five weeks now. The value of our dollar—

_Government members interjecting—_

Mr KATTER: There is a fellow here questioning that. I will give you the name of one of them: Jimmy Whelan. You can look it up. His son committed suicide nine weeks ago and you are laughing at that. You seem to think it is funny. You seem to think you are making a political statement about it.

The SPEAKER: The member will withdraw that remark.

Mr KATTER: If there was a criticism there, I withdraw it. I want to stay positive as far as humanly possible here. But the situation is that, if you represent a country electorate and you do not know the pain that is going on, then I do not think you do represent a country electorate.

If the dollar drops in half then the income for all of those people—the grain growers, the dairymen, the cattlemen and the workers in the motor vehicle industry in Australia—will double. So you know where the answers lie. The immediate answer is to use the government contract to restrict them to purchasing Australian motor cars. It is my understanding that the cars of the Catholic schools in Queensland, for example, are bought under a government contract. I am told that 25 per cent of the cars in Australia are bought under government contracts. So the answer lies with the government.

I plead on behalf of every single Australian for the government to rescue this industry and to not watch our country be left out and lose the ability to make an electric motor, a tyre or now a motor car. What technology will we be left with in this country if we continue to pursue the government's policy that it is not their responsibility and it has nothing to do with them? It most certainly has. The answers are there. I have described them today. They do not come from me; they come from the most eminent economists in this country. I plead with the government to look at those solutions. (_Time expired_)

The SPEAKER: The original question was that the motion be agreed to, to which the honourable Leader of the House has moved as an amendment that all the words after 'that' be omitted with a view to substituting other words. The immediate question is that the amendment be agreed to.

The House divided. [15:58]

(The Speaker—Hon. Bronwyn Bishop)

Ayes .................... 88
Noes .................... 49
Majority ............... 39
AYES

Alexander, JG    Andrews, KL
Andrews, KJ    Baldwin, RC
Billson, BF    Bishop, JI
Briggs, JE    Broad, AJ
Broadbent, RE    Brough, MT
Buchholz, S (teller)    Chester, D
Christensen, GR    Ciobo, SM
Cobb, JK    Coleman, DB
Coulton, M (teller)    Dutton, PC
Entsch, WG    Fletcher, PW
Frydenberg, JA    Gambano, T
Gillespie, DA    Goodenough, IR
Griggs, NL    Hartsuyker, L
Hawke, AG    Henderson, SM
Hendy, PW    Hockey, JB
Hogan, KJ    Howarth, LR
Hutchinson, ER    Irons, SJ
Jensen, DG    Jones, ET
Joyce, BT    Katter, RC
Keenan, M    Kelly, C
Laming, A    Landry, ML
Laundy, C    Ley, SP
Macfarlane, IE    Marino, NB
Markus, LE    Matheson, RG
McCormack, MF    McGowan, C
McNamara, KJ    Morrison, SJ
Nikolic, AA    O’Dowd, KD
O’Dwyer, KM    Pasin, A
Pitt, KJ    Porter, CC
Price, ML    Pyne, CM
Ramsey, RE    Randall, DJ
Robert, SR    Roy, WB
Ruddock, PM    Scott, BC
Scott, FM    Simpkins, LXL
Smith, ADH    Southcott, AJ
Stone, SN    Sudmalis, AE
Sukkar, MS    Taylor, AJ
Tehan, DT    Truss, WE
Tudge, AE    Turnbull, MB
Van Manen, AJ    Varvaris, N
Vasta, RX    Whiteley, BD
Wicks, LE    Wilkie, AD
Williams, MP    Wilson, RJ
Wood, JP    Wyatt, KG

NOES

Albanese, AN    Bird, SL
Bowen, CE    Brodtmann, G
Butler, MC    Byrne, AM
Chalmers, JE    Chesters, LM
Clare, JD    Claydon, SC
Collins, JM    Conroy, PM

CHAMBER
Question agreed to.
Motion, as amended, agreed to.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:03): I move that further questions be placed on the Notice Paper.

DOCUMENTS
Ministerial Standards
Presentation

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:03): As promised during question time, I table the government’s statement of ministerial standards. This document will be made available on the website of the Department of Prime Minister and Cabinet.

PERSONAL EXPLANATIONS

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (16:03): Madam Speaker, I wish to make a personal explanation.

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

Mr MORRISON: I do.

The SPEAKER: Please proceed.

Mr MORRISON: Earlier today, in a 90-second statement, the member for Corio alleged that this government and I, as immigration minister, had denied a short-term medical visa for Ayaan Mohamed:

… a young woman from Somaliland in Somalia who has a serious facial disfigurement because of a gunshot wound incurred as a child during the war in Somalia.
He went on to say:

Now, through Aussie generosity, facial reconstruction surgery in Australia has become a real possibility, with this surgery and the passage to Australia being offered to Ayaan free of charge by Brisbane's Wesley Hospital and the Rotary organisation. But Ayaan has been denied a short-term medical visa by the Abbott government …

He went on further, to say:

So, as it stands, Minister Morrison, this decision makes no sense. It appears profoundly unfair and it needs to be reconsidered.

He referred also to a report on The Project last night.

I can inform the House that that visa was indeed rejected. It was rejected in March 2013 by the previous government, by the member for Gorton. A further visa has been applied for more recently, in October. That visa has not been determined at this point. Madam Speaker, on indulgence, if I could just say this: if members—

Opposition members interjecting—

Mr MORRISON: I have asked Madam Speaker's indulgence.

Mr Albanese interjecting—

Mr MORRISON: I just wish to make a statement to the House.

The SPEAKER: No, I am sorry.

Mr MORRISON: I do not wish to make a debate, just offer—

Mr Dreyfus: A bit of order! Why don’t you sit him down?

The SPEAKER: The minister has made his point about where he has been misrepresented. If he wishes to seek indulgence subsequently, he may do so subsequently.

Mr MORRISON: I seek indulgence, Madam Speaker.

The SPEAKER: I think the minister can perhaps consider this at a later time in the day.

AUDITOR-GENERAL’S REPORTS

Audit Report No. 10 of 2013-14

The SPEAKER (16:05): I present the Auditor-General's Audit Report No. 10 of 2013-14 entitled Performance audit: Torres Strait Regional Authority - Service delivery.

Ordered that the report be made a parliamentary paper.

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education) (16:06): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

Pacific Parliamentary Partnerships

Presentation

The SPEAKER (16:06): I present the Presiding Officers' annual statement on Pacific Parliamentary Partnerships.
Access to Committee Documents
Presentation

The SPEAKER (16:06): Pursuant to the resolution of the Senate of 6 September 1984 and the House of Representatives on 11 October 1984, I present a report on access to committee documents.

MATTERS OF PUBLIC IMPORTANCE
Infrastructure

The SPEAKER (16:06): I have received a letter from the honourable member for Grayndler proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The need for productivity to determine infrastructure investment decisions by Government, through transparent economic analysis and the maintenance of the independence of Infrastructure Australia, free from political interference.

I call upon those honourable 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 ALBANESE (Grayndler) (16:07): Nearly three months after this government came to office, one thing is very clear and we have seen it again today: they had a plan to get into government but they had no plan for government. They are all opposition and no ability to govern. Tony Abbott and his colleagues spent so much of their time in opposition being negative about the previous Labor government that they left no time to develop a plan for what they would do in office. Just about every single decision they have made in the past three months has involved the abolition of a Labor reform. This is a government characterised by what it opposes, not by what it proposes. It is a government dyed in negativity. It offers no policy alternatives.

When Labor was in government, I labelled the coalition the 'NOilition'. If you look at their first 100 days in power, absolutely nothing has changed. They are still the NOilition, a policy vacuum with no forward plan beyond the abolition of every last vestige of the previous Labor government. This is why Australians today are witnessing what is undoubtedly the worst transition to government from opposition in Australia's national political history. Nowhere is this more apparent than in the area of infrastructure, where the opposition want to trash Labor's independent, evidence based formula for nation building and return to the bad old days of shameless political interference and pork-barrelling dressed up as policy.

We are moving this matter of public importance today because the opposition chose to gag debate last night on the infrastructure bill. The government gaged debate without the assistant minister, who sits at the table and will respond to this MPI, even making a contribution. They had no summing up to their legislation. They had no consideration in detail process so that the opposition were unable to put the amendments that we had ready to move forward before this House and have debated before this House. So confident are they in their alternative vision for infrastructure that they shut down all debate. It is little wonder, because infrastructure in terms of a portfolio did not exist when they were last in government. Warren Truss, the new
minister for infrastructure, is the first ever coalition minister for infrastructure, because they simply did not have any of those processes when they were last in office.

When Labor came to office in 2007, Australia sat at 20 out of 25 OECD countries when it came to investment in infrastructure as a proportion of GDP. Today we stand at second, only behind South Korea. We are second out of 25 OECD countries as a result of our record investment in roads, in rail, in ports and in other nation-building infrastructure. We did it in a coordinated way. We did it in a way which ensured that there was a systematic approach. Our starting point was the realisation that, if you are serious about nation building, you need to decouple the infrastructure investment cycle, which by definition is long term, from the political cycle, which is by definition short term. It is very unusual, indeed, for a minister who gets to announce a project to get to open that project; it is very unusual indeed. It was certainly very rare for those opposite over those 12 years because, frankly, they did not do much.

But we on this side of the House delivered. We established the process of Infrastructure Australia, an independent adviser to government at arm's length. It was opposed by those opposite. We asked Infrastructure Australia to assess the nation's infrastructure needs and create a prioritised list of projects that its experts believed would do the most to boost national productivity. As a result, we delivered 7,500 kilometres of new or upgraded roads; a revitalised rail sector, including better passenger rail in cities; and 4,000 kilometres of new or upgraded track. Because of our investments, seven hours were taken off the rail freight journey from Brisbane to Melbourne and nine hours off the journey from the east to the west coast. It meant that companies made decisions to take freight, such as dry goods from Woolworths, off heavy vehicles and onto rail. This was vital, important work.

We had national strategies through Infrastructure Australia for the first time on ports, on land freight and on infrastructure in Indigenous communities. We of course began the National Broadband Network. It was identified as No. 1 on the themes of Infrastructure Australia because of what it would do to transform the national economy and productivity—very simple. As a result of all of these measures, a coordinated and integrated approach and making sure that Infrastructure Australia could look at the needs of cities and regions in a holistic way—not directing them to look at this or look at that—we got good outcomes. You yourself know this, Mr Deputy Speaker Scott, because you have acknowledged the work that we have done on the Warrego Highway, upgrading a bridge that you got to open in recent times and other work that was not done by the former government over those 12 years. This was record investment.

Since taking office, the new government has dedicated itself to annihilating all Labor reforms on principle, regardless of any policy implications. The Prime Minister, Tony Abbott, and his ministers are, like in an episode of Doctor Who, in the role of Daleks whose only instinct is to exterminate any resemblance of Labor in government. Action on climate change? They say no. The mining tax? No. The National Broadband Network? No. Gonski education reforms? No, then yes, then no, then yes, then no, then yes, then no. The fact is that those opposite have a view that they will be defined by what they are against.

The legislation to eliminate the independence of Infrastructure Australia is a real concern. It gives the minister the right to direct the organisation to what it should consider or, importantly, what it must not consider. That is not evidence based process; it is a recipe for
politically motivated interference. It is a step backwards. But that is just the first item in the
catalogue of shame, which includes the abolition of Labor's Major Cities Unit and the refusal
to honour more than 560 grants that are in the budget under the Regional Development
Australia Fund. They say this nonsense about stuff that was in the May budget.

Mr Briggs: What did you do in '07?

Mr ALBANESE: That was in there. It is cancelled.

Mr Briggs interjecting—

Mr ALBANESE: We gave every opportunity—

Mr Briggs: Ah!

Mr ALBANESE: from 1 July 2008—

Mr Briggs: Ah!

Mr ALBANESE: You fraud. You boy.

The DEPUTY SPEAKER (Hon. BC Scott): Order!

Mr ALBANESE: That is what we did. That is what mature governments do.

The DEPUTY SPEAKER: Order! The member for Grayndler will withdraw that
reflection on the member for Mayo.

Mr ALBANESE: Well, he should stop interjecting.

The DEPUTY SPEAKER: No, no. The use of the word—

Mr ALBANESE: I withdraw. The Bolivia Hill realignment on the New England
Highway? Cancelled. The Cape York regional package worth $210 million—where is it?
Where is it in your announcements?

A government member: Stay tuned!

Mr ALBANESE: And they say it was not done. 'Stay tuned,' they say. There was the $85
million of APY lands—

Mr Briggs interjecting—

The DEPUTY SPEAKER: Member for Mayo!

Mr ALBANESE: and, importantly, the complete abolition of any investment in urban
public transport. You cannot deal with projects in cities without dealing with urban public
transport—projects like the Cross River Rail; projects like the Melbourne Metro; projects like
the one at Tonsley Park that this fellow, the member for Mayo, thinks was a freight line. It is a
passenger line. And he lives in Adelaide! It is in his local community and it is a passenger
line. Yet those opposite say we should allocate funds regardless of whether or not there is a
cost-benefit analysis.

The fact is that those opposite do not have a plan for the long term. They do not have a plan
for infrastructure. They want to dilute the Infrastructure Australia model and they want to
trash the independence of Infrastructure Australia.

Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development)
(16:17): It is a great pleasure to speak on this MPI. It is an important MPI, albeit slightly
misdirected, it must be said. The former minister leaves the chamber in the huff that he
continues with since the election due to his inability to accept that, on 7 September, the plans
and policies for a better Australia, for a stronger Australia, put forward by us were accepted by the people—his refusal to accept that, in a contest amongst Labor's own membership, which he won comprehensively, he could not quite get past the union bosses amongst his caucus to ensure that he was Leader of the Opposition. So we see the constant anger, the desire here to seek revenge on those in the Labor caucus who he thinks did him over. That is largely, unfortunately, what is driving a former minister who, I must say, did actually do some good things.

The introduction of Infrastructure Australia was a good reform and a reform that we support, and the bill that was before the parliament last night—hijacked by Labor's silly games in this parliament—is to strengthen the role of Infrastructure Australia, strengthen the independence of Infrastructure Australia, to ensure that we do get the best advice, that we get a 15-year plan to give certainty to the infrastructure market; to ensure that we have a more productive capacity in our economy to build the infrastructure of the 21st century; and to ensure that the Prime Minister is remembered as 'the infrastructure Prime Minister'. That is our plan.

One of the problems with the contribution just then from the former minister, the member for Grayndler, and the contribution he made in the second reading debate yesterday on the bill is that he is a very, very good politician—there is no question—and sometimes very, very good politicians have the capacity to dream up falsehoods and argue them strongly, and that is what the member for Grayndler has done two days in a row.

Let us just deal firstly with this falsehood that the member for Grayndler is trying to create in respect of Labor's record on listening to Infrastructure Australia, shall we? Let us deal with some of the facts. Fifteen of the 16 projects announced in 2009 were not on the IA priority list: the Darwin project, the Oakajee project, the Cooroy to Curra section B project, the Brisbane Inner City Rail capacity project, West Metro in Sydney, the Northbridge rail link. And who could forget—certainly not certain journalists at newspapers across the country in the 2010 election campaign—the Parramatta to Epping fiasco in that campaign? Remember Premier Keneally, who had just faced the wrath of Kevin Rudd in one of those meetings about health reform, standing there with Julia Gillard, walking along the train section and saying, 'We're going to fund this; we're going to fund this,' while, sheepishly, the member for Grayndler, the former minister, was walking along next to them going, 'Oh, dear. This one's not on the priority list. It hasn't been looked at by Infrastructure Australia.' So let us look at some of the facts and not the falsehoods that the member for Grayndler wants to create in this debate, rewriting his record and rewriting the performance of the former government.

The truth is governments are there to make decisions. Advisory committees and boards should advise governments on the direction they take and governments should make the best decisions with the best advice possible. But it is governments that make decisions, not independent boards or independent advisory committees—or the Australian Greens. It is governments elected by the people who make those decisions, and that is what this government will do and that is what the former government did. So let us not have any more of these false claims from the former minister, who is trying to recreate this perception about how much he listened to Infrastructure Australia when he was the minister.

The former minister, in his speech on the second reading, also tried to recreate some fiction with respect to the amendments we are moving in the bill. He said that we had not consulted
with the chair of the Infrastructure Australia Council, Mr Rod Eddington. That is wrong. He
has been consulted. They should just be careful about who they are being told information
about Infrastructure Australia by. Indeed, I have spoken to Mr Eddington and the board about
the bill, and so has the Deputy Prime Minister, comprehensively.

Interestingly enough, the only people seemingly objecting to the bill are the member for
Grayndler and the Labor Party. Industry is very keen on it. The Infrastructure Australia
Council are very keen on it. And they are keen on it because it will strengthen the
independence of Infrastructure Australia. It will add to the good work, as I said earlier, that
the former minister did. It will add to that good work because it will make Infrastructure
Australia genuinely independent. It will make it a board that appoints an independent CEO.

Last night in his speech on the second reading, the member for Grayndler somehow tried to
create the scenario that an independent board, a board appointed by government, appointing a
CEO was somehow going to lead to mates being appointed—when, under the current act, the
infrastructure coordinator was appointed by none other than the member for Grayndler. The
current infrastructure coordinator was appointed by the member for Grayndler. We want to
put in place a structure where an arms-length board appoints an Infrastructure Australia CEO.
Somehow that, in the member for Grayndler's mind, is less independent than him appointing
directly—a political appointment right there.

The other falsehood that the member for Grayndler entered into and continued to say again
in this MPI today is that the IA will be constrained in the advisory capacity and role in
evaluating proposals. One of the problems with going into opposition is that the same people
who advised you just three months ago now advise the new government, and of course those
who advise us have made the very clear point that the claim that the member is making is
wrong. He is very clearly wrong. Under the current legislation, IA can only evaluate
proposals for investment in or enhancements to nationally significant infrastructure at the
request of the minister. This is limited to nationally significant infrastructure. The amendment
bill provides IA with a broader remit and greater degrees of independence.

In addition, the member for Grayndler tried to claim that the minister will limit the scope of
the projects that can be evaluated by IA, specifically public transport, continuing this
campaign. That is simply not true. We want IA to do a fundamental audit of all Australia's
infrastructure needs, excluding defence, and to have a 15-year priority list in conjunction with
state governments, and that will undoubtedly include urban rail. Undoubtedly it will have
urban rail projects on that list.

But the point that we have made we put to the Australian people. I know it is a new
concept for the Labor Party: you make a promise to the Australian people and then you follow
through with it. You promise something, 'There will be no carbon tax under a government I
lead,' and then you follow through with it, not having a carbon—hang on! You know what I
mean, though! We will continue on with the proposals we put to the Australian people.

But this is where I find that the member for Grayndler obviously got to the bottom of the
barrel in trying to claim reasons to oppose the bill. The member for Grayndler somehow
created in his speech on the second reading some great outrage that the new government's
Infrastructure Australia bill was so absurd—he made this point—that we had introduced the
'ill-defined crime of misbehaviour'. The only problem with the member for Grayndler saying
that council members would be dismissed for this ill-defined crime of misbehaviour is that that is what is in his act. The government is not changing that at all.

What we are seeing here in the opposition to this bill is the member for Grayndler's campaign around the country of refusing to accept that the government has changed, refusing to accept the views of the Australian people and refusing to accept that the caucus bosses, the union bosses, did not let him become the Leader of the Opposition. If the member for Grayndler were serious about building upon the work that he did as the infrastructure minister—one of it, as I said, was good—by improving Infrastructure Australia, he would have moved amendments. No, he did not; he opposed the bill outright, and the Labor Party is opposing the bill outright. That is all it is about. He had the opportunity in his speech on the second reading to table amendments and he did not do so.

We have a thorough and comprehensive agenda to build the infrastructure of the 21st century. We took that to the election, and we will have much more to say about that very soon. As the terrible news in South Australia today highlights, the Australian economy has challenges. We want to build our productive capacity. We want to build the projects around our country in conjunction with our state government friends and the private sector to ensure that we have the productive capacity for the 21st century. The Prime Minister will be remembered as the infrastructure Prime Minister because we believe that giving the Australian people the tools so that they can make the most of their own opportunities is the best way to govern our country. On 7 September the Australian people accepted that. It is about time that the member for Grayndler did too.

**Ms RISHWORTH** (Kingston) (16:27): I rise to speak today because I think this is an incredibly important issue about the future of our infrastructure right through this country. I am very, very concerned that this government is taking us back to the future when it comes to infrastructure planning. Indeed, we see the assistant minister and the minister going back to the dark old days in which a National Party member or maybe a Liberal Party member came knocking on the door and then money was poured out with no consideration of what the long-term impact of that might be and no consideration of long-term coordination.

When we came to government, we put together Infrastructure Australia to ensure that there was a long-term vision for this country. One of the fundamental things that we did—one of the fundamental things that people were saying—was invest in public rail, because what public rail does in our major cities is get cars off the road. If we can invest in better public transport, not only can we reduce carbon emissions but we can help people get to work on time. We can help people in outer metropolitan areas get around our big states.

I was very, very pleased when Infrastructure Australia gave the green light to the Seaford Rail Extension in my electorate. This was an incredibly important rail line, and it will be open very shortly, with the first electrified trains in Adelaide running from Seaford, reducing travelling time to about 43 minutes, which is significant. You cannot drive to the city on the roads. Of course, our vision for public transport was integrated with our road transport network as well as our investment in freight trains.

We had a plan—a big plan that continued working. One of the more recent parts of this plan was the Tonsley park-and-ride. It is just outside my electorate but it would have been very beneficial. Infrastructure Australia recommended it. Agreements between the state and federal governments were made. It provided not only an important park-and-ride and
duplication of that electrified rail line but also jobs. Jobs on the Seaford rail extension were coming to an end and, with this agreement between the federal and state governments, we could continue that effort in public infrastructure and make sure that jobs were kept on. So that was about efficiency, effectiveness and looking at public rail as a whole.

Unfortunately, the government—when they were in opposition—decided before the election to can the project. They decided to stop those people who were digging on the rail track at the time. They decided to can those jobs and say, 'It's all over.' Those opposite pulled the money immediately from this project. It was appalling. Then there was a glimmer of hope for this important public rail. I understand that the Premier sat down with the Prime Minister and discussed this issue. It was agreed that this important project would go ahead.

It is really important to have an independent Infrastructure Australia process to ensure that there is a plan. This process also enables some coordination of workers on the ground. Unfortunately, that coordination did not continue when the now assistant minister got onto radio. That is never a good thing for the assistant minister. While the agreement between the Premier of South Australia and the Prime Minister was that this project would go ahead, unfortunately we had some confusion from the assistant minister. This is the transcript about the Tonsley rail. It says:

**Tom Koutsantonis**: If that's all true could you ask Mr Briggs why the Prime Minister is honouring his commitment to upgrade the Tonsley rail line? It's not [indistinct] rail…

**Jamie Briggs**: It's freight.

**Tom Koutsantonis**: No it's passenger, it's passenger service…

**Jamie Briggs**: It's freight…

**Tom Koutsantonis**: No it's not freight…

I have not quoted the whole transcript; it continues on. You can see from that that there is an incredible lack of coordination and that there is confusion. Unfortunately, since that interview, when the assistant minister realised that it was passenger rail, the project has been canned. So it was going to be canned, then the Prime Minister said it was back on. Then, unfortunately, the assistant minister got on radio, made a mistake, and it was canned again.

This is similar to what happened with the issue of school reform. I think there is a clear pattern coming out from the government. This project has been in limbo—(Time expired)

**Mr ENTSCH** (Leichhardt) (16:32): I gives me pleasure to rise today to speak on this MPI. In fact, I think there would be very few of us here who would not argue that we have a great deal of agreement in relation to the basis of what is being presented. However, if you are going to make a commitment about these things you have to deliver on it. This is where the previous government—the member for Grayndler was the Minister for Infrastructure and Transport—have let down this country very badly. They did that first of all in relation to their commitments for investment. They did do some great stuff there but there were certainly some very serious holes in relation to their infrastructure commitments. The other commitment on the economic analysis was the independence of Infrastructure Australia—freeing it of political interference. I think that is rather farcical.

The coalition government is certainly committed to building the infrastructure of the 21st century led by Australia's first 'Infrastructure Prime Minister'. We have made major commitments to roads and freight rail across the country, to improve our productivity and cut
congestion. Projects that will have significant direct or flow-on effects for my region include $1 billion to widen the Gateway Motorway upgrade in Brisbane to improve access, traffic flow and driver safety; and the $6.7 billion to the Bruce Highway as part of an $8.5 billion package of works with the Queensland government to make this vital road safer, less congested and more resilient to flooding. A number of us along the Queensland eastern seaboard have been actively campaigning for a number of years to get this commitment. It is a very significant commitment but it is the start of the process. We do not see this as the final package but it will certainly go a long way to addressing many concerns and challenges that we have had in that area. It will also provide us with an opportunity to have some level of continuity so that the work will continue until we at least achieve the outcomes that we are focused on achieving.

I am concerned that despite the previous government's rhetoric—and the previous minister's rhetoric—the Business Council of Australia estimates that only about 14 per cent of the former government's stimulus spending went into productivity-enhancing infrastructure. The reality is that the previous government sidelined Infrastructure Australia from decision-making processes. It is quite amazing that in the case of some $80 billion worth of economic stimulus money that was announced for various infrastructure projects, Infrastructure Australia was not called on for advice. And six of the projects funded were not fully assessed by Infrastructure Australia.

It is all very well to make infrastructure commitments but where the previous government fell down was in not funding the projects. There are a couple of examples in my area. The seawalls in the Torres Strait was a critical piece of infrastructure for the people of the Torres Strait. Despite the fact that the minister at the time, Minister Crean, took a photo opportunity up on Boigu Island to commit $5 million only to start to rebuild these seawalls, in May 2012, when we came into government no contracts had been signed and the flooding was continuing. They have lost about a third of the cemetery on Saibai Island. We found that there had never been any money allocated for the project.

These are only small projects but, nevertheless, they are important to these communities. The sum of $480,000 was promised for the upgrading of the refuelling facilities in the northern peninsula area—desperately needed, committed by the previous government. But when we came in, no money whatsoever. The same went for a $250 million Cape York package, including the Jardine River bridge and sealing of 100 kilometres from Mapoon to Weipa. It was promised. No money at all committed to it, so we have to try to find this money. It is all very well to stand up here and create a perception that you have a commitment to building infrastructure in this country, but unless you are prepared to put dollars into it and step out from the political interference then all of that is nothing but hot air. (Time expired)

Ms COLLINS (Franklin) (16:37): Our government did invest in infrastructure. We inherited a dearth of infrastructure, an infrastructure deficit right across this country. The Howard government, with all the money flowing in, hardly spent anything on infrastructure. What it did spend it spent in marginal seats. It did not spend it for the productivity capacity of the country.

In my state of Tasmania, under the Howard government, 90 per cent of road funding went into two electorates held by Liberal Party members. None of it, over $400 million, went into the south of the state. When we came into government we put $810 million, in the first five
years, into my state of Tasmania. We put it into the state's productivity capacity. We put it into rail, we put it into road and we put it into ports. We put it into those areas that would improve Tasmania's productivity capacity. In my own electorate we had the Kingston bypass. It was talked about for 38 years, announced by our government and delivered by our government. It was a real privilege to go to that opening.

We all know today's MPI is about the importance of infrastructure decisions being made with independence and transparency—Independence from Infrastructure Australia. At the last federal election we saw an announcement by the opposition, the now government, for an upgrade of Hobart Airport, in my seat of Franklin. It was for $38 million. The new government wants to give this to Macquarie Bank, the airport owner. Part of that project was disallowed by Infrastructure Australia. It was put up by the state government and was told it would not go ahead. That project has now changed. I am supportive of developing Hobart Airport but I do question the political interference in this decision to fund the airport.

We should have no political interference in Infrastructure Australia. We need Infrastructure Australia to go about its important work, to look at the productivity capacity of our country, to look at the blockages, to put up the projects along with the states and to assess those projects on how they will impact right across the country—how that taxpayer dollar is being spent. It is very important. As the member for Grayndler, then Minister Albanese, said, we went from 20th in OECD countries to No. 2 under the former Labor government. That was because of our investments in infrastructure. We knew how important they were to the future of this country. We announced many investments into public transport, particularly into passenger rail, because we knew how important they were. We heard from the member for Kingston earlier that some of those passenger rails have not been funded by the new government. They have been left out and do not know whether they will be funded. Interestingly, there has been no decision made on the Moreton Bay railway, in the Petrie electorate. I wonder why that might be? Is it because the state members have a by-election up there? Is that the political interference that is going on? Who would know?

Very important projects right across the country are being constructed because of investments made by the previous Labor government. They are being invested in Tasmania, South Australia, Western Australia, Queensland, New South Wales and Victoria—right across the country. They should be invested where needed and where those roads, ports and railways need to be upgraded, for the best interests of the country. That is what Infrastructure Australia should be doing, and it should be doing it independently. It should be making recommendations to the government—which, rightly, make decisions on where that funding should go—but the recommendations made by Infrastructure Australia should be without interference. This is very important; otherwise, we could see, like we have in my electorate in Tasmania, funding going to projects that Infrastructure Australia has said should not be funded. It is very important infrastructure that I support, but it should be funded by the owners of the airport in my electorate.

What Labor really wants to see from Infrastructure Australia, and what it wants to see right across the country, are safer and more efficient roads for everybody. That is what it has been aiming for: a revitalised rail sector. In my home state of Tasmania we invested $200 million and we want to invest more. We do not know if that will happen. *(Time expired)*
Mr BROAD (Mallee) (16:43): We parliamentarians love infrastructure because we get to put on high-vis vests and hard hats, and walk around and look at the projects we want to build. Of course we want to build infrastructure and increase productivity across Australia, but traditionally Australians do not have a great history of building infrastructure. Back in 1878, in my electorate, a guy called Edward Lascelles got so frustrated trying to build a train track and, because he could not get the government on side, he went and built it himself. That is the train track we are still using. Infrastructure is important, but it is appropriate for the government to have a greater say in the infrastructure needs of the country. I do not think it is completely disingenuous to ask that the government have a greater say with respect to Infrastructure Australia, to use the skills of the people who are on that committee and to marry that up with the skills, pressures and ideas that parliamentarians can bring to the system.

We have to ask ourselves when building infrastructure: what is the difference between convenience and productivity? That will be very important for us. Convenience is getting home 10 minutes earlier on a freeway, but productivity is shifting what we produce for the export market to, hopefully, secondary processing and driving the export dollars that we as a country have to drive.

The problem that concerns me very much—and I know we have harped on for a long time in this House about the carbon tax, but it is a contributing factor, as is red tape, to this problem—is that it has become so expensive in this country to build infrastructure. Even in my home town of Mildura, if the council want to widen the roads, they have to buy carbon offsets in order to do it. That is erring on the side of ridiculous. We have to find a way to drive down the costs of infrastructure. We have to deliver the infrastructure so that we can shift the products that we produce to the ports and restore and grow the Australian economy.

I have a theory—I am going to expound lots of theories in my time here in this parliament and I would hope that there are words of wisdom in them; Wyatt, being a young bloke, you might learn a thing or two from my theories—that the closer you are to the delivery of the infrastructure, the more efficient is the spend. A local council can grade a road much better than the federal government can grade a road. A state government can run a hospital much better than the federal government has ever run a hospital. So there is value in working constructively with all levels of government to build infrastructure.

That is one of the reasons that the Roads to Recovery funding, where the federal government gave money to state councils to build local infrastructure, has been so popular and has proved such a worthwhile spend. That is why Bridges to Recovery will also be important. There is no point in having a great road or a great railway line if we cannot get the 40-tonne B-double over the little country culvert, down the little country road and onto the main road. Well-positioned infrastructure does drive productivity. Government's role is to build the productivity that sometimes a small business cannot build on its own.

Our government wants to develop Northern Australia. Anthony Albanese, the member for I-am-not-sure-where—

Opposition members: The member for Grayndler.

Mr BROAD: Thank you very much; my apologies. He said that there is a 'need for productivity to determine infrastructure investment' and that 'sometimes the role of
government is to build infrastructure so then we can grow productivity; so sometimes it has to be around the other way. I think there is a very strong argument for the changes to Infrastructure Australia—its management and its charter—and for us having a greater say in how infrastructure is built. We are not completely dismantling Infrastructure Australia; we are building on a good initiative of the Labor government and trying to make it better.

Mr WATTS (Gellibrand) (16:47): When Labor came to government in 2007, it inherited a mismanaged and politically-driven system of infrastructure investment. Productivity ran a very poor second to politics, and the national interest lost out to the interests of the National Party. So, in 2008, the previous Labor government created a new system for the delivery of infrastructure which took a new approach. We stated that, to secure Australia's future prosperity, it was necessary to decouple the infrastructure investment cycle—which necessarily needed to be long term—from the political cycle, which, in the experience of those opposite, is much shorter.

That is why the previous Labor government created Infrastructure Australia as an independent adviser to government, asked it to assess the nation's infrastructure needs and created a priority list of projects which Infrastructure Australia's experts believed would do the most to boost national productivity. The previous Labor government laid a foundation for a rational, integrated and evidence-based policy framed on the basis of the national economic benefit. In contrast, on infrastructure the coalition wants to end integrated, evidence-based delivery of roads, ports, railway lines, public transport and many other works which go towards improving our standards of living and our economic productivity.

Infrastructure Australia's independent, expert-led process has found that, in my electorate, the Melbourne metro rail tunnel is Victoria's No. 1 infrastructure priority. By 2025, Melbourne's population will hit five million. Urban traffic congestion is a national problem which, if not combated, will cost us $20 billion a year in lost productivity by 2020. As the chair of infrastructure Australia has said:

… unless the rail networks are right, the cities won’t work properly.

The Infrastructure Australia endorsed Melbourne metro rail project aims to increase the capacity and reliability of Melbourne's public transport network to support growth and to handle the demand driven by our ever-increasing population. This project, which is listed as ready to proceed by Infrastructure Australia, will provide capacity for an additional 24,000 passengers per year initially, rising to an additional 60,000 passengers per year. By 2030, 140,000 passengers will be able to use the Melbourne metro during the morning peak.

Infrastructure Australia is recommending that we make a generational investment to benefit the entire Melbourne metropolitan rail network by increasing capacity in order to relieve congestion and accommodate future growth. The Melbourne metro rail is the 21st century city loop. Those opposite may consider supporting it, given that the original Melbourne city loop was introduced by those known socialists Dick Hamer and Henry Bolte!

Of course, commuters in Melbourne's west will see none of the benefits of the Melbourne metro rail project because, for purely ideological and political reasons, Tony Abbott has ruled out any Commonwealth funding for urban public transport infrastructure. He said that he wants to be the 'Infrastructure Prime Minister'—the Prime Minister of 21st century infrastructure. But it seems that there has been a typo, because the PM really wants to be the
PM of 1st century infrastructure: of the roads which have been built since the Roman age, not of the rail and broadband investments of the next century.

Before the last election, Tony Abbott told the Australian public that the Commonwealth government had 'no history of funding urban rail' and that the government should 'stick to its knitting' and only fund road projects. These comments are, of course, factually inaccurate, and the $3.3 billion on federal funding for the regional rail link project in my own electorate can adequately attest to their inaccuracy. In fact, based on independent economic analysis provided by Infrastructure Australia, the previous Labor government committed a record $13.6 billion towards urban public transport infrastructure projects. This was a responsible, grown-up way for government to plan infrastructure investment. In contrast, the Abbott government has left commuters in Australia's cities stranded by refusing to invest a single cent in public transport infrastructure on the basis of nothing more than an ideologically driven arts-and-crafts analogy.

It is not only those of us on this side of the House who are baffled by the government's position; the Victorian Liberal party cannot understand it either. The Napthine government likes to pretend that it supports public transport in Victoria—though, like those opposite, it had a lot more to say about public transport than it has actually done on public transport while in government. Nonetheless, the Napthine government likes to pretend that it will one day deliver the Melbourne metro rail tunnel for Victorian commuters.

Understandably for a project of the metro rail tunnel's size, there has long been an expectation in the Victorian government that Commonwealth funding will be required to deliver it. Given this, Tony Abbott's—the then leader of the opposition's—outright opposition to public transport funding put the Victorian Premier in a bit of a difficult position. Denis Napthine sought to soften perceptions of the then opposition leader's stubborn opposition to the project by telling Victorians:
I've certainly had some discussions about Tony Abbott's issue with a rail tunnel and he's softened …

He's indicated to me they're prepared to have ongoing discussions on key infrastructure like the metro rail tunnel.

But Tony Abbott did not take the hint. He immediately batted down his Victorian Liberal colleague, saying:
I would dispute that's the case … What I say in public and what I say in private is the same … we will not be committing to the—

Melbourne—

metro rail scheme. I've made that absolutely … clear.

Maybe the Victorian Premier would have had better luck if he had been asking for a no-strings-attached cheque from the education minister. Maybe he could have snuck it through then. The Melbourne Metro rail tunnel will not be delivered unless we have the Labor government, federally and at the state level— (Time expired)

Mr PORTER (Pearce) (16:52): The MPI before the House I think seeks to make two fundamental points: one economic; one legal or interpretive. The economic point, basically, is about allocative quality of infrastructure spend—not the quantum of it but how you go about getting the best value for your infrastructure spend. The second point, by implication, is that
the bill before the House in some way contravenes or diminishes the independence of the body of Infrastructure Australia. I will deal with the first point first.

There has been something said by members opposite about the quantum of infrastructure spending under the previous government. It is hardly surprising, given the remarkable proclivity for spending under the previous government, that they went up in the league table for the spending on infrastructure as a percentage of GDP. That is hardly surprising. But of course their own MPI talks about the allocative quality of infrastructure spend and how you best ensure that you get the best outcome for taxpayers' money in spending. Of course, the golden rule is to try and ensure as high a percentage of your infrastructure spend as possible goes to productive assets which will later earn revenue for the nation. This prevents you from having to increase existing taxes or, indeed, invent new ones, for which there was also something of a proclivity.

The BCA estimated that, of all the infrastructure spending—and there was a good deal of infrastructure spending under the previous government—only 14 per cent of the stimulus infrastructure spending went to what are known as productivity enhancing national infrastructure, which again is hardly surprising. School halls do not generate revenue for the nation, and there were many other things that that money could have been spent on which do.

In fact, when I heard this I recalled an article in the *Australian* entitled 'Lindsay Tanner slams politics of spending', which was from March 2012. I recall it distinctly because I was touring the BHP facilities at Port Hedland where 12 Capesize vessels were arrayed outside Port Hedland in what looked nothing short of an armada. The channel at Port Hedland, which generates an enormous amount of revenue for the nation, spread across the entire nation, is so narrow and so shallow that a Capesize vessel only has several feet on either side to make it into the port. It struck me that this may not have been a bad thing to spend stimulus money on, given the amazing amount of revenue it might have generated for the nation. Within days of my tour there, this article appeared. Lindsay Tanner, a former member of the former government, was appearing in Melbourne before a hearing of Infrastructure Australia. He made very pointed comments about the way in which the previous government had gone about spending. He said:

If you are financing national infrastructure, it's actually pretty hard to say: 'Well, the most nationally needed projects just happen to be in Queensland and Western Australia … You are increasingly within a construct that says that you have to spread the gravy around irrespective of merit, otherwise you (will) suffer politically ... That's been there forever but is intensifying.

It was a direct broadside with respect to the previous government which, during those lost years of 2007 to 2013, had in essence, in Lindsay Tanner's criticism, spent in a way that had become terribly compromised around projects for political expediency rather than national productivity.

The previous speaker talked about evidence based and expert led spending. There were several reports that commented on that. I read from the article in the *Australian*, which said:

In 2010, an Australian National Audit Office report found Labor handed $2.2 billion in taxpayer funds to eight infrastructure projects that its own adviser had questioned as economically unviable or "not ready" to proceed.
The report said six rail, road and port infrastructure projects announced in the 2009-10 budget, as well as two rail projects funded in the 2010-11 budget, had not made Infrastructure Australia's shortlist of priority projects.

Mr Tanner's comments came a day after eight Labor ministers, including cabinet members Anthony Albanese and Jenny Macklin, were reported to have awarded more than $8.2 million in grants in their own electorates without properly reporting them.

Auditor-General Ian McPhee on Wednesday released details of 33 cases over 2½ years in which ministers violated Labor's anti-pork barrelling rules.

There is the evidence based, expert led allocation of funds. The second point was procedural, legal and interpretive, and it meant to imply that somehow the bill before the House compromises Infrastructure Australia. Last night's protests were purportedly about an inability for the Labor Party to talk about that. They had four speakers and not a single word was raised in explanation as to how this bill might do what they allege it will do. (Time expired)

Mr CONROY (Charlton) (16:57): I enjoyed the last speaker's efforts to talk about allocative efficiency and the efficiency of investment in infrastructure, given he is from the party of regional rorts, from the party that brought us the $280,000 grant to a cheese factory that never opened, the rail line that never worked, and various investments. I applaud the member for Mallee, because at least the member for Mallee was honest about saying, 'I want political influence in this process because I want to win pork for my electorate.' That is a great attitude from a National Party member, because he is open about what they want to return to.

Mr Robert: Mr Deputy Speaker, the member cannot cast an aspersion upon another member. I know he is new. Read the standing orders; stick to the substantive debate.

The DEPUTY SPEAKER (Mr Mitchell): What was the aspersion that he cast?

Mr Robert: That the member for Mallee is simply looking for his own gain in his own electorate. It is an outrageous statement. It is beneath you. Move on to the substantive debate.

Mr CONROY: I am happy to withdraw, but, if you look at the Hansard, the member for Mallee was proudly claiming that he wanted to deliver for his electorate. Having said that, I will move on to the substantive debate, which is about infrastructure investment and improving productive capacity in this country. I am proud of Labor's record of moving from 20th in the OECD to second in the OECD on investment. The previous speaker is absolutely right: it is not just about money; it is how you spend it. I absolutely agree. Also, he forgot about the global financial crisis and the need for urgent infrastructure investment, to boost productive capacity but also to keep people in work. I am proud that Labor kept people in work and got this country through the global financial crisis.

I am also proud of the school halls program, because it adds to the long-term productive capacity of this country and it provides infrastructure in schools around this country. Some schools had not seen infrastructure for over 50 years. In my own electorate of Charlton, primary schools such as Teralba Primary School got a new library out of this process. I would argue that the greatest investment in the productive capacity of this country is well-educated people. The school halls program not only did that but was the bonus. The whole point of that program was to keep tradespeople in work. I can point to many tradespeople who stayed in jobs because of that program, including my brother who is a concreter. It was a very important project as well.
I would like to talk about some other aspects of this debate, firstly, about how we get greater infrastructure spend, more efficient infrastructure spend—and I tell you what, keeping it away from the Deputy Prime Minister is a very important step in getting good spending on infrastructure. Secondly, how do you get greater private investment in the infrastructure market? I can tell you, giving the power to the minister to designate what infrastructure investments will get investment incentives is exactly the wrong thing to do. Having the Infrastructure Australia body designate what nationally important infrastructure investments attract private investment will produce private investment. It will drive people like the superannuation funds to invest. Having the Deputy Prime Minister designate his private, favourite projects to attract concessional investment from the private sector is exactly the wrong thing to do.

Another aspect of this debate around productivity and infrastructure investment is the long-term sustainment of infrastructure. We cannot ignore the impact of climate change on infrastructure. It is vital and it is often ignored. This debate is going on at the same time as a bill is being debated in the other chamber that would remove any reference to climate change in Infrastructure Australia's remit. I come from an electorate bounded by Lake Macquarie. I can tell you that we need to account for climate change when we are doing infrastructure planning. If climate change is left unchecked, it is foreseeable that the Pacific Highway—which is in my electorate and the member for Shortland's electorate—will be in serious danger of being closed in the next 100 years. A massive piece of national infrastructure will go under water if climate change is left unchecked, yet the other side would have us plan infrastructure investment without any reference to climate change.

This is a very important debate. Labor has a proud record of productive investment in infrastructure. Those on the other side have a proud record of regional rorts, pork-barrelling, investing and putting the nation's interests behind their own political interests. That is why this debate must continue.

Mr TAYLOR (Hume) (17:02): It is great privilege to speak here for the first time on an MPI. It is a particular privilege that this MPI is infrastructure, which I spoke about at length in my maiden speech yesterday. At this time in our history, infrastructure is absolutely critical and there are two reasons why we need high-quality infrastructure and high volumes of infrastructure.

Firstly, we are facing a dramatic slowdown in mining investment in this country. We have frugal consumers and we have a high dollar. Without infrastructure investment, we will not see the sort of growth and economic prosperity that we need in the coming years. The second reason has been alluded to by some of the other speakers, which is that we face a productivity crisis. Productivity has slowed dramatically in recent years. A terrific report by an old employer of mine, McKinsey, showed recently that capital productivity is at the heart of the problem. We are not spending big enough on infrastructure and capital. As a result of that, we are seeing a slowdown in growth and prosperity in this country. Nowhere is that more important than in regional Australia.

Those of us who come from regional electorates know that connectivity is king, and good connectivity comes from good communications infrastructure and good transport infrastructure. In my electorate of Hume we have seen a complete failure of investment in those things in recent years. The NBN failure is well known. It has been talked about at length
in this House in recent weeks. We have also seen transport infrastructure investment failure. The Melbourne to Sydney road, which is the Hume Highway, is now basically a conveyor belt in the evenings. We see the B-doubles going from Melbourne to Sydney and back because the rail has failed. For many years, since about 2007 in fact, we have seen the Labor government fail to invest in rail infrastructure on that corridor. We as a government have said we want to address that. We want to address that with the Melbourne-Brisbane rail link and with further infrastructure investment and rail investment on the coastal corridor. That will take trucks off the road, it will support a better drive, a safer drive and mean fewer trucks on the Hume Highway.

We know that good infrastructure investment needs to be depoliticised, and we know it also needs to focus on costs and benefits. That is something that the Labor government failed to do. We saw it with the NBN. There was no cost-benefit analysis and we saw extreme politicisation of investment in infrastructure. We heard earlier that only 14 per cent of the stimulus expenditure was actually spent on productive infrastructure. We saw that, of the $80 billion of stimulus expenditure, none of it went to Infrastructure Australia for approval. We need transparency, we need rigor and we need independence. That is what the legislation that is in front of the House is all about and it is what we have failed to see from the previous Labor government.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Debate resumed on the motion:
That the Address be agreed to.

The DEPUTY SPEAKER (Mr Mitchell) (17:06): Order! Before I call the member for Barton, I remind the House that this is the member's first speech and, as such, expect the House to extend to him the proper courtesies.

Mr VARVARIS (Barton) (17:07): Mr Deputy Speaker, I would like to commence my inaugural speech by expressing my sincere and deepest respect to and admiration for the concept of this parliament, to its origin and painstaking advancement through the years that have made this country prominent in the world, and I pledge my unreserved dedication in serving to the best of my ability within this temple of democracy. My respect, admiration and support continues further to Her Majesty the Queen and to our present constitutional system of government.

As a person born and raised in the St George area of Sydney, within the constituency of Barton where I was elected, I am blessed to have achieved my standing in this House and, of course, grateful and indeed humbled by the honour my constituents and the men and women of my party have bestowed upon me. In making my first speech, it would not be right to disregard the great work done by the former member for Barton, the Hon. Robert McClelland. I have had the opportunity to work very closely with Robert in my role as the Mayor of Kogarah City Council, and, as the former member for Barton, he was a man who got on with the job and who many in my electorate have always spoken very highly of. In his 17 years as the member, he served his electorate and party well and followed in the great tradition set by his father, the Hon. Doug McClelland AC, former senator and President of the Senate. It was disappointing to see how he was treated by the party that not only he but his family had
devoted their careers to. It has come as no surprise that, no matter who I have spoken to at parliament about Robert, they have all described him as a wonderful person of great character. Robert, you have certainly left me with big shoes to fill.

Madam Speaker, my warmest congratulations on your election—a proper recognition of your widely-acclaimed services to this nation. I, too, extend to you my total support in your vital role.

Barton is a seat that is the very definition of multiculturalism. Barton has never been regarded as a safe seat for the Liberal Party, and I am humbled to note that only two Liberals have had the honour to represent this electorate before me. Even former Liberal Party member and World War II heroine Nancy Wake, who ran twice, with swings that exceeded my own, failed to gain the honour of representing the wonderful people who reside in Barton.

The seat of Barton is the birthplace of Australia as we know it today, starting in 1788 with the arrival of the First Fleet at Botany Bay and the beginning of European settlement. The First Fleet, followed by the Gold Rush, boosted Australia's total population from 430,000 in 1851 to 1.7 million in 1871, marking the beginning of Australia's multicultural society.

Multiculturalism to me is not just a slogan or passing fashion. I see it as a whole component of life in Australia which has been pivotal in the pursuit of a variety of goals over the years, including the principles of social justice, the recognition of identities and appreciation of diversity, the integration of migrants, nation building and attempts to achieve and maintain social cohesion. Multicultural diversity on a democratic platform guarantees our shared values in future, and, if it were limited to a three key-word formula, for this unique success, I would nominate 'tolerance', 'unity' and 'justice'. In a sense, I feel that the same values of tolerance, unity and justice can be applied on a greater scale, with dignity and mutual respect, law and security for the wider Australian family, the people we represent.

I wish to acknowledge and thank the Hon. Philip Ruddock for the genuine interest that he has demonstrated towards migrants in Australia over an extensive career to date, including as Minister for Immigration and Multicultural and Indigenous Affairs. I would also like to thank representatives from a host of different nationalities that are present today in the gallery. In particular I would like to acknowledge the Ambassador of Greece, His Excellency Charalampos Dafaranos, and his wife, Eva Dafaranos, and the High Commissioner of Cyprus, His Excellency Yannis Iacovou. I would also like to note the attendance in the gallery, from the United States of America, of Major General Roosevelt Mercer Jr, the Director of Plans and Policy, United States Strategic Command, Offutt Air Force Base, Nebraska; and the first Australian-born astronaut to journey to space, American Paul Desmond Scully-Power AM.

Whilst the electorate of Barton is culturally and religiously diverse, there is one defining element that unites us all, and that is family. I stand before you, the son of a Greek Orthodox parish priest, a person raised within a religious environment, and one in which life revolved around serving the needs of the community. It has recently dawned on me that, although I never followed in my father's footsteps in the church, our paths are more aligned than would meet the eye. I am very proud of the work my father has done in serving our community. My father has been serving the St George community for over 40 years. He has dedicated his life to improving the lives of his parishioners by looking after and fostering the spiritual, educational, welfare and cultural needs of the area. Growing up in my family, it was not uncommon to be taken to every type of event that you could imagine, attending weddings,
chirstenings, funerals, cemeteries, hospitals—and the list goes on. From this I came to appreciate that such events are not for appearances but serve as a more important role in being able to interact with and absorb the issues that affect people. So at an early age I became very aware of the multitude of circumstances and challenges everyday people are faced with. Since very early, I was always taught and guided by the principles of family and faith, modesty and respect to my fellow human being, and I was firmly expected to strive in my education like my father, to apply all that I had received at all levels of my education for the benefit of all.

My parents migrated from Greece and were married in this country in the early 1960s, attracted to Australia by the fulfilled promise of a better life. The hardships in their country of origin had taught them a single and profound lesson: to work hard and honestly, and appreciate the value of education for their children, which they considered the key to a better life.

It was tolerance, unity and justice that my family instinctively applied in our upbringing and allowed me to grow, and moulded my life through hard family finances that were overcome only thanks to the highly-developed skills of the joint treasurers of the family, my father, John, and my mother, Ourania. Raising properly a family of five children was a herculean task at that time. They both worked hard, not only to provide for us but also to contribute to the greater Greek community of Kogarah, where they were pivotal in establishing a very successful Greek community association and an aged-care centre. I vividly remember my mother visiting hospital patients every Monday for over 30 years, something she did not out of obligation but out of her drive to assist those in need. Their combined efforts have been recognised and appreciated by many state and federal dignitaries and the ecumenical ecclesiastic authority.

With the gratitude my parents expressed in every manner and on every occasion for the blessed opportunity that their destiny held in relocating to this country, their constant reminder to all five of us—myself, my brother, Con; sisters, Sylvia and Chrissa, and my twin-sister, Irene—was: 'honour our name'.

Being a twin child of a Greek migrant family of seven, I have fully lived the experience of the cultural melting pot, amidst the struggle and sacrifices of our parents and grandparents who were the labourers that built the roads, the railways and the majestic Snowy Mountains scheme. They were the factory workers, the coffee lounge owners and farmers whose children would later become builders, businessmen and professionals.

I was fortunate to attend good schools with committed teachers. I would like to pay tribute to the headmaster of Trinity Grammar School, Roderick West, whose comments when I was in year 7 have remained with me for life. He stressed the importance of utilising the opportunities and experiences that a well-rounded education could offer. I would also like to acknowledge the support and mentoring given to me by Max Taylor, the former director of the school's Society of the Arts, in developing an appreciation in the arts during my schooling career.

This experience was a lesson well learnt. It equipped me with social skills and proved valuable later in my life, in particular during my 14 years on Kogarah City Council, six years of which was as mayor. It is a highly multicultural place with diverse cultures of mainly Greek, Chinese and Arabic-speaking backgrounds, to name a few, all of whom live, work and prosper harmoniously.
During my 14 years on Kogarah City Council I received my taste for politics and love for serving my community. I am very proud of the achievements made whilst I was on council. All councillors from all sides worked together in a collaborative manner to deliver the very best for the people of Kogarah. We upgraded Kogarah from suburb to city. We delivered a cleaner, greener and sustainable city.

Kogarah City Council was recognised as a leader in the field of environmental sustainability and Kogarah was named amongst the world's most liveable cities at the International Liveable Communities Awards in December 2012, along with being awarded the state and national title of Most Sustainable City by Keep Australia Beautiful. Kogarah won the New South Wales Green Globe Award for being the leader in sustainable water management in the state, and achieving a Sydney Water 5-star accreditation for total water cycle management. We implemented water-sensitive urban design using litter traps and baskets on all stormwater outlets, preventing rubbish and soil entering our precious waterways. We were and still are the only council in New South Wales to have implemented a sewer-mining program for irrigation purposes.

We fostered culture and arts by implementing the Kogarah Art Prize, which attracted national attention, and kicked off the mayor's Music at Twilight concert series and a widely supported public arts program. Our appreciation for our multicultural local government community saw us play host to a number of cultural festivities, such as Australia Day, TVB Jadeworld Carnival, the Asian Cultural Festival, the Being Greek Festival and the Boshonto Mela festival.

Upon my election to Kogarah City Council I recognised the council was in a poor financial situation. In response I drove the implementation of long-term financial planning, disciplined fiscal management and I can proudly boast that the council is debt-free and one of a handful of New South Wales councils that received a positive report card from the New South Wales government. I am also proud to say that Kogarah City Council provides quality services for a lower budget and fewer staff than most in the state.

We did not accomplish this by imposing more and more costs onto the ratepayer. We accomplished this by implementing strategic and innovative measures. Through all my experiences on the council I have realised the importance of partnerships between federal, state and local governments, working together to provide services to the community. As I now embark on a new journey, serving a wider constituency, I will build on my experiences and knowledge, successes and milestones, to deliver even more for my area.

It is common practice when preparing for your maiden speech to peruse inaugural speeches made previously. There is one particular maiden speech that I would like to mention. It is the speech by former Liberal member for Barton James Bradfield. In his speech, when acknowledging the former member, Mr Bradfield stated 'I realise that he—’ referring to Mr Reynolds—’came here under completely different circumstances from those under which I came here only on the day before yesterday. He came here when the economy was healthy and when everything was rosy. On having a glance at his maiden speech I noticed that it was unnecessary for him to talk on matters of the economy. We did not have any of those problems then. We did not have the problems that are outlined in the Governor-General's Speech.' It seems that Mr Bradfield, who was a member of the Fraser government had, like us, inherited a problem, so there are certainly similarities. If we want to get Australia back on
track, it is important that we direct funding for projects that will deliver real returns for all Australians. As custodians of the public purse it is unacceptable to waste hard-earned taxpayers' money on projects which deliver little or no benefit to our community.

The time has now come for me to thank those who have played a pivotal role not only in my current election but all the way through my working career. As I have mentioned, I have lived my entire life in the St George area, and although a career in parliament has not been a lifelong ambition, I am grateful for the opportunity to represent an electorate with which I share a lifelong association.

Firstly, I would like to thank the emeritus mayor of Kogarah, Sam Witheridge, for paving the road and giving me the opportunity to serve the people of Kogarah at the early age of 25. Life in politics, and being a citizen of a country where the 'fair go' is an everyday expression, has made me privileged to serve the nation that provided me with the opportunity to apply the principles and values of freedom, integrity and justice taught to me by my family and teachers.

I would like to acknowledge the friendship and guidance provided by the executive at Kogarah City Council, in particular the general manager, Paul Woods, and his directors Evan Hutchings, Rod Logan, Andrew Sharpe and Amit Chanan. There have also been some exceptional councillors who I have had the privilege to have worked with over my 14 years as a councillor. In particular I would like to acknowledge the late Councillor Col Ritchie, who served on the council for fifteen years. Those who had the opportunity to know Col would know that he was a formidable and imposing yet generous individual. For those reasons, and the fact that he always said what he felt and thought without holding back, he polarised how others viewed him. But what remains etched in my mind is his passion for the local community. Despite suffering for several years with a terminal illness, he continued to front-up to the council time after time and continued to fight for his constituents and what he believed in. Very few people have had as much of an impact on me as Col has, and I do miss his companionship. I would also like to acknowledge his beloved wife, Gai Ritchie, who is in the gallery today.

I would also like to acknowledge the previous mayors and longstanding Labor councillors Michael Platt and Nickitas Katris for the balanced approach that they have taken in fulfilling their duties. They have been strong advocates for their community and, irrespective of party politics, were always willing to work together with me in the interest of the community.

I would like to acknowledge the great friendship of and support received from the Deputy Mayor of Kogarah City Council, Councillor Annie Tang. She has been a great guide to understanding the large Chinese community within the electorate and together we have developed several partnerships that have generated beneficial cultural, social and learning exchanges. These partnerships have resulted in the gifting of two significant pieces of public art, one of Lei Bow and the other of Bruce Lee, and the design and construction of a major Chinese garden park in Kogarah, Ma'anshan Friendship Park. I would like to acknowledge the Shunde Association and the various community groups that have assisted in this coming to fruition. Representatives of these groups are in the gallery today.

I would also like to take this opportunity to sincerely thank the many men and women who worked tirelessly throughout the campaign to ensure that the people of Barton secured the representation that they deserve. I would also like to thank my fellow councillors: Mayor
Stephen Agius, Councillor Sam Stratikopoulos, Councillor Nicholas Aroney, Councillor Nathaniel Smith and, in particular, Councillor George Katsabaris.

I would like to thank Rockdale City councillors Councillor Ron Bezic, Councillor Nick Micovski, Councillor Paul Sedrak, Councillor Lydia Sedrak, Councillor Petros Kalligas and, in particular, Councillor Peter Poulos. I would also like to thank Canterbury City councillors Councillor Michael Hawatt and Councillor Con Vassiliadis. I would also like to thank the Mayor of Hurstville City Council, Councillor Jack Jacovou. I have always believed that local government is the closest level of government to the people, and without that local knowledge and support our campaign could not have been as effective as it was.

I would also like to thank the following individuals who stood by my side throughout the campaign and were there without fail when needed to offer any support needed. These were: Bryce Macryannis, Nathaniel Openshaw, Byron Zhou, Sam Elmir, Rami Abdullah, George Vassiliadis, Costa Potiris, Jim and Yvonne Liaros, John Aslanidis, George Hatzikiriakos, George Mavrocoradatos, Benjamin Jiang, Ye Feng, Wen Zhao, Nihong Chen, Juanling Zeng, Binkun Wan, Peng Qu, Weiliang Wang, Yuanyuan Wang, Hua Liu and Benjamin Chao AO and the many Young Liberals who committed to giving up their weekends throughout the campaign.

I would like to acknowledge all my supporters who have given so generously to support my campaign. There are too many to mention individually, but you know who you are and your support is very much appreciated. In particular, I would like to thank the many people in the gallery, who have made the journey to be a part of this important day. I would also like to acknowledge the support received by the ethnic media, some of whom are in the gallery today.

I would like to thank both of my former employers—in particular, George Cassim from CCS Partners and Bill Kamper from Kamper & Co—for the guidance and support that they have given me, throughout my career. I must stress that having to tolerate an employee who has been embroiled in public service as much as I have would have tried the patience of even the most tolerant of people.

In view of the history of this great electorate, Barton and my campaign did not attract the attention and support that was afforded to seats that were identified as marginal. There were, however, several people who had great belief in me, one important individual in particular: Senator the Hon. Concetta Fierravanti-Wells, who continually fought to secure the same opportunities for my electorate as were provided to other seats which were considered to be more winnable, even though this was a difficult assignment at times.

I would like to thank the Prime Minister, the Hon. Tony Abbott, for his support and belief and his genuine concern in the issues that affect my electorate. I would also like to thank the ministers who took time out of their busy schedules to support my campaign, these being our Madam Speaker, the Hon. Bronwyn Bishop, the Hon. Julie Bishop, the Hon. Joe Hockey, the Hon. Scott Morrison, the Hon. Malcolm Turnbull, the Hon. Greg Hunt, Senator the Hon. Eric Abetz, Senator the Hon. Arthur Sinodinos, the Hon. Luke Hartsuyker, the Hon. John Ajaka and former Prime Minister the Hon. John Howard.

Since being elected to council over 14 years ago, I have continually sought to improve the Liberal brand in the St George region. When first elected, the region had two Labor federal
members, three Labor state members and only six Liberal councillors out of 39 across the surrounding councils. This has progressively shifted to two Liberal federal members, two Liberal state members and 16 Liberal councillors. This is a remarkable transformation for the Liberal Party in the St George region, and is clearly linked to our local representatives acting on behalf of the diverse community that resides in this great area.

As I also reflect on the diversity of this seat, it is important to note that the majority of seats with large populations of people who speak a language other than English or who were born overseas have not historically been held by the Liberal Party. Reference to census data from 2009 on the top 10 ranked seats in both of these rankings reflect this fact. I believe that there is much needed to be done to better reflect the changing face of our community and to remain relevant to the changing face of Australia's community into the future. The success of the Liberal Party in my seat of Barton and the seat of Reid should be used as a template to address this issue in the future. I am committed to ensuring that this gap closes and that we learn even more about how to communicate our message to all communities more effectively.

I would also like to acknowledge one of my opponents at the recent federal election, Rockdale City Councillor Michael Naji, who ran in the election with the goal of making Barton a marginal seat so that the community that he is so passionate about would finally see funding and resources go into much needed infrastructure after being neglected for so many years. Councillor Michael Naji's efforts have been rewarded, with Barton becoming one of the most marginal seats in Australia. I know he has worked tirelessly to deliver for his community and I make this commitment: I will take up his fight for them in parliament as well as the broader community.

I would also like to thank my godparents, Andrew and Eleftheria Condoleon, for all of the support that they have given me throughout my life. I would like to thank my in-laws, John and Diana Mitrothanasis, for the unwavering support that they have offered to me from when I first met my wife, Dorette. They too have been a part of this long journey and have stood by us at all times.

In conclusion, I would like to reiterate the vital importance and position that family has in my life. I have taken the values that I have learnt from my parents and I now apply the same family values in a more blessed way to raise, with my wife Dorette, our own family, with two children, lovely Renae and young John.

I would like to thank my wife, Dorette, for allowing me to serve in an area with which I have had a lifelong connection and to which I wish to give back so much. What most people would not know is that I was elected to council in September 1999 and married the week after, so Dorette has had to put up with me being away from home for countless evenings throughout our marriage whilst I attended to my duties. I am eternally grateful for all the support and love she has shown throughout this period, even when public life became difficult from time to time. Dorette has undertaken more than her fair share in raising our two beautiful kids, and is an impeccable mother and wife.

I thank my family for allowing me to serve and for understanding my struggle to balance long hours of public life and the precious time with you at the home that I love so much. Like my father before me, I aspire to raise our children to enjoy a bright future and a better quality of life.
The SPEAKER: Before I call the honourable member for Petrie I remind the House that this will be the honourable member's maiden speech and I ask the House to afford the same courtesies to him as have just been afforded to the member for Barton.

Mr HOWARTH (Petrie) (17:31): Madam Speaker, I rise today humbled by the responsibility placed in me by my community. I congratulate you on your election to the chair. When I first heard that you were to be nominated I thought that you would be an excellent choice and a fair Speaker, and that has proved an accurate prediction. Thank you for your help during my campaign.

To be elected the ninth member for Petrie is indeed an honour. I would like to acknowledge my predecessors, including the Hon. Yvette D'Ath and my colleague the Hon. Teresa Gambaro, now member for Brisbane and a great trailblazer for Liberal women. Teresa held Petrie for 11 years.

I acknowledge the Hon. Sir Alan Hulme, who was the very first member for Petrie and a former Minister for Supply and then Postmaster-General; and the Hon. John Hodges, who supported me during my campaign and represented this seat with distinction. These former members contributed to the rich history of the Petrie electorate.

I would like to take this opportunity to inform the House of the history behind the seat of Petrie. The division of Petrie was created in 1949 and was named after Andrew Petrie, a noted civil engineer, pioneer and explorer. Interestingly, the suburb of Petrie is not in the electorate of Petrie.

The Petrie electorate covers 152 square kilometres and extends from Cabbage Tree Creek in the south to Burpengary Creek in the north, and from the coastline of Deception Bay to Bramble Bay, located on the Redcliffe Peninsula.

Petrie is a diverse electorate with a vibrant culture and busy community centres. To all residents of Petrie: as your local member I say to you I have spent my life living in the local area and I am passionate about providing grassroots representation. I am your voice in Canberra.

Madam Speaker, I say to you and the people of Petrie: we have a bright future ahead. My constituents voted for change and I am immensely proud to be part of a government that has a positive plan to build a strong, prosperous economy and a safe and secure Australia.

I have been listening to the people in my electorate and the number one issue that has been raised with me is the need to create jobs. At present, my electorate has an unemployment rate well above the national average. I will be working every day to address the issue of unemployment by consulting small businesses and providing job seekers with information about the skills they need to find a job.

In order to create more jobs we need to reduce red tape, reduce taxes and provide support to small- and medium-sized businesses. Petrie is a great place to invest and grow a small business. Not only does my electorate have some of the fastest-expanding residential areas in Australia, including Griffin, Mango Hill and North Lakes, but we also have a number of key infrastructure programs commencing.

The government has committed $1 billion towards the Gateway Motorway, which will see the widening of lanes to ease traffic congestion currently experienced by motorists. The government has also committed funding to build the Moreton Bay Rail Link.
Petrie is a great place to visit for a weekend away or an extended holiday. The Redcliffe Peninsula is just 20 minutes north of Brisbane airport and has a long history as a holiday destination. Redcliffe has wonderful beaches, restaurants, accommodation and tourist activities which operate all year round. On Sunday mornings the Redcliffe markets set up along the Esplanade, with the iconic Redcliffe Jetty and Moreton Bay as a backdrop. Visitors and locals can enjoy breakfast, grab a coffee at one of the many cafes and restaurants or stroll along the Esplanade and enjoy some leisurely shopping on the shore of our magnificent seaside.

If you prefer to spend time on the water then I can highly recommend the whale-watching tours on offer. For the more adventurous thrill-seekers, Redcliffe offers skydiving. Redcliffe is the closest place to Brisbane city to skydive.

I must not forget the other suburbs in my electorate—suburbs like Deception Bay, Burpengary, Rothwell and those aspirational hardworking suburbs located in the Brisbane City Council. All of these suburbs form part of our great community and have lots to offer, including great schools.

With three young sons at school, extracurricular activities and homework are fixtures in our household. I had the opportunity to visit a vast majority of schools within my electorate to see firsthand what a wonderful job principals, teachers, chaplains and support staff do with our children and young adults. I strongly believe it is the parents' responsibility to provide for their children and to give them the best possible start to life, and that includes education. We all know the significant role teachers play in our children's lives. Not only are they teachers; they are the people who spend the most time with our children during their school years. I want to take this opportunity to say thank you to all the educators in our schools for the fantastic job you do.

In Australia we are privileged to have a world-class secondary education system that attracts international students from across the globe. Not only do these students obtain a top-class education; they contribute greatly towards our economy. I support the government's plan to foster international educational opportunities through the implementation of the Colombo Plan. The plan will see our brightest minds study overseas whilst at the same time providing opportunities for foreign students to come to Australia. I believe we are the lucky country, with open minds and compassionate hearts, and I hope our international students return home with good news about the wonderful country Australians call home. I am proud of the role we play in international education and knowledge sharing with today's youth. It is these youth who will grow into tomorrow's leaders.

Since my fellow members and I were sworn in at the beginning of this 44th Parliament I have had time to reflect on what motivated me to represent the seat. Whilst I was heading to Canberra this week I reflected on the journey I have travelled during my life. As my aircraft took off from Brisbane airport I saw the Petrie electorate from the air as we flew across Moreton Bay. I reminisced about the time I spent with my father when I was a child, fishing in the bay and camping on the banks of Saltwater Creek at Mango Hill during one of many mud-crabbing expeditions. Growing up in Bracken Ridge, I was fortunate to have a typical suburban upbringing in a stable family environment. My parents, Ron and Denise Howarth—who are in the gallery today—met on a Queensland dairy farm and were married in 1968. They did a wonderful job of raising me and my younger sister, Gemeah.
Mum was a steady hand who was always there to provide support, from helping with our homework to running us around for sporting events and disciplining us when we stepped out of line. Mothers are the silent heroes of our community, so I want to say a big thankyou to all the mothers in my electorate. I am proud to stand up and represent you in this place.

My Dad, who had a pretty ordinary upbringing, left school and moved away from home after completing grade 5. He is an inspiration and a great example to me, and he has taught me about the importance of possessing a strong work ethic. Dad owned his very first home outright and had started his first business by the time he was 21. With his drive and determination, and ability to satisfy a need in the community, he owned several small businesses, including a second-hand shop, a furniture removals business and then a business building greenhouses. This business he later swapped for a pest control company, which has been in our family for more than three decades.

My extended family have also provided me with a strong sense of history. Three of my grandparents served in World War II, which sparked my interest in the defence forces from a very early age. I will never forget Anzac days with my late grandfather, having a beer after the dawn service and remembering his mates who did not come home. We owe a debt of gratitude to the generation who fought for Australia, and we must never forget their legacy and sacrifice. We must also not forget those who have sacrificed their lives and those soldiers who have returned from theatres of war such as Iraq and Afghanistan with both physical and mental injuries. We need to make sure their sacrifices and their decisions to go willingly into a war zone do not go unnoticed. We need to ensure that our soldiers continue to receive the support they need both on and off the battlefield. That is why I am proud of the coalition’s commitment to restore defence spending and to ensure that our military personnel are well trained and well equipped to effectively carry out operations in all theatres of war.

It is simply unacceptable that in the last six years Labor cut over $16 billion from our defence force budget and put our national security at risk. Speaking of budgets, before entering parliament I managed the family business. Running a small family business with a team of people really does give you a good understanding of the challenges SMEs deal with on a daily basis. During the years of the global financial crisis our family business performed well. We balanced the books and avoided debt, had good cash flow, and invested in our staff. After many years of spending, it is now time for the nation to balance its books. The former government approached the GFC by running huge deficits. I would like to ask this question: can a government take credit for good economic management when their plan to stimulate was to rack up billions in debt? I wondered at the time how former Treasurer Peter Costello would have handled that situation. I suspect it would have been quite different. After all, anyone can spend money they do not have. The good news is that at the last election the Australian people elected a coalition government, who are proven economic managers and have a vision to bring the budget back to surplus.

I feel it is important to inform the House and the Petrie electorate of how I came to be here today. It was back in 2009 that I spoke to my wife, Louise, about taking the boys on a journey around Australia to show them the vastness and diversity of our country, from the bustling cities to the wide open spaces of our remote outback. So in 2011 we rented out our home, hooked up our caravan and set off to explore. And explore we did. We saw the beauty of our vast coastlines, the mountains where the boys learnt to ski and the southern tips of Australia.
down in Tasmania. We visited cities and towns from the Great Ocean Road to the wineries in South Australia and across the Nullarbor before heading into Western Australia and onwards from there.

During the trip we really did all learn so much about our wonderful country. However, for me and my family, this trip will always hold a significant place in our family's history as it was during this trip that we made the decision that I would run for the federal seat of Petrie. The decisions the Labor government was making were hurting Australians. I was very concerned at the time that just three years on from the end of the Howard government much of the wisdom, statesmanship and great policy achievements of John Howard were being overturned. With my experience in small business, I was appalled that the level of Australian debt was increasing so fast that Australia had never witnessed such a turnaround in three short years. The strong border protection policies of the Pacific Solution that had been proven to work were overturned by Labor without any thought about the consequences.

Then, whilst in WA, as we headed north into cattle country, we saw for ourselves the devastation of the knee-jerk decision by the previous Labor government to ban live exports without any consultation. We saw communities that suddenly had their livelihoods taken away and family incomes destroyed overnight. As we headed south from Darwin we passed road trains with huge signs written across the back saying 'No carbon tax' and 'Call an election now'.

It was at this point that I decided to run and, by winning, I knew I would help deliver a coalition government. I am proud to be part of the Abbott government. At the beginning of the election campaign I remember sitting down with the then Leader of the Opposition, Tony Abbott, at a coffee shop, and the words he spoke to me will never be forgotten. He said: 'Luke, this election is not about us. It's not about you becoming the local member or me becoming Prime Minister. It's about better government for all Australians.' The Prime Minister, the Hon. Tony Abbott, is a man of integrity and a leader that truly cares about all Australians.

Whilst travelling around Australia, I was in awe of Australia's landscapes, which fuelled my love for the environment. During my campaign some of the most productive times I had were with the local environment groups. Together we planned activities that will truly benefit the environment. These green army proposals are a practical and positive part of our direct action plan—a plan that includes one million additional homes throughout the country installing solar panels over the next decade. I am pleased to say that almost 13,000 homes in the Petrie electorate have already made the switch to solar, which is helping the environment and reducing homeowners' cost of living.

Madam Speaker, as you would know, campaigning is tough and you cannot run a successful campaign without support from your volunteers, supporters, party members, family, friends and those members of the community who offer to help you along the way. I did not win this seat on my own, and whilst I cannot mention everyone here today, I do want to send a big thank you to everyone who was involved in my campaign. Their time, commitment and enthusiasm got me over the line, and for this I am eternally grateful.

To all the community volunteers I have met on my journey so far: I have enjoyed meeting you, and I look forward to supporting your activities during the next three years. I know we can work together to create an even better place. To my parents and parents-in-law: thank you
for your tireless campaigning and the support you provided both to me and Louise and to my campaign. To the Petrie FDC members and executive: thank you for your support; I greatly appreciated it. Thank you to the Young LNP for flooding my seat with blue shirts. There was always such energy when you came to town. There was never a task too large or small for you. To the organisational wings of the Queensland Liberal National Party and the federal Liberal campaign team: thank you for providing a well-organised campaign and structure and our winning plan. To my state colleagues, the members for Sandgate, Murrumba and Aspley: thank you for your support. To Senator Ian Macdonald, James McGrath and the entire 2013 Queensland Senate team: thank you for helping the Petrie campaign. To my patron senator, Sue Boyce: thank you for your thoughtful and considered advice. During your time in the other place I know you have achieved great things, particularly in the areas of disability and small business.

I would like to thank some of my Queensland colleagues in this place: the member for Longman, Wyatt Roy, and the member for Bowman, Andrew Laming. Your enthusiasm and great campaigning ideas were much appreciated. To the 'big guns of politics' who threw some credibility behind my campaign events: I would like to thank the member for Groom, the Hon. Ian MacFarlane, and the member for Curtin, the Hon. Julie Bishop. Your encouragement was inspirational.

To the Hon. Greg Hunt, the Hon. Malcolm Turnbull, the Hon. Christopher Pyne and the member for North Sydney, the Hon. Joe Hockey: thank you for believing in me. And to all those ministers that travelled to my electorate: thank you. To the Hon. Tony Abbott and the Chief Whip, the Hon. Phillip Ruddock: thank you for your continued support and for taking the time to visit me in the electorate of Petrie. To my friend and colleague the member for Dickson, the Hon. Peter Dutton: Peter, you have been a great supporter of mine. Your experience, knowledge and mentoring before and during my campaigning really gave me the confidence to know that my campaign was on track and that I could win. Thank you. To the excellent staff at our family business: thank you for your patience and support and for running the show without me.

I have saved my last thanks for those most dear: my dear wife, Louise, and my three sons. Louise, you are a wonderful partner, and together we make a great team. You were the rock for our children while I was busy campaigning, and you continue to hold our family lives together. Your wisdom, support and organisational skills make it possible for me to be here today representing the electorate of Petrie. To my boys William, Thomas and Samuel: thank you for sharing your dad with the electorate of Petrie. I hope that through my work and the efforts of my parliamentary colleagues we are able to give you a prosperous future with endless opportunities. To the community of Petrie: my journey as your member of parliament may be bumpy at times, yet I can assure you I have the drive to ensure that you have a member interested in what you have to say. I affirm my pledge that I will work hard to ensure a brighter future for each one of you and the electorate of Petrie as a whole.

I wanted to end with a simple belief of mine, just four words: 'Life is about relationships.' I truly believe this. The most important relationships in my life are: (1) my relationship with God, as a man of strong faith, and (2) my relationship with those people around me—my friends, my family, my neighbours and my work colleagues in this place. At the end of the day, when everything else is gone, relationships are what count.
Mr GRAY (Brand) (17:53): Following those two very good maiden speeches by the member for Barton and the member for Petrie, let me wish them all the best from this chamber in their parliamentary careers. You can tell from what they have had to say how well thought through their arguments are likely to be in coming debates in this chamber.

We enter this chamber with massive campaign efforts provided to us by our campaign teams and our families. In this address in reply, it would be remiss of me not to mention my own campaign team and my family—my wife, Deborah, and my three sons, Riley, Darcy and Toby—for the great effort that they have put in to support me in my career. Let me also mention my Liberal opponent, Donna Gordin, who campaigned tirelessly for six years for the opportunity to represent the people of Brand. Donna is a hardworking local candidate. She worked very hard and she fought very fairly. I felt very sincerely that Donna's campaign efforts were well-intended and well-meant and I thank her for that.

I rise to speak for a local family, the Morton family, whose great strength and humanity amid the shattering loss of a daughter has resulted in safer skies for Australians travelling in aircraft around the world—safer because of the work done by the ATSB and DFAT consular services to serve better and more quickly Australians abroad who are involved in air crashes. I detailed these significant measures in a speech that I made in February in this place with the Hon. Judi Moylan. I again raise matters following the crash in Zambia of the Cessna airplane known as ZS-KOX, in which six people died. I acknowledge also in the chamber Mr Don Randall, the member for Canning, who also takes a personal interest in this matter, and I thank him for that.

Justine Watters, her husband, Matt, and Matt's mother, Shirley, were three of the people who died in the crash of ZS-KOX on 9 September 2004. Others who died were Justine's friends from England, Justin and Rebecca Ward, and the Canadian pilot, Mike Channer. Shirley was 58, and the four friends were aged 26, and the pilot was 24. ZS-KOX was a South African registered and maintained Cessna aircraft operating temporarily in Zambia. It was owned by Mr Keith Downing and maintained by authorised maintenance organisation Nelair Engineering.

Let me remind the House of the events of 9 September 2004 in the skies over the beautiful Victoria Falls. Justine and Matt were on a two-week holiday in Zambia and had flown from Mfuwe in eastern Zambia to Livingstone to view Victoria Falls. Shortly after the return flight began, the propeller fell off at 8,000 feet, and six minutes later the plane crashed, killing all on board. I have been informed that this is the first time in South African aviation history a propeller has come off in this way.

While suitable landing sites were available, the pilot, Mike Channer, heroically struggled with reduced visibility due to engine oil on the windscreen, which probably affected his ability to find a suitable landing area, resulting in the aircraft impacting trees at the eastern end of an uncultivated field. In effect, Mr Channer tried to land a plane with six people on board with no power, no balance and no visibility. The crash was deemed by investigators not to be survivable due to the magnitude of the deceleration and the post-impact fire.

I first spoke in this place on this matter in February this year and I acknowledge now, as then, the tireless work by officers of the Department of Foreign Affairs and Trade and by the Hon Judi Moylan MP. I also acknowledge the efforts of authorities in South Africa, but I urge: let's not stop. Let's carry this work through to a proper conclusion.
Since February, there have been further developments in these matters, about which I will now update the House. A joint demarche was presented to the South African Civil Aviation Authority, signed by the High Commissions of Australia, Canada and Britain. The demarche, dated 8 February 2013, among other matters sought assurance for the three governments that the South African Civil Aviation Authority had handed relevant evidence over to the South African National Prosecuting Authority. The demarche also sought to clarify the relationship between Nelair—the aircraft maintenance organisation at the centre of the allegations—and Raylen Turbine Services, which is said to be a phoenix company in the air maintenance business in South Africa.

This is an important matter. This matter goes to justice and this matter goes to air safety. If a new or phoenix company has arisen from the crash of ZS-KOX to again trade in aircraft maintenance then there are matters of safety and justice that need to be answered. Assurances were sought that the principals of the air maintenance organisation responsible for the maintenance of ZS-KOX would not be permitted to operate in a new air maintenance company until proper investigation and resolution of matters relating to the ZS-KOX crash.

The Zambian Department of Civil Aviation, with assistance from the Australian Air Transport Safety Bureau and the American National Transportation Safety Board, conducted an investigation into the reasons for the crash. I would like to bring to the attention of the House areas of concern as a result of the Zambian Department of Civil Aviation's report. I will quote from the conclusion of the Zambian Department of Civil Aviation report at 3.2(a) causes:

The investigating team determines that the cause of this accident was the in-flight detachment of the propeller from the aircraft as a result of loss of preload of the propeller assembly attachment studs.

At (b) 'Probable contributing factors,' it says:

(i) Improper torque of the propeller studs;
(ii) Failure to wire lock the studs allowed the studs to back out of the propeller hub assembly resulting in the separation of the propeller from the aircraft;
(iii) Failure to follow correct propeller installation procedures; and
(iv) Failure to use identifiable manufacturers' approved parts.

Soon after the accident Mr Pine Pienaar, Chief Executive Officer of Nelair Engineering—the air maintenance organisation servicing the plane in South Africa—confirmed in writing that the Propeller of ZS-KOX was removed by Nelair, 130 operating hours before the crash, and inspected 30 operating hours before the crash. The investigation report clearly cites the cause of the accident as in-flight prop separation due to improper maintenance. Maintenance was only allowed to be carried out on the plane in South Africa, which was the state of registration of ZS-KOX. The South African Civil Aviation Authority approved aircraft maintenance organisation Nelair Engineering carried out the last three mandatory periodic inspections—MPIs—which included the removal and refitting of the prop in January 2004.

The final mandatory periodic inspection and other maintenance were carried out by Nelair only 19 days before the accident. Despite Nelair's claim that the propeller and mountings were examined as part of the inspection and found to be fully serviceable, the forensic analysis clearly showed that the propeller studs were improperly installed and the nuts inadequately torqued.
It is the case that Shirley, Matt and Justine Wafters, Justin and Rebecca Ward, along with pilot Mike Channer lost their lives as the result of poor maintenance and inferior parts. I am informed that in 2006, the late Dr Ian Phillips of the South African Department of Transport, assisted the South African Civil Aviation Authority in looking into the crash. Dr Phillips informed the Department of Foreign Affairs and Trade that the South African Civil Aviation Authority had audited Nelair and, as a result, revoked their aircraft maintenance organisation licence. Five other planes were also grounded at that time. Dr Phillips stated that the cancellation was permanent, and that the Department of Transport would vigorously resist any efforts by Nelair to obtain their aircraft maintenance organisation licence again. Dr Phillips has, unfortunately, since died.

Internationally Civil Aviation Authorities are bound by annex 13 to the Convention on International Civil Aviation, which serves to prohibit them from prosecuting offenders for negligence. They must refer the matter to the relevant judicial authority. Some time ago, Mr Levers Mabaso of the South African Department of Transport, referred the crash of ZS-KOX to the South African National Prosecution Authority—the NPA—for review. The National Prosecution Authority then referred the matter to the police for an investigation. Advocate Brendenkamp of the Pretoria Office, National Prosecution Authority, had oversight of the investigation. The matter had been with The National Prosecution Authority since 19 April 2009. Despite tireless efforts by the Australian Department of Foreign Affairs and Trade in Pretoria and the South African National Prosecution Authority, full documentation has not been obtained from the South African Civil Aviation Authority, which claim the key precrash maintenance file is lost.

A board of inquiry was cancelled with no clear reason given. Last year, parts analysed by the American National Transportation Safety Board, and held in a restricted storage area by the Zambian Department of Civil Aviation went missing. A letter written by the South African National Prosecution Authority, dated 13 September 2012, highlighted their frustrating search for the truth. It said:

The time delay and failure of the relevant Civil Aviation Authorities to notify the South African Police Services, within a reasonable period of time, that a criminal investigation is called for, has resulted in crucial evidence being lost and unaccounted for. In this regard one of the files of the South African Civil Aviation Authority, in regards to the aircraft ZS-KOX, been lost and is still unaccounted for. Furthermore, the aircraft components that failed were shipped from Zambia via South Africa to the United States of America where they were forensically examined. After the examination they were shipped by the National Transport Safety Board, Washington DC, to the Department of Civil Aviation, Zambia. The Department of Civil Aviation returned the components to the National Transport Safety Bureau for reasons that are unknown to the National Transport Safety Bureau. The National Transport Safety Bureau then shipped the components back to the Department of Civil Aviation, Zambia.

The Director of Civil Aviation, Zambia, informed us that the components are missing and cannot be traced. Officials from the High Commissions of both Australia and the United Kingdom recently visited and met with the Director of Civil Aviation, Zambia. Upon their return they informed us that the components are still missing but that the Director of Civil Aviation undertook to conduct a renewed search for the missing components. The Director of Civil Aviation has now informed us that the renewed search was unsuccessful and that the components cannot be traced.

Key documents have gone missing from the South African Civil Aviation Authority and the analysed aircraft parts have gone missing from a secure facility with the Zambian Department.
of Civil Aviation. Early on, the National Prosecution Authority identified that possibly culpable homicide had been committed.

We have been advised that because the key precrash technical file has gone missing from the Civil Aviation Authority office and key evidence has gone missing from the Zambian Department of Civil Aviation secure premises, a criminal prosecution is now unlikely. And so, nearly a decade after the crash, we are left with (1) a phoenix-style rebirth and name change so that Nelair is effectively back in the aircraft maintenance organisation business; and (2) a case for the South African Civil Aviation Authority to answer.

How do we know that Nelair is effectively reborn? Mr Simon Segwabe, Acting Senior Manager (Airworthiness) at the South African Civil Aviation Authority wrote to his management, who included Mr Zakhele Thwala, Mr Subash Devekaran, Ms Monica Sonjani and Ms Cathy Teague, on the 12 September 2012. In part, he wrote:

Based on her findings it can be concluded that there is a fine line between Nelair Engineering and Raylen.

Facts:
1. Raylen = Nelair reading the word Raylen backwards basically reads Nelair:
2. The Staff/principals in both companies are basically the same
3. Facilities used and shared responsibilities are within the same team or ownership.
4. There is enough evidence to conclude that the organisation is indeed related or operating under new name.

He continued:

Whilst South African Civil Aviation Authority was busy with the safety audit/inspect at the Older Nelair, an organisation was certified by South African Civil Aviation Authority at Lanseria airport by the name Raylen. This organisation had appointed Mr. Willie Snyman whom is the son-in-law of Mr Pine Pienaar.

This is Nelair with another different name.

He concluded:

… this matter should be referred to criminal law enforcement agency … Detailed information on the latest regarding this matter can and should be referred to the Hawks: Signed Simon Segwabe Acting Senior Manager- Airworthiness.

The 'Hawks' Mr Segwabe refers to are the police's Directorate for Priority Crime Investigation. This unit is known as the Hawks. The South African government should investigate the conduct of the South African Civil Aviation Authority. In February I, along with Judi Moylan MP, tabled documents in regard to these matters.

I seek leave to table further correspondence and documents that have recently come to light and to bring the record up to date. They are various documents relating to the period 2004-09: the National Prosecution Service correspondence, correspondence and memos relating to certain dates and time, the actual demarches from Australian and Canadian authorities and the latest letter from Mr Sam Morton to Minister Bishop.

Mr Randall: Leave granted.

Mr GRAY: I thank the government. I extend my condolences to the families so sadly bereaved by these tragic events. I pay tribute to the families in Canada, the UK and here in Australia and to the great humanity of Mr Sam Morton. The skies should be safe; however,
crashes will happen. When near misses or crashes and deaths happen they should be investigated and remedies put in place so that our skies remain safe. This matter will not go away.

I plead with the South African government: justice has already been delayed. Let us not to allow justice to be denied. I again call on the South African authorities to fully investigate and take action on these matters; to properly understand the events leading up to and following the crash; to take action if necessary against individuals; and to prevent a phoenix company from rising from this crash. I have written to the South African authorities seeking further investigation and action to keep the skies safe. I thank successive Australian foreign ministers Downer, Smith, Rudd, Carr and now Minister for Foreign Affairs, Julie Bishop, for their tireless advocacy for justice for their citizens in these matters. I thank the South African authorities for their work and continued attention to this matter.

Mr RANDALL (Canning) (18:09): On indulgence, Mr Deputy Speaker: I know this is highly unusual but, just very briefly on indulgence, I would like to associate myself with the comments made by the member for Brand on this tragic issue involving Nelair and the phoenixing of this company. I will be saying something about this at a later time, but I would like to congratulate the member on pursuing this matter, and I will be doing the same.

Mr WOOD (La Trobe) (18:10): I wish to speak to the address-in-reply. It is a great honour to be re-elected as the federal member for La Trobe. I first acknowledge the former member for La Trobe, Laura Smyth, and wish her all the best for the future. I am also sad to see that the former member for Indi, Sophie Mirabella, will not be returning to parliament. This is a great shame. And Senator Helen Kroger's term will conclude next year. That is another great shame. I must thank the people of La Trobe for their trust and for allowing me to be their voice in parliament. I will devote myself to ensuring the place we call home is an even greater place to live. For those who voted for me, I thank you for the honour of being your representative. I will work hard to prove that your faith in me is well founded. For those who chose otherwise, I will work hard to win your favour and will continue to represent you to the best of my ability.

I was first elected back in 2004 into a strong Howard government. John Howard was truly a great Prime Minister. Under Howard and Treasurer, Peter Costello, the coalition paid back $96 billion of Labor's debt. In La Trobe, back in 2004, in our campaign we promised to do many things that we delivered on, one of which was to build the Bryn Mawr Bridge in Beaconsfield for $10 million. At the same time, the Labor Party committed $25 million for the bridge. Under the Howard government, we built the bridge for $8 million. Labor was prepared to waste $17 million. We also promised $800,000 to Fernley House for palliative care. This meant that family members and patients who were already dealing with a very difficult, tragic situation no longer had to travel either to Box Hill or Caulfield to receive palliative care that they so desperately needed. They could now simply go to Fernley House in their own electorate of La Trobe.

We engaged with the community and delivered lights to the Boronia Football Club and upgrades to the Basin football and cricket clubs, and Upwey RSL received $220,000 under our leadership. Essential traffic lights were installed in Officer, which allowed parents to safely drop their children to school. The Shangri La Wildlife Shelter received funding for the
first time ever from a council, or from a state or federal government. Well done to Rod and Tina for their great work in rescuing, and nursing back to health, injured wildlife. Burnja Performing Arts Centre in Upwey received $2.5 million and Gemco Performing Arts Centre in Emerald received $450,000.

The Howard government's Investing in Our Schools program saw local schools receive up to $150,000 each. I recall Mount Dandenong Primary School had brand-new playground equipment installed, and Berwick Lodge Primary School wanted a radio station, so they got a radio station. The school communities determined what they wanted—because this is how we service them best—and they got what they wanted. In 2006, I am very proud to say that after discussions with the Ferny Creek Scouts about the need for water tanks, new gutters and associated plumbing for scout halls, I took the idea to Prime Minister John Howard. He agreed with our views, and not only did we ensure that the Ferny Creek Scout Hall got the water tanks but also we made sure that every scout hall in Australia would receive the same, and committed $17 million to the project.

What is interesting to note about all these local promises and commitments is that there were no allegations of waste and mismanagement of taxpayers dollars associated with them. In 2007 former Prime Minister Kevin Rudd walked into a $20 billion surplus. But through his actions, together with those of former Prime Minister Julia Gillard, we now have a $400 billion black hole, and we borrow over $80 million per day with an annual interest bill of $10 billion. It was a great contest between Prime Minister Rudd and Prime Minister Gillard for who could come up with the dumbest policy ideas and waste the most money. But there was no clear winner, so the Labor Party as a whole must get the award—sadly at the Australian people's expense.

Let us look at a snapshot of some of Labor's schemes which were developed when it was last in government. There was cash for clunkers. There was GroceryWatch, which cost $7 million. There was FuelWatch, which cost $20 million. There was the set-top box program, which cost $67 million. There was the carbon tax advertising, which cost $69 million. In Senate estimates, we found out that $100,000 had been spent on building a fake kitchen—what a waste of money! There was the immigration budget blow-out of $10 million, yet 50,000 people arrived on our shores illegally during the last Labor government. There was the pink batts—or home insulation—scheme, which cost $2.4 billion. With the pink batts scheme there was widespread rorting of the system, 224 house fires and—very tragically—four deaths. In fact, Jackie and Alex Quieretem from Berwick contacted me with their concern that the installation they had installed in their house was a fire danger. Sure enough, they were right: Jackie and Alex's house was one of 250,000 houses in Australia which were deemed unsafe and had to be rendered safe. What a waste of taxpayers money it all was.

But that is all in the past, thankfully. Let us look to the future under an Abbott government. Locally, the commitments we made in various forms made during the election campaign span the electorate of La Trobe. The Abbott government committed $3 million to the reduction of bushfire fuel and to weed eradication—which is very important to people in my electorate—in the Dandenong Ranges. For this commitment I must thank my friend the Hon. Greg Hunt, as we only were able to make the commitment through his personal intervention. I find it amazing that I made announcements of commitments during the 2007 and 2010 campaigns
and that they were never matched by Labor or supported by the Greens. Only a Liberal government will truly look after the Dandenong Ranges.

The Abbott government has committed $1 million towards Windermere to complete the purpose-built Toomah Centre, which will offer care and support services for vulnerable families and individuals. I acknowledge the great work of the CEO of Windermere, Dr Lynette Buoy, and her amazing staff and board. The Abbott government has committed $1.5 million to complete a school for the blind and vision-impaired at the Berwick Campus of Monash University. I must congratulate Alan Lachman, who has worked tirelessly with his wife, Maria Franca, and his three daughters, Sabrina, Alessandra, and Francesca. At the moment there is no school like this in Victoria, and I strongly support the Insight Education Centre for the Blind and Vision Impaired in all the work they do. I again must thank The Hon. Greg Hunt, as well as the Hon. Senator Mitch Fifield, for their great support in ensuring that we could make this commitment to the school for the blind and vision-impaired. It was made the Thursday before the election, so there was no media; it was just one of those things which we believed that, as Liberal members, we should deliver as a promise.

The Abbott government has committed $1.5 million dollars to Emerald Primary School so that it can build a new basketball facility and home ground for the Emerald Lakers. I thank the principal of Emerald Primary School, Mark Carver, the former president of the Emerald Lakers, Rob Fredericks, and the Emerald Primary School community. Working with them has been a pleasure, and I look forward to creating a better educational environment for our children. The government has committed $50,000 to the Hilltop Recreation Association in Olinda to install adequate lighting. This will not only help the local sporting clubs at the Olinda Reserve but also bring light to the Melbourne Oxfam trail walks at the checkpoints. I thank the Hilltop Recreation Association—and, in particular, I thank Stephen Scott, who is otherwise known as Sid. I have worked closely with Sid since the inception of the Hilltop Recreation Association in 2007. Sid and I have a long association which goes back even to playing junior football together. Sid was a very good footballer. Sadly, I was not!

The coalition has committed $250,000 to the South Belgrave community project. This funding commitment means that the construction of new facilities for the South Belgrave Football Club and other community groups is now within reach. I say well done to Ian Bakens, who worked with me to secure this funding. The government has committed $500,000 to the building of a new pavilion in Emerald’s Chandler Reserve. I thank the Emerald Football Club, Emerald Netball Club, Emerald Cricket Club and Avonsleigh Tennis Club. Local sporting clubs are often pillars of our community, and I am proud to be a part of a team which supports our local sporting institutions. I must also thank Bill and Robyn Kuys, who encouraged me to run again for parliament—especially when they realised that the Labor government did not support their club.

The Abbott government has committed $500,000 to the Upwey-Tecoma Community and Sporting Recreational Hub. I acknowledge the great work of Andrew Petterson, who worked with me behind the scenes to secure the funding needed for this rundown facility to be restored to a fully-functioning facility which can also serve as a meeting point during natural disasters. The government has also committed $450,000 to the eradication of wandering trad, a noxious weed which is infesting the 50 kilometres of creeks in the hills of my electorate and is a significant threat to the biodiversity of native plants in the area. Thanks again must go to
the Hon. Malcolm Turnbull, who, back in 2007, as environment minister, committed funding to eradicate wandering trad, only to have the funding overturned by the new Rudd government. I must thank the Hon. Greg Hunt, who since 2008 has been working with me on the project to eradicate wandering trad. We made commitments in the 2010 and 2013 campaigns. We will have the CSIRO look at undertaking research to see if we can eradicate the wandering trad for good through environmental control. The Labor Party and Greens do a lot of talking about the environment and the electorate of La Trobe, but only the coalition has made election commitments—and we deliver on our promises.

However, my number one issues for La Trobe are the prevention of youth suicide and increasing the awareness of mental health issues. At a national level, the most recent data available from the Australian Bureau of Statistics is from 2011. In total during 2011, 2,273 people tragically took their own lives. In this figure there were 483 people from Victoria. Between the ages of 15 to 24, there were 62 young people who are, heartbreakingly, no longer with us. Way too many young people have taken their lives and are no longer with us. As far as I am concerned, the only number that is acceptable is zero. We will never understand the pain and suffering their families go through, the toll it takes on fellow students at school and the emotional toll on the entire community. When I was a detective at Boronia and Knox criminal investigation branches, we had one of the highest levels of attendance at suicides. I have completely lost count of how many suicides I investigated, how many suicide notes I read and how many families I comforted during those years as a detective.

I recently was at a fundraiser for beyondblue, organised by the Berwick Rotary Club—a fantastic event. There, Jeff Kennett, the former Premier of Victoria and now CEO of beyondblue, described suicide as having an excess of evil, depression, drugs and alcohol around you. The only question really is: which one comes first? The way I see it, my role in battling youth suicide and mental illness is to bring more counselling services to La Trobe and more activities for young people to escape the awful curse of depression, whether it be through sports or the arts. There need to be more opportunities to receive help when it is wanted and, more importantly, when it is needed. There is already some promise in this area with the headspace unit which will be opening next year in either Narre Warren or Berwick. I look forward to working with headspace to offer the youth in our area a wide range of health and wellbeing support, including mental health, general health, and help with alcohol and the curse of drugs. I also believe there is a strong need for a headspace centre to cater for young people in the Dandenong Ranges. I congratulate the Shire of Yarra Ranges for pushing this. This morning we had a very constructive meeting with the health minister, my friend the Hon. Peter Dutton.

There is a lot of work to do. I must say that all involved in government and council from all political parties and backgrounds are working together, and I will continue to do so in La Trobe, in Victoria, and in Australia, because this is not an issue that can be ignored or politicised; we need to sit up and take action on this.

Prior to my forced exit from parliament, I had the great pleasure of being the shadow parliamentary secretary for policing and law enforcement. I was appointed in 2008 by the then opposition leader Malcolm Turnbull as shadow parliamentary secretary for justice and public security, which under Tony Abbott's leadership changed to policing and law enforcement. As part of my role I developed, for the coalition, the law enforcement policy on
gangs in the 2010 election campaign. The policy I developed focused on establishing a $33 million national violent gangs database and $95 million for an additional 200 investigators to be seconded from the AFP and state and territory police to the Australian Crime Commission to establish a national violent gangs squad. Sadly, the Labor Party has ripped the heart out of the Australian Crime Commission and they have basically stopped paying the bills for the seconded detectives, and now it is just an intelligence-gathering mechanism. It is very sad to see. The policy was designed to target all violent gangs, from youth gangs to street gangs, and to the ever-growing outlaw motorcycle gangs, as well as gangs involved in street shootings.

I am very proud to see, on the election of the Abbott government, the first major law enforcement announcement. The Minister for Justice, Michael Keenan, in conjunction with the states, announced $64 million towards creating a national antigangs taskforce, working through the Australian Crime Commission. The next focus on gangs must be to establish a national violent gangs database. This is the missing piece of the law enforcement puzzle when it comes to outlaw motorcycle gangs and all gangs, together with stronger unexplained wealth legislation. Both are very important tools to take on gangs.

It is also necessary to thank all the people who helped me during the election campaign. It was truly a great team effort. I cannot thank all my volunteers enough. Your hard work was invaluable and I cannot be more grateful for it. First of all, I would like to thank my campaign manager, Garry Runge, who is here with us today and is now my chief-of-staff. Thank you, Garry. I apologise to his wife, Sue, for dragging Garry through hell. My FEC chair, David Holmes, has always been a very great and loyal supporter. Branch members and supporters include Carol Porter, Joy Bishop, Pauline Heatherton, Brian Heatherton, Kaye Moreland, Mick Moreland, Andrew McNabb, Julie Hughes, Eric Richmond, Hubert Novak, Ken and Carmen Dainton, Janet Halsall, Atia Sadiqzai, Suzannah Kalweit, Steve Hartney, Todd Coleman, Trevor Withers, Councillor Amanda Stapledon and Councillor Sam Aziz.

I must thank the Liberal Party state director, Damien Mantach. You did a fantastic job. I thank you and the deputy director, Andrew Cox, and also Simon Frost for all your great support through the campaign. I also thank state president Tony Snell, the committee, all the Liberal supporters and the staff at 104. You did a truly amazing job.

I must also thank the Hon. Senator Mitch Fifield, the patron senator for La Trobe. Mitch did a fantastic job. I also thank Senator Michael Ronaldson, Senator Helen Kroger, the Hon. Greg Hunt, the Hon. Christopher Pyne—thank you so much, Christopher—the Hon. Malcolm Turnbull, Josh Frydenberg and the state member for Gembrook, Brad Battin. I also had very strong support from the Young Liberals and must thank Evan Mullholland and the Melbourne University Liberal Clubs' Michael Sabljak for all your great support. You guys are fantastic.

After losing the seat of La Trobe in 2010, I was invited back to Victoria Police and became a detective senior sergeant. I had previously worked for Victoria Police for 18 years. I would like to thank Inspector Mike Glinski, Michelle Wells and Crime Command for their support. Closer to home, I must thank my parents, Bob and Jan, for all their support. It is always tough on the family members of MPs as they often feel the heat of our political views and the way our parties make decisions.

The highlight of the campaign for many local residents was not the local political battle between Liberal and Labor. The media was very focused on our campaign Mascot, Mr Black, the Great Dane. Mr Black, thank you very much. You will be rewarded with your favourite
treat: a pig's ear. Last, but definitely not least, thank you to my beautiful and lovely wife, Judy. She is up in the gallery today. Judy, you have been an absolutely fantastic supporter, coming to all the functions and putting up with me. I adore you and thank you for your support. I am pleased to announce to the House that we are expecting our first child in April next year.

In closing, it is again a great honour to serve the people of La Trobe. Thank you so much.

COMMITTEES
Treaties Committee
Membership

Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development) (18:30): by leave—I move:

That Dr Stone be discharged from the Joint Standing Committee on Treaties and that, in her place, Mr O'Dowd be appointed a member of the committee.

Question agreed to.

BILLS
Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013
Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms BRODTMANN (Canberra) (18:31): I rise to speak on the Indigenous Education (Targeted Assistance) Amendment Bill (No. 2) 2013. Richardson Primary School works in partnership with Aboriginal and Torres Strait Islander parents, students and staff to address disadvantage and injustices through quality educational practices and practical strategies. One of the strategies that has been implemented by Richardson Primary School, in partnership with the Canberra Institute of Technology, is an adult literacy program designed for the Aboriginal and Torres Strait Islander parents in the Richardson Primary School community.

The school community identified that improved literacy and numeracy within the parent community would have significant benefits for the students at school. With increased parental literacy, parents are better able to help students with their homework and reading and to engage in their child's curriculum. Many of the parents who participated in the program were job seekers and, as a result of their improved literacy and numeracy skills, several have found employment since completing the program. The benefits of this type of program have been immense.

Another successful initiative that is having a real impact is the Australian Indigenous Leadership Centre. The AILC was founded by visionary Indigenous leaders in 2001 and has become one of the nation's pre-eminent Indigenous leadership education organisations. Based in Canberra, the centre specialises in place-based education, taking courses to where people need it, providing tailored, relevant education opportunities to Indigenous people. The centre's core business is Indigenous leadership. It delivers unique, empowering courses that provide knowledge, skills, networks and opportunities. These help Indigenous people from all walks of life to identify their true potential and then achieve it. The centre delivers a range of accredited and non-accredited courses in Indigenous leadership. Due to strong demand from
employers and organisations across the country, it also delivers tailored courses in Indigenous governance and Indigenous diversity mentoring.

In 12 years of delivering high-quality Indigenous education programs designed to enhance the skills and capabilities of Indigenous people, the centre has demonstrated that the greatest efficiency in program delivery can be achieved after conducting a skills audit. A skills audit identifies skills that employers actually need and that Indigenous people do not have. The centre then tailors training packages so that its graduates acquire those skills that are directly relevant to workforce participation and long-term success in their careers.

The centre offers education programs that have clear and measurable employment outcomes, and also outcomes in community building, family functionality and workplace gain. Put simply, the centre's courses equip Indigenous people with the skills, knowledge, networks and opportunities that enable them to realise their full potential—an Indigenous solution that stands to benefit all Australians.

As proof of the success of these courses, the average increase in income for an individual after graduation from a centre course is a massive $13,877. Sixty per cent of graduates attributed getting a promotion to the completion of the centre's course. When comparing the centre with nine other leadership programs, a KPMG audit found that the centre offered better value than any competitors, smaller class sizes, lower class delivery costs, better retention rates, and that 93 per cent of graduates thought they were a better leader in professional life after the centre's course.

The centre is a wonderful initiative and I am proud that it is Canberra based. I commend Rachelle Towart, who is the CEO of the centre. Last week, the member for Berowra, the shadow minister and I had the pleasure of enjoying the annual event at the Aboriginal and Torres Strait Islander Cultural Centre in Canberra. It was a wonderful night and was a real tribute to what Rachelle is doing out there, getting those Aboriginal leaders trained up and participating in the workforce. It is great centre.

The programs that will be funded by the legislation we are talking about tonight will not be run in my electorate. However, having seen the success of the Richardson Primary School program and the AILC courses, I note that the programs that complement and support the goals of school education do have a significant impact.

Members of the House will be aware of my deep commitment to education. In my first speech and repeatedly since then I have spoken of how my own life and the lives of my sisters are testament to the truth that education is the great transformer. Education allowed me to escape the cycle of disadvantage and I completely understand and appreciate its importance fully. I am living proof of it. That is why I so strongly support Labor's education reforms, particularly in the area of Indigenous education. Labor is determined to close the gap between the educational results of Indigenous and non-Indigenous students and is focused on investing in programs that we know can lift results. If we are to close the gap in education we must have continued investment in a range of programs that we know can lift rates and results.

Under our Better Schools funding reforms, every Indigenous student in the country will be entitled to guaranteed extra funding no matter what school they attend, and, under Labor, a total of $5.5 billion in public funding would have been directed to specifically support the nearly 200,000 Indigenous students in about 8,000 schools. Under Labor in the ACT, $40
million in new funding for Indigenous students was going into Canberra, benefiting around 1,400 students in 117 schools.

This bill reaffirms the Labor commitment to improving educational outcomes for Aboriginal and Torres Strait Islander students, families and communities. Those opposite must ensure that in every state and territory, not just the ones that signed up to the school funding model before the election, they follow through with Labor's commitment for loadings for Indigenous students, for remote students, and for the disadvantaged students that I have met in the years that I have been the member for Canberra. In fact, I implore the Abbott government to do so for the sake of equity, and for the sake of our children's future and the nation's future. The coalition must guarantee funding for education targets under the Closing the Gap framework and to develop the new closing the gap higher education target that the coalition supported before the election. I commend this bill to the House.

Question agreed to.

Bill read a second time.

Third Reading

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (18:39): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Fair Work (Registered Organisations) Amendment Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:

"the House declines to give the bill a second reading because it would be ill advised to continue having regard to:

1. the adverse impact of the creation of the Registered Organisations Commission on registered organisations, including unions, employer and employee groups; and

2. the fact that last year the Fair Work (Registered Organisations) Act 2009 (the Act) was amended to improve disclosure requirements, transparency, accountability and amended to also triple civil penalties for breaches of the Act."

The DEPUTY SPEAKER (Mr Broadbent): The question is that this bill be now read a second time.

Ms CHESTERS (Bendigo) (18:39): It is great to have the opportunity to finish the remarks I was making to the House last week, when we last had this debate on the Fair Work (Registered Organisations) Amendment Bill 2013, when we interrupted the debate to proceed with question time. At the time, I was reflecting on the fact that, for me, it is quite odd to stand here in this chamber and say that I agree with the Australian Industry Group, in their reflections on this matter, in calling for extra time for this legislation. It is an odd place to be
when employers and employees agree that we need more time for this transition to occur. On a day like today, it is another opportunity to remind the House of why it is so important that our registered organisations, whether they be unions or employers' organisations, have the opportunity to exist and to exist in a society where they can have freedom of association.

In the final few minutes that I have allocated in this debate, I would like to finish where I began, and that is by reflecting on the outrageous and laughable remarks that have been made by this government on being 'the friend of hardworking people'. It has been mentioned today already that, in the case of Holden workers, the government has failed to support the industry, to invest to ensure that those jobs are locked in. Twenty-four hours ago we also saw this government demonstrate how much it is the friend of early childhood educators—by axing the fund that would see their wages dramatically increased!

It is clear and obvious that this government is not the friend of workers and is now trying to prevent the organisations that seek to represent them existing in this area without extra burden and extra regulation, and to not allow them to do their duties.

Mr NEUMANN (Blair) (18:42): When the former coalition government led by then Prime Minister John Howard gained control of the Senate at the 2004 election, he took the opportunity to make some dramatic changes to Australia's industrial relations and wage-fixing arrangements. He changed the workplaces of Australia. The former Prime Minister's industrial relations minister, through some of that period of time, of course, was the current member for Warringah, the current Prime Minister. We saw individual statutory agreements, AWAs, and this impacted adversely upon the wages and conditions of working people—in particular, women, people who worked in the retail sector, cleaners, nurses and teachers. There were a whole host of areas where people were vulnerable.

Work Choices was pernicious and punishing, and when we came to power the then newly elected federal Labor government introduced the Fair Work legislation which did away with Work Choices. Now here we go again—only a few months into their new term of government, the new coalition government are attempting to impact the workplaces of Australia adversely yet again. What they are doing here, of course, with the Fair Work (Registered Organisations) Amendment Bill 2013, is dumping onerous regulation on registered organisations by forcing them to provide more information than massive, multinational businesses that are operating pursuant to the Corporations Act—and all of this without really any adequate or proper explanation.

The coalition has adopted an approach in relation to industrial relations which shows the difference between us and them. In some countries, the difference between the major political parties may be one of language, or sometimes religion or at other times geography, but in Australia it is industrial relations. Nothing beats more firmly in the breasts of coalition members than the idea that you might do things which have an adverse impact on those representative organisations that represent workers in the workplace—namely, trade unions.

The coalition government owe the Australian people and registered organisations a really satisfactory and reasonable explanation for why they want to regulate organisations and subject them to these new and onerous obligations under this legislation. At the same time the current Minister for Education, I think it was, said words to the effect that the majority of registered organisations do the right thing and in many cases maintain higher standards than those currently required. In fact, I had a look at the Liberal Party policy in relation to this:
'Improving fair work laws'. It is fascinating reading—the Orwellian nature of the language used in that particular document. It impacts in a way that really harms workers and their representatives.

It is not just me and not just the Labor Party who have been concerned about the haste with which the coalition is pushing through this particular legislation. The National Workplace Relations Consultative Council also suggested the bill might be delayed for further consultation. I think it does require further examination. The Labor Party's position is to refer the bill to a Senate committee for proper consideration and examination.

When we introduced the Fair Work (Registered Organisations) Amendment Bill 2012 we acknowledged the fundamentally important role that registered organisations play within our workplace relations system. Notwithstanding that small number of individuals who may cast a shadow over some components of one or more of these organisations, I concur with those opposite when they say that the vast majority of organisations in this country, whether employer organisations or employee organisations, do the right thing. They are largely democratic, highly professional and member focused, otherwise they would not survive.

Labor does not condone corruption in any organisation, including unions. It is unacceptable and those who commit a criminal act should not receive the full force of the criminal law. They should be prosecuted, charged, convicted and punished if they are guilty of those crimes.

In fact, it was the former federal Labor government, in 2012, that increased the penalties for misconduct and made unions and employer groups more accountable following the HSU allegations. As a result of the changes made by the former federal government, the regulation of trade unions in this country has never been stronger and the accountability has never been higher. The powers of the Fair Work Commission to investigate and prosecute for breaches has never been broader, with triple penalties, which means that they have never been tougher. It was the former federal Labor government that forced the HSU into administration.

When the former federal Labor government introduced its bill last year it was overwhelmingly supported by industry. In fact, many of those were involved in the consultations forming the legislation. Still others made submissions in relation to the Fair Work Review Panel, which were adopted in whole or in part. The former federal Labor government's bill was supported by industry and others, because it better aligned the fair work legislation with other laws relating to unfair dismissal. It gave Fair Work Australia more power to require applicants to provide additional information on the circumstances surrounding their dismissal. The changes meant that if a lawyer or paid agent does the wrong thing—for example, after they have been given leave to represent a party—cost orders can be made against that particular lawyer or paid agent.

So we have been pretty clear all along about our position in relation to these matters. We have made it plain what we think in terms of workplace relations in this country and we have been the ones who have brought in reform after reform in workplace relations to protect the entitlements of workers. Those opposite have never been supportive of an industrial relations system where the sensible centre is at the forefront of the industrial relations system.

But we know, and so do unions, that economic outcomes are dependent on profitability of organisations. They know that companies, whether they are small, medium or large, require
profit, and their workers cannot continue to have good jobs, high wages and secure financial futures unless the organisations they work for in small business, or otherwise, are profitable, well run, well managed and highly professional. Unions themselves often act in this way. Far more often than not they act in a way that is accountable and democratic. The former federal Labor government's Fair Work (Registered Organisations) Amendment Bill 2012 provided improved financial transparency and disclosure by registered organisations to their members as well.

The rights of union members are not by any stretch of the imagination the same as economic interests held by shareholders in big companies. It is for this reason my belief, and the belief of the Labor Party, is that registered organisations, including trade unions, should not under any circumstances be regulated in exactly the same way as the coalition believes the business community and other for-profit organisations should be. The coalition's Leader of the House informed us that his government consulted with members of the subcommittee of the National Workplace Relations Consultative Council. On that occasion some of the members suggested the bill be delayed.

On this side of the chamber we believe there is no need for this legislation to be rammed through the House of Representatives. We believe there are very real concerns about difficulties envisaged in the future, should this bill be allowed to pass, in terms of enabling and encouraging people to take on official responsibilities in their registered organisations. We do not believe this legislation is necessary. It does, however, seem like the coalition's position in relation to the Australian Building and Construction Commission. It is in their blood and bone, their DNA, to do these types of things. In their policy they talk about an organisation that polices this area. Even the pejorative expression 'polices this area' is simply unnecessary and wrong. What we need in this area is an organisation like Fair Work Australia, which balances the rights of organisations and does not involve a judge-and-jury type situation. Bringing back the ABCC on the left hand and bringing in this new organisation to be a tough cop on the beat, in terms of registered organisations, on the right hand, means that we would have a one-two punch from those opposite to the industrial relations system in this country. It is not in the best interests of workers; it is not in the best interests of industrial relations. It is not the sensible centre.

I will finish on this note: the current Fair Work (Registered Organisations) Act already requires officers to disclose their personal interests, to disclose when payments are made to related parties, to exercise care and diligence, to act with good faith and to not improperly use their position for political advantage. Exactly what do those opposite hope to gain by forcing this bill through this chamber today? What is their motivation? It can only be ideological. It is not economic. It is not in the best interest of registered organisations in this country. Once again it shows that the coalition are intent on bringing back a Work Choices like regime in this country. The only thing that they will not do is use the name. But the flavour remains. You can feel it; you can taste; you can touch it. They intend to bring back Work Choices to this country. This is part of the one-two sucker punch that they want to inflict on the workplaces of this country. I oppose it accordingly.

Mr BANDT (Melbourne) (18:53): This bill is the wind-up to the government's attack on people's rights at work. First they will come for people's unions and then they will come for people's rights at work. There is a fig leaf covering this legislation. It says that this legislation
is supposedly about ensuring some kind of parity between how corporations are treated and how unions are treated. But on the simplest of examination it is clear that that is not the purpose of this bill and that that justification does not hold at all. It is no surprise, though, that the coalition members would start from that point because to them everything is a business and everything ought to be run as a business. There are probably very few members, if any, sitting on the government benches who have worked for a union or even been a member of a union. Thus, it is absolutely no surprise that they do not understand what unions are about and some of the fundamental differences between unions and companies.

Companies are regulated by company law because companies exist to seek to make a profit; they exist to return money to their shareholders. A whole system of law had been generated around that putting obligations on directors of companies to act in the way that is going to generate maximum return for their shareholders. Separately to all of that, when you set up a company you can choose whether you are going to set up a private company or a public company and go and seek capital by listing on the exchange and so on. If you do the latter, a different set of obligations applies to you. ANZ is regulated in a different way to the company that might be set up to run the corner shop or a small business.

Unions are completely different entities. A fundamental principle of a union that guides its internal structure and its purpose is not making money for shareholders but being a democratic organisation that will act in the interests of its members. That is the test that the legislation regulating union should apply. It is legitimate that the laws regulating companies have as an element that directors have to act in such a way as to make a profit. But there is a completely different motivation when it comes to unions.

The Independent Panel on Best Practice for Union Governance, in a way that sums it up succinctly, put it like this:

A number of researchers have questioned the merit of drawing on a ‘corporate model’ of accountability, pointing out that trade unions and companies are very different types of organisations. Their rationales for formation, the purposes they serve, and the nature of their membership are key differences. Union members have a democratic interest in the organisation of a union, rather than a financial or proprietary interest. Unions should be viewed as membership-based mutual interest societies rather than businesses.

The function of unions is not to profit from dealings with the general public. They operate as non-profit organisations. Their potential to harm individuals with whom they have financial dealings is nowhere near as great as that of private or public companies. Unions do not have shareholders with significant financial investments at risk. Shareholders may have large financial exposure to a company by reason of the size of their shareholding; by contrast union members have necessarily invested only their generally fairly modest membership fees.

That should be enough to dispose of the so-called rationale for this bill.

But if you take it a step further you understand the blatant hypocrisy that is driving this bill. Let us assume that the government is serious when it says that unions and companies should be regulated in the same way and think that through for a moment. The legislation that regulates unions requires union rules to provide for the democratic functioning and control of organisations. The people who run them—the equivalent of the CEO; the secretary of a union—have to be selected by election and those elections have to be conducted by the AEC or a similar organisation. And the members of those organisations have rights to come in and depose the people who are running their organisations at will.
If the government is serious when it says that there needs to be one set of laws governing unions and companies, then let us be serious about it. What it is effectively saying is that every mum-and-dad company running a corner shop needs to have a system of election overseen by the AEC. The CEOs of publicly listed companies should be elected by the shareholders in an election conducted by the AEC. Is that what the government is going to propose? Of course not, because it is not interested in consistency.

What you also find, if you look at all closely, is that unions at the moment are subject to disclosure of their financial affairs in a way that, I tell you what, if you asked most private companies, 'Are you prepared to disclose your finances in the same way that unions have to', they would run a mile—they would run an absolute mile. If the government were serious about one set of laws applying to both then they would require private companies to be disclosing their real financial records on a regular basis, with a level of oversight that is currently not in place with regard to those private companies. You would be asking every small business, every mum-and-dad company that exists, to open their books and put them up on the internet—because that is effectively what unions have to do at the moment. It is not the case that this government is at all interested in having one set of laws apply across the board.

You understand the hypocrisy even more when you compare the government's approach to unions with that of other organisations. When it comes to charities, the government cannot run fast enough to dismantle legislation overseeing charities and not-for-profits—because for them, apparently, federal legislation that might have some teeth to it is an invasive act into the running of their business; yet, when it comes to unions, apparently they are fair game.

Again, if you want to understand the hypocrisy, have a look at how they treat the building industry. You open up the newspaper to see that the Leighton group of companies has apparently started approaching members of Saddam Hussein's regime to do a deal with them, potentially in breach of Australian law, and there is not a peep from the government about it. Despite the fact that it is apparent that AFP and ASIC have not been talking to each other for a couple of years, there is no interest at all in inquiries or royal commissions into deals with Saddam Hussein's regime. They turn a blind eye to all of that, yet they cannot run fast enough to set up a secret police force to oversee workers in the building industry.

Apparently, it is okay if you just happen to work in the building industry, through no fault of your own, for you to be treated as someone with fewer rights than an accused criminal. The government say it is okay for a secret star chamber to be able to pull you off the street and haul you in for questioning, and when you are released you cannot even tell your husband or your wife or your family where you have been, because that would be in breach of the legislation. So, apparently, when it comes to the building industry, it is okay to attack unions but they will turn a blind eye to mates in the boardroom who are accused of incredibly serious offences.

This government, which comes in and tells us it cares so much about individual freedoms, is the first one to say, 'Yes, everyone deserves equal rights, which is why we are bringing in this bill—to treat people in different areas equally.' But that is not the case if you are a building worker, it is not the case if you are a refugee, it is not the case if you are someone who wants to marry the person you love and they happen to be of the same gender. This government uses principles of equality of treatment, and uses individual liberties, selectively and turns a blind eye to abuses whenever it suits.
This bill is a classic example of that, because while they are busy off doing one thing with charities, and while they are busy doing everything they possibly can to give Christmas presents to big business to allow them to flout some of the most basic protections that exist in this country, they are turning the blowtorch on workers and their unions.

With this legislation apparently red tape is bad when it applies to charities but it is okay to tie unions up in red tape—and that is exactly what this legislation would do. This legislation is about saying there will be enforceable oversight over registered organisations that does not exist with respect to companies, that does not exist in other sectors—'But we will make you jump through hoops that the Pty limited company would quail at.' We do not have liberalism coming from the Liberal Party; we have reaction masquerading as liberalism. Apparently the state needs to get out of the way everywhere, except when it comes to unions, where it is okay to pass laws that are invasive, that regulate the internal affairs of people who have come together to protect their own interests, and to apply the kinds of penalties and heavy-handedness to them that is not being applied elsewhere.

For those reasons I will not be supporting this bill.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (19:05): Thank you, Mr Deputy Speaker, for those congratulations. The Fair Work (Registered Organisations) Amendment Bill 2013 is one that the government has brought forward in pursuit not of some real, identified social problem that needs to be addressed, but rather of an ideological agenda. It is legislation that has been produced in a great hurry. That is why the position the Australian Labor Party is taking in relation to this bill is that it should be far more carefully considered and should be referred to a Senate committee for proper examination.

It is absolutely incumbent on the government to demonstrate its case by pointing to evidence. We need to have evidence based legislation in this place. We need to have evidence based measures. It is incumbent on the present government to explain why the current system is not working, beyond raising some allegations about matters which are presently before the courts and beyond raising matters which are already being investigated by the Fair Work Commission. Again, as with other legislation that has been brought forward in a rush before this parliament by this government, it is seemingly forgotten that we as a government brought forward the Fair Work legislation in 2009, which was substantially amended in 2012 in the very area that this bill deals with. A minister bringing legislation such as this before the parliament has a duty to explain why it is that at the end of 2013 it is necessary to come forward with very substantial additional obligations on registered organisations—obligations that ignore the nature of those organisation and that are not justified in any way.

I would say right at the outset that it ought to be clear that the Australian Labor Party has absolutely no tolerance for corruption by union officials—no more than we as a party have tolerance for corruption of any officer in any body, or indeed any citizen. We support tough penalties for those who break the criminal law, and we support appropriate regulation for registered organisations. It is of course the case that one needs to have some form of
regulation in order for these organisations to exist, just as it is necessary to have some form of regulation for companies—which are artificial bodies that need to be brought into existence by a legislative scheme. And that should carry with it—for companies, for charities and for registered organisations, like employer organisations and unions—appropriate regulators and appropriate consequences for those who do not follow the rules.

Again, it was the Australian Labor Party that brought forward increased penalties for misconduct, which made unions and employer groups more accountable in the wake of the allegations that were made about the Health Services Union. We strengthened laws that were enacted by the present Prime Minister when he was minister for workplace relations. The Labor government toughened the laws that the present Prime Minister himself brought in while in government. The result of the legislation last year is that the regulation of trade unions in Australia has never been stronger, the accountability has never been higher, and the powers of the Fair Work Commission to investigate and prosecute for breaches have never been broader. It should not be forgotten that the Labor government tripled penalties, which means that penalties for breaches of the legislative scheme have never been tougher. And let us not forget that it was the Labor government that forced the Health Services Union into administration. We simply do not think the government has made out a case for the very considerable additional regulation—more red tape, if you like—that is being brought to bear on registered organisations.

Right at the heart of this is that there is a very great difference between for-profit corporations, charities—another form of regulated organisation—and unions and employer organisations, the latter two being the type of organisations that are regulated by the legislation that is being amended by this bill. The simplistic comparison that is being drawn over and over again by the new government and by members of the new government while they were in opposition—that the same type of penalties, the same form of disclosure obligation, and the same form of regulation of the conduct of boards and of executives of these types of organisations should be brought to bear as if they were for-profit corporations, which is what this legislation is based on—is wrong. That is right at the heart of our opposition to this legislation: it is not the case, and no amount of assertion in the absence of evidence, and no amount of assertion in the absence of some reasoning, is going to make good that proposition that, put simplistically, unions ought to be regulated in the same way as listed corporations. There is no reason unions should be regulated in the same way as listed corporations, any more than there is a reason that employer organisations ought to be regulated in the same way as listed corporations. Unions and employer organisations are very different creatures from for-profit corporations. Boards of for-profit corporations owe a duty to their shareholders. They owe a duty to pursue profit. They owe a duty to make decisions that are in the best interests, which will almost always mean profit in a monetary sense for their shareholders.

By contrast, officials of unions and officials of employer organisations are under no such obligation. They exist for the benefit of their members in a non-profit sense. They are not established to make a profit; they are not established with anything like a primary aim of raising money. They are mutual-benefit organisations that exist to further the interests of the members of those organisations. So, the Australian Industry Group, representing, as it does, many thousands of employers across the country, has as its interest not the pursuit of profit—
it is a not-for-profit organisation—but, rather, pursuing different regulation, different
government policy, and different conditions for the interests of its members. The reason I
mention the Australian Industry Group is that it needs to be borne in mind that this is not
simply a bill that would deal with trade unions; it is a bill that deals with employer
organisations. And the Australian Industry Group, in its submission to the inquiry about this
bill by the Senate Standing Committee on Education and Employment, reveals that, like many
other submitters, it has a great deal of unease about this bill.

In particular, I would commend to all the submission that the Australian Industry Group
made on this bill. The Australian Industry Group set out a number of differences between
registered organisations that are regulated by this legislation and corporations. They make the
simple point that the Australian Industry Group is a not-for-profit organisation which has 78
elected councillors who are unpaid and working in their own time. By contrast, a major
company is likely to have seven to nine directors who will almost certainly be paid hundreds
of thousands of dollars for their services.

The Ai Group also noted in their submission that a number of the requirements of this bill
are, in fact, more onerous than those in the Corporations Act. So we do not even have the new
government keeping to their own rhetoric about the need to have the same obligations
imposed on registered organisations, trade unions and employer organisations as are imposed
on corporations. In fact, they have gone considerably further. For example, the Ai Group
points to the requirement to disclose all material interests, not only those which raised the
possibility of a conflict of interest. This, they say, is objectionable, as is the need for
disclosure to all members rather than just the committee. They point to the requirements for
disclosure of related party payments as completely unworkable, as in this bill they do not have
the limitations that are set out in the Corporations Act, including, for example, disclosure only
of those payments that are above a threshold, which is what makes those provisions in the
Corporations Act workable.

They also make the obvious additional point that a governing body of 78 councillors was
bound to have a huge number of related parties and that this would create a huge
administrative task. It is a very lengthy submission so I am not going to keep illustrating from
it. But perhaps a last point to select from the many points that the Australian Industry Group
makes is that it regards many of the proposed civil penalties as massive and unwarranted,
noting—as I have already noted—that the penalties were already tripled in the 2012
amendments brought forward by our government. In many cases what is proposed in this bill
would mean that the penalties would be increased by a further two-thirds and in some cases
even more. I make the point again that the penalties incorporated in this bill are higher than
those in the Corporations Act.

The Australian Industry Group is expressing deep unease and concern. So too are many of
the other employer groups, and the trade unions are also very concerned. I will quote from the
submission of the Australian Council of Trade Unions to the Senate committee inquiry:
The Bill is poorly conceived, badly motivated, and entirely unnecessary.

It went on to say:

It is a transparently political Bill in an area where there is no extant public policy problem.
It is simply not good enough for the new government to blindly pursue an ideological agenda
without reference to some actual societal problem, without reference to some actual concern
or some actual wrongdoing that is occurring that requires this drastic increase in the level of
regulation. The irony, and it is a fairly bitter irony, is that this bill is being brought forward by
a government which has come to office boasting—braying—about what it is going to do to
reduce regulation and red tape in the Australian community.

Here we have additional regulation, and very substantial additional regulation at that.
Indeed, it is possible to point to a number of other examples in bills being brought before this
House, and I have in mind the Building and Construction Commission legislation which is
before the House. The Registered Organisations Act already prohibits members' money being
used to favour political candidates, or particular candidates in internal elections or campaigns.
The Registered Organisations Act has provisions which already allow for criminal
proceedings to be initiated where funds are stolen or are obtained by fraud. The Registered
Organisations Act already has provisions which ensure that the Fair Work Commission can
share information with the police as appropriate. Finally, the Registered Organisations Act
already has provisions which provide for statutory civil penalties where parties knowingly or
recklessly contravene an order or direction made by the Federal Court or the Fair Work
Commission under the Registered Organisations Act or the Fair Work Act.

Of course, under the Fair Work Act itself we have a range of provisions which impose
fiduciary duties on officers of registered organisations akin to the duties that are imposed
upon directors under the Corporations Law. The Registered Organisations Act already
requires officers to disclose their personal interests. It already requires officers to disclose
when payments are made to related parties, and it already requires officers to exercise care
and diligence, act in good faith and to not improperly use their position for political
advantage. The government has simply not made out a case for these substantial amendments
and I would urge the government to let this bill go to a Senate committee before it proceeds
further.

Ms Ryan (Lalor—Opposition Whip) (19:20): I rise today to speak against the
amendment to the Fair Work (Registered Organisations) Amendment Bill 2013 currently
before the House. As has been previously suggested by my colleagues, the proposed
legislation is dangerous. It is dangerous because of its ambiguity. It is dangerous because of
its far-reaching implications and it is dangerous because the government is determined to
push this through without adequate consultation or examination. But worse than that, it is
unnecessary.

Let’s look at the current legislation. As it currently exists, the act we now have outlines the
standards to be met by registered organisations in relation to their internal rules, their
elections, the conduct of office holders and their financial reporting. It also provides the Fair
Work Commission with the power to register, investigate and hold accountable these
organisations. It does this because the previous Labor government introduced this framework
back in 2009. It was amended to make it stronger only last year. The amendment strengthened
financial accountability requirements and provided for salary disclosure of top officials and
disclosure of financial interests of officials. It introduced mandatory training to ensure that
representatives of registered organisations were meeting their governance and accounting
obligations. It created tougher penalties for breaches of the act, and the investigatory powers
of the Fair Work Commission were strengthened. The 2009 and 2012 act created a fair and workable balance.

Again, all this happened under a Labor government. So, as a result of our reforms, the regulation of registered organisations has never been stronger, penalties for misconduct have never been tougher, accountability has never been greater, and the powers of the Fair Work Commission to investigate and prosecute any breaches have never been wider. Stronger, tougher, greater and wider—this act as it stands is industrial relations for the Olympics.

We did these things because they were necessary, but those opposite are hell-bent on flexing their muscles and trying to prove to the world that they are the toughest—not like the grown-ups they purport to be, but like bullies. This was evident in their rhetoric when the legislation was strengthened by the previous government. On 21 June 2012, the member for Bradfield said in the House that the legislation was:

... nothing but a minor piece of window-dressing produced by the minister and the government in a desperate attempt to try and divert and distract media and public scrutiny from the sorry state of governance in the union movement.

'Divert and distract'—if we want to talk about attempts to divert and distract, I am not sure you could find a finer example than this government. 'Look over there' has become quite the strategy for them, hasn’t it? We see it with their education policy, with their climate change policy and with their economic policy.

We saw it again only yesterday. In her intrepid foray into industrial relations, the Assistant Minister for Education was here, in a state of hysteria, using coalition catchphrases like 'slush funds' and 'union mates', instead of talking about how the government had broken yet another promise, this time on child care. And they are at it again today, making statements that do not stand up to scrutiny. For instance, they talk about how this is not an attack on trade unions and then, in the same breath, they go off on a diatribe—an absolute tirade—about how dreadful our unions supposedly are. The member for Ryan made mention of unions 25 times in her speech—25 times—and yet they claim that somehow this is not about unionism. Then, they want to talk about how necessary this legislation is. But, as the Leader of the House said in his second reading speech:

... the majority of registered organisations do the right thing and in many cases maintain higher standards than those that are currently required.

See what I mean, Deputy Speaker? Is it about unions? Is it not? Is it a necessary change, or are organisations already meeting their obligations? It does not quite add up. They do this because they do not want to talk about what is really happening here, they do not want to talk about why they really believe this legislation is so necessary and they certainly do not want to talk about why they are in such a hurry to get it passed. Like any other conjurer, they are relying on tricks and misdirection.

So let's try and see through the illusion. Let's take a step back—let's look at the current legislation as it stands. I previously mentioned the current powers afforded to the Fair Work Commission. And, as we have heard today, the government say it is not enough, that more needs to be done to make the regulation of registered organisations more like corporations. But, as it stands, the regulation of registered organisations—particularly after our 2012 amendments—is already fairly similar to the existing regulation of corporations. Sections 180 to 183 of the Corporations Act require that officers exercise appropriate care and diligence,
that they operate in good faith, and that they do not abuse their position or misuse information. These sections are comparable to sections 285 to 288 of the Fair Work (Registered Organisations) Act in its existing form. In fact, in terms of the requirements for financial reporting, the current civil penalties are higher for registered organisations. The main difference is the existing provision for criminal penalties under the Corporations Act.

Under the proposed legislation before the House, the government have included new criminal penalties which would apply when an officer fails to comply with the registered organisation commission's new investigative powers. Some of these offences are punishable by a financial penalty of up to $340,000, five years imprisonment, or both. By implementing such legislation, the government have clearly forgotten that we have criminal laws to prosecute offences relating to fraud or dishonesty—that we already have a judicial system which independently assesses guilt and innocence. It is simply not necessary for the government to try and superimpose these laws on a system that is already working.

That brings me to my next point.

Mr Nikolic: Madam Speaker, I have an intervention under 66(a). Would the honourable member explain for 30 seconds why, if the regulatory regime is sufficient, it took longer than the Great War to prosecute the case against Mr Thomson?

The SPEAKER: Is the member prepared to take the question?

Ms Ryan: No. That brings me to my next point, about independence and accountability. In recent weeks, the coalition government have demonstrated their unflappable commitment to independent advice, by scrapping 20 advisory bodies! Yes, this government have certainly shown the world how much they value independent and informed advice. Given this complete lack of commitment to independence, why are the government seeking to establish an 'independent authority' like the registered organisations commissioner? Well, under the current bill before the House, the commissioner is to be appointed by the minister. But never fear, because, under the 2013 coalition policy, we are assured of the commissioner's independence. It reads:

The first head of the Registered Organisations Commission will be appointed by the Minister but will not be subject to Ministerial direction.

That sounds reassuring, except, of course, that under proposed section 329FA, we find that the minister is in fact allowed to give direction to the commissioner, but only if it is written. So, first we were assured the commissioner would be completely independent, and then we were told the minister would actually play a role in the commissioner's appointment and, in direct contradiction to the government's own policy document, would be given direction.

What next? It is yet another broken promise from an already broken government. It is also a particularly curious situation when, for all their rhetoric about government intervention and the nanny state, those who sit opposite are pushing this kind of agenda. It is even more curious, given their self-purported hatred of regulatory burden and red tape, that they are also advocating for a system that can only add to an organisation's administration. This was just one of many concerns raised by affected parties.

The Australian Community Services Employers Association, for example, has raised the massive regulatory burden the bill would impose, particularly for small organisations.
**ADJOURNMENT**

The SPEAKER (19:30): I propose the question:
That the House do now adjourn.

Mr KEENAN (Stirling—Minister for Justice) (19:30): I require that the question be put immediately without debate.

The SPEAKER: The question is that this House do now adjourn.

The House divided. [19:34]

(The Speaker—Hon. Bronwyn Bishop)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>Noes</th>
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<td>37</td>
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AYES

Albanese, AN                  Bandt, AP
Bird, SL                      Bowen, CE
Brodtmann, G                  Butler, MC
Byrne, AM                     Chalmers, JE
Champion, ND                  Chesters, LM
Clare, JD                     Claydon, SC
Collins, JM                   Conroy, PM
Danby, M                      Dreyfus, MA
Elliot, MJ                    Feeney, D
Ferguson, LDT                 Fitzgibbon, JA
Giles, AJ                     Gray, G
Griffith, AP                  Hall, JG (teller)
Hayes, CP                     Husic, EN
Jones, SP                     King, CF
Leigh, AK                     Macklin, JI
MacTiernan, AJGC              Marles, RD
Mitchell, RG                  Neumann, SK
O’Connor, BPJ                 O’Neill, CE
Owens, J                      Parke, M
Perrett, GD                   Ripoll, BF
Rishworth, AL                 Rowland, MA
Ryan, JC (teller)             Shorten, WR
Thomson, KJ                   Thistlethwaite, MJ
Watts, TG                     Vamvakinou, M
Zappia, A                     

NOES

Abbott, AJ                     Alexander, JG
Andrews, KJ                    Andrews, KL
Baldwin, RC                    Billson, BF
Bishop, JI                     Briggs, JE
Broad, AJ                      Broadbent, RE
Brough, MT                     Buchholz, S (teller)
Chester, D                     Christensen, GR
Ciobo, SM                      Cobb, JK
Coleman, DB                    Coulton, M (teller)
Dutton, PC                     Entsch, WG

CHAMBER
Question negatived.

STATEMENTS ON INDULGENCE

Automotive Industry

Mr ABBOTT (Warringah—Prime Minister) (19:40): Madam Speaker, on indulgence: I do not want to mince my words and I do not want to pretend to the parliament that this is anything other than a dark day for manufacturing in this country. We have today received the very bad news—not entirely unexpected news—that Holden is to cease manufacturing in this country in 2017. Twenty-nine hundred jobs will be gone by 2017 and thousands of jobs are at risk in up to 150 suppliers. This follows the withdrawal from motor manufacturing in our country of Mitsubishi some years ago and Ford's announced 2016 close-down. This was part of a world-wide restructure that, amongst other things, involved the closure of General Motors' plants in Korea and the withdrawal of Chevrolet from Europe. So we should not think that motor manufacturing in this country has alone suffered bad news this day. But as the managing director of Holden has said, and I thank him for his sober statement today on what
must have been a sad and bitter day for him, Holden has been hit by a perfect storm: high costs, the high dollar and low volumes, and that explains the decision that they have made.

Now is the time for a strategic response to the difficulties in manufacturing and particularly to the difficulties in our motor industry. It is not the time to play politics. It is not the time to indulge in the blame game. It is not the time to peddle false hope. It is time for a candid and constructive conversation with the Australian people and it is time for a considered and constructive response from government. That is exactly what this government will be providing in coming days. That strategic response starts with a review of the fundamental strengths of our country. It starts with a review of the fundamental strengths of the areas which will be most impacted by the Holden close-down in three years time. We do have strengths in component manufacturing. We do have strengths in manufacturing, particularly for the mining sector. We have enormous strengths in research and development, in higher education and in biomedical science. The government will be announcing measures in coming days that will build on the strengths that we have and which will offer hope for the people of the regions impacted. It will be a considered package of measures, designed to rebuild confidence in the long-term economic future of those regions, in the long-term future of manufacturing of this country.

Opinion members interjecting—

The SPEAKER: Those on my left will desist.

Mr ABBOTT: As part of that, we will be talking to Toyota. They have long been the strongest motoring manufacturer in this country and I want to say that it is the government's strong wish that Toyota continue to manufacture in this country. It is the government's strong wish that Toyota continue to export from this country and we will be talking to them about the best ways of ensuring that that happens.

I accept that this is a sad, bad day for everyone involved in the motor industry. It is a particularly sad, bad day for the workers of Holden, for the families of the workers of Holden and for the communities which are home to Holden's major facilities in this country. There is no way that I can gloss over that, and there is no way that I should gloss over that.

But the people of this country—the people of our industrial centres—have been through hard times before, and they have come through hard times. They have flourished through hard times. When BHP withdrew from steel-making in Newcastle, many people thought that it was the end of an era—and, yes, it was the end of one era. It was the end of a grimy, industrial era for Newcastle. But it certainly was not the end of economic dynamism for Newcastle, which has gone from strength to strength in the decade or so since the announcement.

I accept that the economy of South Australia is fragile, and I accept that Adelaide in particular has suffered a series of knocks. It lost Mitsubishi just a few years ago, but it did come through. There is much that we can be hopeful and optimistic about in the resistance of the South Australian economy, particularly if government can do all that is necessary to see that the Olympic Dam mine expansion goes ahead.

So this is a dark day. But there will be better days ahead, and it is my determination and the determination of everyone in the government to work with the people of Australia—to work with the creative people of this country—to ensure that the great strengths of our society and
the great strengths of our economy continue to be built on in the days and weeks and months ahead.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (19:46): At least, on this difficult day and with this difficult announcement, I agree with one thing the Prime Minister has said: let us be candid and let us not mince words. Today it is not the government or Labor who has suffered an economic defeat; it is thousands of people who find that they have lost their jobs. This is not a day—nor, I think, is it an appropriate statement—to tell people that it will all end happily and that every car worker can move into bio-med. That is not what has happened today.

My concern is that the government, in its statement about the car industry, knows the price of everything and the value of nothing. This is a devastating announcement.

Government members interjecting—

Mr SHORTEN: Madam Speaker, I would hope that you would show—

The SPEAKER: Those on my right will not interject.

Government members interjecting—

Mr SHORTEN: Certainly in the last week I have not dared a company to sack people. Our thoughts are with the thousands of workers affected.

Government members interjecting—

The SPEAKER: If members wish to hear the Leader of the Opposition, they will be silent.

Mr SHORTEN: There are thousands of workers today who will go home. Their families—their kids and their husbands or wives—will say to them, ‘What does this mean, Mum?’ or ‘What does this mean, Dad?’ and ‘What does this mean for your job?’ The parents will have to say to them that they are going to lose their jobs. This is the worst part of this announcement today. As much as some here might wish to yell out and make political points—

Government members interjecting—

Mr SHORTEN: There is something about a self-fulfilling prophecy there. Our hearts are concerned for the families who, before Christmas, found this out. The opposition is most upset for these families because we know that it is not the workers’ fault that they have lost their jobs. At least let there be, in this parliament here, a truce on blaming the workforce for what has happened. These are skilled workers. It is not just direct employees at Holden, they in South Australia—

Mrs Griggs interjecting—

Mr SHORTEN: I have no idea why the member for Solomon is shaking her head. We are talking about skilled workers who have lost their jobs, Madam. We are talking about people who will go home tonight to tell their families that they have lost their jobs—and it is not the fault of the people we are talking about. It is not just the direct employees of Holden; there are hundreds of component-manufacturing businesses throughout Victoria and South Australia who make products which go into these motor cars.
Frankly, the opposition is appalled by today's announcement. We are appalled when people say, 'This is not a political issue, but—by the way—we will not provide half a billion dollars in funding.' We are appalled when people say, 'This is not a political issue,' when it is clear that there have been divisions within the government on this question. We are also appalled that a major company, which has been building motor cars in this country since after the Second World War, has effectively been goaded into giving up on this country.

Opposition members interjecting—

Mr SHORTEN: The government says—

Government members interjecting—

Mr SHORTEN: Madam Speaker, I know they are the government. But I would like to see this House—

The SPEAKER: I think it is important to realise that, in this particular environment, when words like 'goaded' are used, you can expect a response. But the Leader of the Opposition has the call—and, if we are to hear him, we want silence.

Mr SHORTEN: Yet again—and I have been away for three days—I thank Madam Speaker for her advice. I will not use the word goaded—encouraged to leave this country, is a better way to put it. There have been senior ministers backgrounding not against Holden but against thousands of jobs in this country.

Anyway, today some in the government have got what they wanted. There has been a game of high-stakes political poker played, and unfortunately the bluff was called—and the losers are thousands of Australian automotive workers and their families. Holden said very clearly yesterday that a decision had not been made. Something has changed in the past 24 hours.

Honourable members interjecting—

The SPEAKER: We will have some order. We will have some silence, please. The Leader of the Opposition is speaking on indulgence; we will hear him.

Mr SHORTEN: Something has changed in the past 24 hours. Holden were told by the federal government of Australia, who were elected to govern for all, that there would be no more support and no more investment—and I believe that Holden were pushed.

The priority right now must be on the workers and their families. The Prime Minister has returned. The Prime Minister must urgently step in to deal with the mess, the chaos and the disappointment which has occurred in his absence. Labor stands ready to support these workers in whichever way we can, but the opposition does not believe that today's announcement was an ordained conclusion. We do not believe that the announcement today was the only inevitable outcome of recent weeks. We do not accept it was inevitable that this car company would make the decision, after decades of investment in this country, that it would close its businesses by 2017.

There were some examples used about other car companies that have gone and the steel industry. When those announcements were made, there were still car companies in this country. When the steel industry—

Government members interjecting—

The SPEAKER: I have said that, if the Leader of the Opposition is to be heard, we need silence.
Mr SHORTEN: It did not have to come to this, nor was it inevitable. We understand that structural change happens in the Australian economy. What we do not understand is when the Australian government decides to sabotage its own industry. We believe—

The SPEAKER: The Leader of the Opposition will resume his seat. I call the honourable the Prime Minister.

Opposition members interjecting—

The SPEAKER: We will have silence. I call the honourable the Prime Minister.

Mr Champion interjecting—

The SPEAKER: If the member for Wakefield wishes to leave the chamber again, keep speaking.

Mr Champion: Fair enough.

The SPEAKER: Remove yourself under 94(a). A very slow learner.

The member for Wakefield then left the chamber.

Mr Abbott: Madam Speaker, I rise on a point of order. I am reluctant to do this, but the statement that the Leader of the Opposition has just made about sabotage was offensive and it should be withdrawn.

The SPEAKER: Indeed. The Leader of the Opposition will withdraw that statement.

Mr SHORTEN: I withdraw. What we have seen is a government which will not back up car workers, small businesses or the automotive manufacturing industry in this country. On 11 August 2013, a coalition spokesperson, the absent Treasurer, said, ‘The car industry much prefers our policy.’ Yes, we have seen that work out, haven’t we? All I would say now to the government is: work together with the opposition to save our manufacturing sector.

Honourable members interjecting—

The SPEAKER: The call is with the Leader of the Opposition.

Mr SHORTEN: It has been said that this is a sad, bad day for the car industry. That is true. But, when it comes to the car industry, we have a sad, bad government.

The SPEAKER: The adjournment has been negated. We have had two speeches granted outside the normal provisions. We are now at the stage where we can return to the Fair Work (Registered Organisations) Amendment Bill, with the member for Lalor in continuum.

Mr Albanese: Madam Speaker, I rise on a point of clarification. It is the case that, when an adjournment is negated, the only business that should be dealt with is one item that is before the chair. With the Prime Minister’s intervention, that was the item before the chair.

The SPEAKER: No, it was on indulgence.

Mr Albanese: It might be for the benefit of the House, in terms of not seeking to delay further. I am sure we can get this matter concluded prior to parliament rising, but, given the time of a couple of minutes to eight, by agreement—I am not suggesting that I would take any measures other than by agreement—we might conclude this tomorrow. If the member for Lalor is able to conclude tomorrow, the opposition is in a position to say we will then wrap up without any further speakers and just get it concluded tomorrow morning. It might suit the convenience of the House.
The SPEAKER: We are having a lot of indulgence at the moment, so we will have a little more indulgence for the Leader of the House.

Mr Pyne: Madam Speaker, on the basis of the Acting Manager of Opposition Business in the House's statement to the parliament, if I understand him correctly, the member for Lalor would be entitled to complete her remarks tonight, because she only has two or three minutes left, and then in the morning I would sum up this bill and then we would vote on the member for Gorton's amendment—

The SPEAKER: She only has two minutes.

Mr Pyne: She has a couple of minutes to conclude tonight if she wishes to, and she only has a couple of minutes on the clock. If I understand the arrangement correctly, tomorrow morning I would sum up, we would vote on the member for Gorton's amendment, then a vote on the bill if Labor continues to oppose it, and the third reading. On that basis, I am prepared to agree to that arrangement.

The SPEAKER: I am sure we are all grateful for the interjection. However, the call goes to the member for Lalor. We will proceed to the adjournment on the conclusion of her remarks. The member for Lalor has the call.

BILLS

Fair Work (Registered Organisations) Amendment Bill 2013
Second Reading

Ms Ryan (Lalor—Opposition Whip) (19:59): I will start where I left off. Further, the Australian Industry Group have that a number of the requirements of the proposed legislation would be far more onerous and time-consuming than those under the Corporations Act. In particular, they brought up the proposed requirement that insists that all material assets—not only those that raise the possibility of a conflict of interest but everything—must be declared. This disclosure is required of all members, not just the committee. If the legislation goes ahead, officers of registered organisations will be subject to higher levels of scrutiny than directors and all officers or committee members of incorporated associations. The Australian Industry Group also called for the removal of all criminal penalties under the proposed legislation, noting correctly that these kinds of matters should be dealt with under criminal law.

Despite all their claims to the contrary, the Abbott government is aware of how much all this could hurt. A spokesperson for the Minister for Employment has conceded that the concerns of multiple employer groups had been raised with the government. The Leader of the House admitted that members of the National Workplace Relations Consultative Council had suggested that this bill needed to be delayed; that more time was needed as more work needed to be done. But not by this government. Even with the Australian Chamber of Commerce saying that with such little time they could only attempt to review the proposed legislation, this government is still insisting on trying to ram it through.

This government knows, then, that this is bad and hurried policy, but just does not care. Thus we see another pattern emerging here: rushed and panicked policy. Despite advice to the
contrary, this government rushes headlong into legislation that is unnecessary and, frankly, dangerous. And this 'grown-up' government is behaving like this on all fronts and not as it had promised; not as it had assured us. It is cracking.

Underneath that cracking facade we see what all of this is really about. It is not about administration to improve accountability or the need for additional criminal charges. This is about a government that hates unions. As we have seen in the past and as we see today, a Liberal government never wastes an opportunity to bully unions and workers. It is not just its ideology; it is its passion. Its calculated contempt is what really underlies this legislation: contempt for the hard-fought wages and conditions that we all share; contempt for the unions that won them; contempt for every single worker in this country—nurses, builders, paramedics, teachers, accountants, people who work in car manufacturing. The government has contempt for each and every one. That is what the Fair Work (Registered Organisations) Amendment Bill represents.

If their true intentions are not already abundantly clear, maybe we should take a look at the man who is leading this government. He is not a man who has had a proud history of fair industrial relations; he is not a man who has a legacy as someone who cares about workers. While those opposite may stand up on their soapboxes and protest to the contrary, history says more about this than they ever could. They cannot wave their magic wand and have it all disappear, because we have long memories. We know that this is the party that created that policy with the most ironic name of all, Work Choices. We know that this is the party that removed unfair dismissal laws, shunted fair pay and conditions and tried to ban industrial action. And this is the party that is furtively doing everything that it can to wreck workers and undermine unions once again. That is what this is really about. I urge the House to oppose this bill.

Debate adjourned.

**House adjourned at 20:03**

**NOTICES**

The following notices were given:

**Mr K. J. Andrews:** To move:

That so much of the standing orders be suspended as would prevent notices Nos 2 to 5, Government business, relating to the disallowance of the Residential Care and Aged Care Subsidies made under the *Aged Care Act 1997*, being called on immediately and considered together, with separate questions being put on each at the conclusion of the debate.

**Mr K. J. Andrews:** To move:

That the Residential Care Subsidy Amendment (Workforce Supplement) Principle 2013 made under the *Aged Care Act 1997* [F2013L01225], be disallowed.

**Mr K. J. Andrews:** To move:

That the Aged Care (Residential Care Subsidy – Workforce Supplement Amount) Determination 2013 made under the *Aged Care Act 1997* [F2013L01251], be disallowed.

**Mr K. J. Andrews:** To move:

That Division 2.4 of the Aged Care (Home Care Subsidy Amount) Determination 2013 made under the *Aged Care Act 1997* [F2013L01339], be disallowed.
Mr K. J. Andrews: To move:
That Division 2.5 of the Aged Care (Flexible Care Subsidy Amount – Multi-Purpose Services) Determination 2013 (No. 2) made under the Aged Care Act 1997 [F2013L01347], be disallowed.

Mr Pyne: To move:
That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business) be suspended for the sitting on Thursday, 12 December 2013.

Mr Dutton: To present a Bill for an Act to amend the law relating to private health insurance, and for related purposes.

Mr Dutton: To present a Bill for an Act to amend the Therapeutic Goods Act 1989, and for related purposes.

Mr Morrison: To present a Bill for an Act to amend the Migration Act 1958, and for related purposes.

Mr Robert: To present a Bill for an Act to amend the law relating to veterans’ affairs and military rehabilitation and compensation, and for other purposes.

Ms Henderson: To move:
That this House:
(1) notes that:
(a) the Government is delivering on its $25 million election commitment to upgrade the Great Ocean Road;
(b) this commitment has been matched by another $25 million from the Victorian Government; and
(c) $15 million of federal funding for the Great Ocean Road upgrade was brought forward to this financial year; and
(2) recognises that:
(a) this iconic road is the centrepiece of the south-west Victorian tourism industry which supports thousands of local jobs;
(b) the Great Ocean Road is a key Victorian tourist route which is used by high volumes of local and tourist traffic all year round;
(c) approximately 1.7 million tourists drive on this road every year, and this number is expected to climb as the road continues to attract tourists from all over the world; and
(d) the Great Ocean Road is also an important route for local industry.

Ms Ryan: To move:
That this House:
(1) notes the importance of investing in local communities to assist them in meeting future challenges and seizing future opportunities;
(2) acknowledges that the Regional Development Australia Fund (RDAF) Round 5 and 5b commitments, which were announced and budgeted for by the former Government, were an opportunity for regional communities to address their challenges of growth whilst also providing economic activity and job creation;
(3) recognises that the withdrawal of these funding commitments will adversely affect every local council across Australia that was relying on the RDAF Round 5 and 5b funding; and
(4) calls on the Government to immediately reinstate the funding as previously promised and budgeted for, thereby enabling communities to continue with certainty the projects they so desperately need.
Ms Ryan: To move:
That this House:

(1) notes:
   (a) the importance of investing in education and ensuring that Australia remains competitive by providing quality education to all Australian children regardless of their postcode; and
   (b) with concern that the gap between the most well off and disadvantaged students in Australia is on average 2.5 years, which is a much wider gap than the OECD average;

(2) acknowledges that the:
   (a) well respected and qualified 'Gonski panel' identified six loadings and the importance of school reform as the key to improvement; and
   (b) New South Wales, Victorian, South Australian, Tasmanian and Australian Capital Territory governments along with the national Catholic and independent school authorities signed up to this funding model;

(3) recognises that under the new four year funding arrangements for education, that it is impossible for the Government to guarantee that no school across Australia will be worse off; and

(4) calls on the Government not to return to the inequitable Socioeconomic Status scheme funding model of the past, but to commit to its promise of honouring the education funding agreements already entered into and provide equity by making it a truly national system.

Mr Coleman: To move:
That this House:

(1) notes that Defence is a critical responsibility of the Australian Government, which:
   (a) requires substantial investment in order to ensure Australia's military preparedness; and
   (b) suffered from material budget cuts under the former Government in recent years;

(2) recognises the plans of the Government to make no further cuts to Defence expenditure, and to increase Defence expenditure to 2 per cent of GDP within a decade; and

(3) commends the Government on this approach to Defence expenditure planning.
CONSTITUENCY STATEMENTS

Bulger, Mr Peter

Mr ALBANESE (Grayndler) (09:30): I rise today in the House to acknowledge the passing of a constituent, friend and comrade, Peter Bulger. I came to know Pete through his deep commitment to the Labor cause, his passion for activism and his ongoing contribution to the community in which he lived. Like a lot of people who get involved in political activism, Pete cared about his local community and about the nation. He imagined a better Australian society and he invested his time and his energy into making his vision real. Politics was his interest, but people were his passion—the people he met and the people he wanted to help by pursuing his vision for a better and fairer society, one in which opportunity was extended to all and progress would be achieved with equity. Pete lived by two personal mottos: 'Never give in, never surrender' and 'Life is short, so enjoy it while you can'. Those maxims summed him up perfectly; he was passionate about his beliefs but also passionate about life and his family and friends.

Pete was born in Queensland in 1965, the son of Alan and Nola Bulger. He earned a Bachelor of Business Studies in 1985 and become a certified practicing accountant 10 years later. In 2003 he was awarded an MBA at Deakin University. Pete moved to Sydney in 1988 and settled in St Peters, in my electorate. Over the years, he worked for a range of companies, including Caltex and the Sydney Futures Exchange, as well as the New South Wales Department of Education. After arriving in Sydney, he also became involved in the Labor Party. Pete was Secretary of the St Peters-Tempe branch for many years and strongly believed in standing up for his neighbours and surrounding community.

Pete was also a family man, the husband of Min for 17 years and the proud father of Lilly, Ruby and Ivy. In November 2011, Pete was diagnosed with glioblastoma multiforme, an aggressive brain cancer. Despite this devastating news, Pete would not be bowed and staged a 14-month battle against his condition. After treatment, when friends asked him how he was, he would say: 'All right for someone with half a brain.'

Despite his suffering, Pete continued to fight for the things he believed in, notably for the Labor cause in Grayndler. His death came too soon—during the 2013 election campaign. His tenacity, at such a challenging time, was truly admirable. Having had the privilege of knowing Pete for many years, I can say he was a true believer, a fighter and a Labor man lost too soon.

We need to increase the research into GBM as there has been little change in diagnostic methods in the past decade. I want to publicly express my sympathies to those closest to Peter and put on record my thanks for the support he has given me and the Labor movement in Grayndler over the years. Peter will be sorely missed.

I wish Min, Lilly, Ruby and Ivy, his three school-age children, all the best for their future.
Ms GAMBARO (Brisbane) (09:33): I would like to pay tribute to my late father, Dominico Gambaro, who passed away on 22 October in Brisbane. Dominico was born on 18 April 1923 in a little town called Castiglione Marittimo in Calabria in the south of Italy. It is a tiny town. You will not find it on any tourist map, but it was the beginning of his world and where it all started.

He was one of six children born to my grandparents Giovanbattista and Teresa Gambaro. My father and his siblings had a tough upbringing, despite the beautiful location of this town with magnificent views of the Tyrrhenian coastline and great scenic beauty. Economic conditions were harsh and brutal. My grandfather Giovanni realised that the only way to improve his family's financial prospects was to seek work abroad, and in 1938 the time had come to leave his beloved Calabria to seek a better life for his family.

He arrived in Australia and worked as a cook at the Belleview Hotel in George Street in Brisbane and later at Lennons Hotel. My father joined him and disembarked in Sydney in 1948. They worked at the Sandgate Eventide Home as cooks before making their way to North Queensland to the Atherton Tableland, where they worked as sharecrop farmers.

One day when dad was visiting Brisbane, he overheard two men arguing about the running of their business in Caxton Street. Dad, being the true gentleman, offered them a perfect solution to their problem: he asked if he could buy their business. No more argument; problem solved. And Dad was the proud owner of a fish and chip shop. G Gambaro and Sons began in 1954—by chance, a new beginning.

This was the original Caxton Street fish shop. Original customers witnessed the first chapter of a family business that prospered for six decades. In 1972, our family turned their hand to the restaurant business and Gambaro Seafood Restaurant was opened along with the bustling fish and chip shop. The restaurant is one of Brisbane's longest established restaurants. It has had a host of international celebrities go through its doors. Wholesaling, exporting and retailing followed and we were the official suppliers to World Expo 1988. Some of my fondest memories are of all the family working together on Christmas Eve to sell seafood to the long line of patient customers.

Dad was a man of great humility, humour, intelligence, generosity and a man of few words. He supported the Wesley Hospital in Brisbane as well as Parkinson's research. He loved his grandchildren; they brought him great joy. He was a gentleman and he was loved and respected by many. Deputy Speaker, my father was proud of me representing the interest of others, as he was proud of this country and proud to be Australian and he will be sorely missed by many in the Brisbane and the national community.

Vietnamese Elderly Friendship Association

Mr HAYES (Fowler—Chief Opposition Whip) (09:36): On 27 October this year I had the privilege of joining members of the New South Wales Vietnamese Elderly Friendship Association to celebrate Grandparents Day—a significant event to recognise the role and the contribution that senior citizens make in our community. Since the inception of this association in 1993, it has come from very humble beginnings, to now being a remarkable and prominent organisation in my community, consisting of over 2,000 members. I have had the opportunity of working very closely with Mieng Van Nguyen, president of the association,
and his committee over the past four years. I have witnessed firsthand the many great things that this association has achieved in assisting, as well as advocating and providing for, the needs of elderly Vietnamese Australians in our community. The association's welfare and social support services, which include monthly meeting gatherings, organised tour trips and free shuttle bus services, have positively contributed to the mental and physical wellbeing of many senior citizens in my community. As my electorate comprises more than 20 per cent of Vietnamese descendants, I feel extremely privileged to have these services operating in my local community. Throughout the years I have had the opportunity of attending a number of gatherings, organised by this association, and I remain truly touched by the spirit of friendship and general zest for life its members bring to the forefront of the ageing population. Although its members have resided in Australia for over the last 20 years, they have never ever parted with their traditional Vietnamese cultures or traditions. This is reflected in the vibrant and the colourful traditional Vietnamese dress, Ao Dai, performances, spectacular live entertainment and amazing hospitality that never fails to impress at any of these association's gatherings. Clearly this association is a true role model for other organisations seeking to cater for the needs of the elderly in a unique cultural setting by giving people the respect and dignity they deserve and, more importantly, allowing them to realise the ongoing influence and social contribution that senior citizens make in a modern society. As the association approaches the remarkable milestone of 20 years of service to my local community and on this particular anniversary, the 20th anniversary, I take the opportunity to congratulate them and all the good work that their leadership undertake on behalf of the community. I look forward to continuing to have a very long and valued relationship with Mieng Nguyen and his executive committee.

Mr WHITELEY (Braddon) (09:38): I rise this morning to inform the House of the sad passing of not only a great Tasmanian but the Mayor of the West Coast Council, Mr Darryl Mervyn Robert Gerrity. Darryl was a true champion of the West Coast of Tasmania and sadly passed away on 28 September after battling a short but very aggressive illness. Born in the West Coast mining town of Queenstown on 5 May 1943, Darryl started a career in the mines with an electrical apprenticeship in 1963. Working in the mines may not have been a career highlight for Darryl as he recently stated that he worked there for exactly five years and three seconds. Darryl spent some years in Melbourne where he started his own electrical and solar heating business, later working for the Victorian Solar Energy Council. In 1986 Darryl returned to the West Coast with his wife, Robyn and young son, Sam. Twins Kelly and Sean later followed, making them the first babies to be born at the remote Strahan hospital in 40 years.

Darryl's time with the Victorian Solar Energy Council developed his interest in politics, and he joined the Strahan council in 1989. This jack-of-all-trades took on many a role and could be found working in the abattoir, laying pavements, meter reading, and even grave digging. A long-time Tasports worker, the renowned chain smoker was never backward in coming forward when he needed to stand up for what he believed. When the West Coast Council was amalgamated in 1993, Darryl became a councillor, and in 2000 he was elected Mayor of the West Coast Council—a position he retained until his passing.

It is fair to say that Darryl Gerrity was a passionate man, a man who fought hard for his community and the people in it. He lobbied hard for zone allowances and tax breaks for
miners to move to and live on the West Coast of Tasmania so that he could keep the community alive by stopping services such as education and health from being lost. Darryl was instrumental in the fight to move the West Coast from the Lyons electorate to my electorate of Braddon—a move that saw the region expand, with Darryl leading the council away from financial despair and into prosperity. Most recently, Darryl fought hard to save the West Coast Wilderness Railway from closure, saving 29 much-needed jobs. The voice of the West Coast will not be lost, as Darryl's wife and fellow councillor Mrs Robyn Gerrity has recently been elected to the position of Mayor of the West Coast Council. Alderman Gerrity's election is undoubtedly bittersweet after the passing of Darryl, but it is comforting to know that the residents of the West Coast have great confidence in her representing them in local government.

Darryl's passing is a sad loss for his family, the West Coast, the electorate of Braddon and the greater Tasmanian community. This quick-witted larrikin who did not suffer fools gladly will forever be remembered for his ability to talk to anyone and his dislike of pen-pushers, as an icon of the West Coast of Tasmania, and as a man with a voice that was heard until the very end.

**Ted Noffs Foundation**

Mr THISTLETHWAITE (Kingsford Smith) (09:42): The Ted Noffs Foundation was founded by a great Australian humanitarian, the Reverend Ted Noffs, in 1970. During the Reverend Noffs' remarkable career, he pioneered a number of initiatives for young people. He established Sydney's first 24-hour crisis centre in 1968, set up the first drug referral centre in Sydney in 1967, co-founded the Aboriginal Affairs Foundation in 1962, and was the co-founder of Lifeline in 1963.

The Ted Noffs Foundation continues the legacy of the great Ted Noffs by providing essential services for young people and their families who are experiencing drug and alcohol problems and related trauma. The foundation runs a number of important programs for young people that, importantly, are based on leading research. The foundation is continually evaluating and appraising the success of its programs. An important program that the Ted Noffs Foundation runs is PALM, the Program for Adolescent Life Management, which is a residential program of up to three months for young people with serious alcohol and substance abuse problems. That program runs in five locations throughout Australia, and one of those locations is in Avoca Street in Randwick, in my electorate. I was fortunate recently to visit the residential program there and to see the wonderful work—the inspiring work—that the Ted Noffs Foundation is doing with young people afflicted by drug and alcohol problems. They also run day programs, and the Street University—a recently created free educational, artistic and recreation centre for young people in Liverpool and surrounding areas.

Earlier this year the Ted Noffs Foundation applied for a Building Multicultural Communities grant of $85,000. The grant was to install interactive whiteboards and teaching aids in their residential facilities, to ensure that these kids that are undertaking these three-month residential do not lose the opportunity to continue their school education. That funding was awarded by the previous government. Unfortunately, that funding is now being reviewed. I recently met with Matt Noffs, the grandson of Ted Noffs, who is continuing Ted's great work. They are visiting parliament today to implore the Abbott government to meet the commitment of $85,000 under the Building Multicultural Communities grants to ensure that
they continue that great educational work as part of their residential program. The Building Multicultural Communities Program was fully funded to the tune of $14.5 million in the budget. I urge the Abbott government to continue to fund this program.

**Australian Taxation Office**

_Mrs WICKS (Robertson) (09:45):_ Today I rise to express my concern about the potential impact of a draft ruling issued by the Australian Taxation Office with respect to moveable home estates on people living in my electorate of Robertson. If this ruling is adopted it will require operators of moveable home estates to pay GST when a land site is leased to a resident. I do not agree with the draft ruling and I am extremely worried about the considerable impact it will have on the vast majority of people who live in moveable home estates in Robertson, many of whom are senior Australians on the age pension or disability support pension. I have personally visited hundreds of these residents over the past 18 months and I know that the rising cost of living is having a significant impact on their lives. They do not need additional stress and expense because of an ill-considered draft ruling by the ATO.

In chatting to them over a cup of tea or coffee earlier this year, many residents shared with me their concerns about the impact of the carbon tax on their electricity bills and their grocery bills. The carbon tax, which the coalition government is committed to abolishing, is costing the average family in my electorate around $550 a year, and we are determined to put that money back in their pockets. It is why the people in Robertson voted for us, and we will deliver on our commitment to them.

Many residents in these parks own their moveable home and lease the site on which their home lies. I am advised by local estate owners I have spoken with that the current average weekly leasing cost for these sites is about $120 to $150 per week. The recent CPI pension increase in September this year was $18.70 per fortnight for a single age pension recipient. If this draft ruling is implemented, it will more than swallow this latest increase as park owners I have spoken with locally have advised me they would reluctantly need to pass on any GST costs associated with leasing of such sites. I am fighting for a better future for all people on the Central Coast and the last thing we need is another unfair financial roadblock imposed by the ATO.

There are more than 2,000 people living in moveable home estates in Robertson and I have received a petition with hundreds of signatures calling for the draft ruling to be repealed and the current GST ruling to continue to apply. Numerous others have personally written to me or spoken directly with me. I advise the chamber that I have raised my concerns, and those of local residents, directly with the Assistant Treasurer. I will also be making representations directly to the Commissioner of the Australian Taxation Office. I am determined to get this draft ruling overturned. The ATO must see sense.

Unlike Labor, under which this draft ruling originated, as the Liberal member for Robertson I will fight the ATO on this issue and lend my voice in support of those in the community that this draft ruling will hurt. I recognise the ATO is an independent statutory body that makes its decisions independent of government. However, I am urging my senior colleagues to join their voices to the thousands of residents living in these estates, not only in my electorate of Robertson but across the country, and express their concern about the draft interpretation of a law that will have such a major impact on the everyday lives of those who most need our assistance.
Ms ROWLAND (Greenway) (09:48): I want to bring to the attention of the House the issue of childcare workers in Greenway and the sector itself. In the last 24 hours we have become bogged down due to a certain type of ideology on this issue that is getting tried on in this place. But I think it is important to return to first principles. What we are actually talking about in reality, especially in Greenway, is a special obligation, as I have said on a number of occasions in this place. It is a special obligation in Greenway because about 8.2 per cent of the population in Greenway is aged zero to five years. So it is one of the youngest electorates in Australia. There were about 13,080 children from 9,930 families in child care during 2011-12. That makes early childhood education and the childcare sector absolutely critical to the residents whom I represent.

As I said, in the last 24 hours we have had a lot of discussion in this place and in the media, but I think we should return to first principles—that is, costs for parents and caregivers, and quality of care.

These are things you come to appreciate when, as a new parent, you start turning your mind to childcare arrangements and going back to work—the sheer logistics of child care. There is an unspoken understanding when you do the drop-off in the morning and it feels as though the second shift of the day is starting. You have had your first shift at home and the second shift is about to start. Then the third shift is when you turn up to the centre at the end of the day for the pick-up. Sometimes you have an opportunity to chat to other parents or to some of the carers and you realise a couple of things: the importance of continuity of care in your child’s life and the trust you put in the people with whom you are willing to leave your child.

Too many people in the sector are leaving. They cannot make it a career any more. I have visited a lot of schools and childcare centres in my electorate—especially in my first term, because I thought it was very important to stay in touch with this sector. There were a number of people working in the childcare sector, often as directors, having to take second jobs because they could not make a go of it as a career. Our immediate concern is that pay rises should be honoured, and in the longer term we have to give people a reason to make this a career. I would not be surprised if in the immediate term we have a lot of people studying child care who just decide to change their course options and give it away. We are going to have a huge problem in Australia in the next decade in the childcare and aged-care sectors because we are not giving lower-income people, whom we should value, proper incomes and career choices. (Time expired)

Pridan, Mr Nicholas

Mr BROAD (Mallee) (09:51): It is with a lot of pleasure that I now get to speak about one of the young people from my electorate. We have a young man who, at 19 years of age, believes that the world can be a better place if you are prepared to get involved. In two days time he will be in Bangladesh on a fun run with the sole purpose of raising awareness of good water quality. Something often put to me by all the older members of the community is, “The young people of today! What are they doing?” I see that young people of today do give a damn. They care about the world they live in and they are there to make a difference, even in their own small way. When I said that I was going to name Nicholas Pridan in parliament and
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talk about the great things he was doing, he was shocked, surprised that the Australian parliament would take an interest and a pride in its citizens.

Nicholas's motivation is freshwater, nutrition and access to education in Bangladesh. Bangladesh has a population of 154.7 million people. It is one of the most densely populated countries in the world and 17 per cent lack access to water. When I also said to Nicholas that the Australian government is looking at its aid project and where we might spend money effectively, I told him I would be interested to hear his firsthand views and to get his feedback. People who live in rural areas value communities but also, because of the globalised world, they have a sense of the value of contributing to the world they live in. It has been a real pleasure to meet and to talk to a person such as Nicholas. Nicholas is from Stawell, a university student who wants to make the world better place.

One of the great things about this parliament is that members get to interact with so many outstanding people in our communities, to speak on their behalf and hopefully to be worthy of them in the Australian parliament.

I conclude by saying that freshwater, nutrition and access to education are very important to countries in the Asia-Pacific region. We have young Australians who care a lot about this and it is our role as members of parliament also to care and to play an active role in delivering good humanitarian aid around our region.

Duncan, Mrs Amy

Ms O'NEIL (Hotham) (09:54): I rise to congratulate Amy Duncan, an inspiring Labor legend, on the occasion of her 80th birthday. Amy was born in Cape Town. Her life started around the time of apartheid and her fighting spirit was forged against a landscape of injustice in the heat of the civil rights movement. Amy trained as a nurse and she excelled in her career. Caring professions are often undervalued and I think it is very important that mention be made of the extraordinary work that Amy performed in that capacity.

Amy's concern about the welfare of others, especially the most vulnerable in our society, is complemented by her determination and rare ability to transform words into action. It is very easy to talk about the problems that society faces, but it takes rare conviction to do something about these problems and be part of the solution. Amy has this rare conviction. When Amy sees an injustice, or there is an issue she feels strongly about, she takes action—letters are written, petitions are signed, campaigns are organised and protests are arranged. Just a few weeks ago, Amy sat outside this building to demonstrate to members of parliament that she does not support the current asylum-seeker policy. We may not all agree with Amy's position, but I think we can all admire her excellent fighting spirit. At 80 years old, she travelled overnight on a bus to get here to share her view with the parliament, sitting next to strangers who would soon become her friends.

Amy first became an activist in South Africa before circumstances made it necessary for her to flee with her two small children. It is at this time of Nelson Mandela's passing that we think about his struggle and his extraordinary contribution to make the world a better place. There were many who shared in the great struggle for social justice in South Africa. Amy was one of those remarkable people. Amy fought against apartheid at a time when the penalties were very grave, and she was arrested for her activism. Her husband's courage led to his own imprisonment. He was eventually released, and this prompted the difficult decision for Amy...
to leave her homeland for a safer place. After living for some time in a situation of uncertainty in Zimbabwe, Amy and her family were eventually granted political asylum in the United Kingdom. She quickly began organising campaigns in her new home against Margaret Thatcher's cuts to services, before moving to Australia and, lucky for us, settling in Hotham.

In Hotham, Amy is well known. We are spoilt with a lively ALP branch culture, genuine camaraderie and deep engagement with the party in Hotham. Much of that is thanks to Amy. At her recent birthday party, it was not surprising but still fantastic to see so many people sharing fond memories and sharing the joy of this occasion. She is a much cherished member of our community in Hotham and communities extending beyond the reach of my electorate. Amy's extraordinary tenacity and deep compassion are very inspiring to me and I am delighted to wish her many happy returns. Happy birthday, Amy.

Dr GILLESPIE (Lyne) (09:57): I rise to talk about a prominent Lyne constituent who has been critical for the development of health services in the region as well as political activity, social activity and the mentoring and support of many people. That woman is Charlotte Maynard, now my wife. Charlotte first had occasion to meet me in 1990 when I was a trainee specialist. Being a trainee specialist in hospitals working 80 and 90 hours a week is a bit like being a long-distance runner. One needs a strong support base to achieve final accreditation and pass one's exams. I had the benefit of Charlotte's support during all that time. Not only has she been a support to me but she has been a very successful businesswoman in her own right, managing billion-dollar funds for some of the larger merchant banks of this country—and, putting all that aside, she has raised an amazing family. My three children, Isabelle, Oliver and Alice, have been the major beneficiaries of her love and attention.

As well as being mother and chief organiser of our family unit, which should not go understated, she has been an amazing businesswoman herself and partner, co-developer, manager and operator of a day surgery that treated over 13,000 people over a dozen years. She established all the policies and procedures of that business. There was a gaping need for healthcare facilities in the Lyne electorate and we were able to tackle that for that period. It is now run by a multinational health organisation. She has been a mentor to three or four other business operators and is now on school boards. She has been active in quality assurance and has also been active in the social support of the community, working in the Port Macquarie community centre.

It is traditional that we make these constituency statements at the end of someone's career, but I wanted to bring it to the attention of this House that there is an outstanding community person in my wife. She has been a great support to me, a great support to the National Party and will continue to be an invaluable support and my partner during my time in this House. So, I commend Charlotte Gillespie, as a mother, mentor, businesswoman, social leader and supporter of many people who need help.

The DEPUTY SPEAKER: Order! In accordance with standing order 193 the time for constituency statements has concluded.
CONDOLENCES

Mandela, Mr Rolihlahla (Nelson) Dalibhunga, AC

Debate resumed on the motion:

That the House record its deep regret at the death on 5 December 2013, of Nelson Rolihlahla Mandela AC, former President of the Republic of South Africa, place on record its acknowledgement of his role in the development of the modern South Africa nation and tender its profound sympathy to his family in their bereavement

Mr GRAY (Brand) (10:00): I rise to speak on this condolence motion as a matter of great personal privilege but also as a matter of great responsibility on us as parliamentarians to acknowledge not merely the life of Nelson Mandela but also the role that he played as a prince amongst men. He was a prince of peace and a prince of his country, as he guided his country through the most tortuous circumstances to a better place. The death of Nelson Mandela leaves us all in a better place because of his humanity, because of his belief that there are, as Abraham Lincoln would have said, 'better angels of our human nature' that ought govern how we do what we do and why we do what we do.

In the early 1990s I had the great privilege of being the National Secretary of the Australian Labor Party. At that time, my party, under the leadership of Ian Henderson, the assistant national secretary, led a powerful and large campaign team to South Africa to campaign and work with the ANC on their campaign structures, to ensure that political organisation was in place to assure a solid victory for the ANC in that election.

It was a victory not simply for the ANC; it was a victory for principle. It was a victory for those Australian politicians who had always stood on the right side of this debate in Africa. It was a victory for Malcolm Fraser. It was a victory for the Liberal Party. It was a victory for those people in politics who take the business of politics and the aspiration of politics so seriously. Across the divide in Australia we unified to help support the election of a democratic government in South Africa, and we were able to do that because of the outstanding leadership and the moral quality and value that Nelson Mandela had brought to this world, to South Africa and to all of our lives.

I regard it as a great privilege to be able to make these comments and these observations in this parliament today. And I know that the teams who went to work for democracy in South Africa today feel grief but also power from the role that they played as a consequence of the events in South Africa over the course of the last 50 years. Thank you.

Mr WHITELEY (Braddon) (10:04): I rise today on behalf of the people of Braddon to pay tribute to the life of Nelson Mandela, adding his humble contribution to a sympathetic nation. Losing any life hurts but losing one of the good guys, someone who has made such a historic difference, someone whose inspiring spirit spread across our world, hurts even more. The story of Mandela's life will live in the archives of history, stories that will be retold in the days, years and generations to come. I encourage the retelling of Nelson Mandela's life, character and determination and encourage all of us to take these human lessons into our everyday lives and enact these human lessons to our friends, families, communities and the generations to come.

We need to embrace the same strength and belief in our communities that took Mandela from prisoner to President. But it is not only the strength, belief and determination Mandela

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possessed that should stand the test of time; it is the story of forgiveness—a story we will never forget, forgiveness of those who took his freedom and restricted his progression. Although it is hard to forgive those who take from us and restrict us, the life of Nelson Mandela, if nothing else, was an elegant display and practice of forgiveness.

While here in Canberra, it is important to develop good policy and fund great causes. However, we must never cease to remember that it is humanity, not currency or legislation, that has the capacity to foresee and change injustices. It is people who plug the holes of social imperfections. We will always need leaders of Mandela's character, ability and humility to stand in the crow's nest, spotting the next challenges we are to face. I encourage the people of Braddon to use the life of Nelson Mandela to identify for ourselves the example that all of us can be—to transform our own lives, our families and our communities for the better, and to be a part of a country that can revolutionise for the best.

Was Nelson Mandela a perfect man? No, he was not. I am sure that on reflection he would regret some aspects of his own life, just like all of us. The question is the way we respond to those regrets. The last two lines of a poem Mandela used to recite to fellow prisoners titled Invictus, hopefully, will glue my statement today to the legacy of the great man:

I am the master of my fate:
I am the captain of my soul.

Ms HALL (Shortland—Opposition Whip) (10:07): Nelson Mandela was an enigma—a man who achieved greatness and humility, a man who was hated, feared and scorned, and a man who is loved, revered and honoured. He fought injustice. He was a legend. He was unique. He was a freedom fighter, a student activist and a great leader. Nelson Mandela changed the face of the world, I would say. His moral leadership gave hope to many people and, as Ban Ki Moon said, the world has been influenced by his selfless struggle for human dignity, equality and freedom.

I can remember the days of apartheid. I can remember feeling how unjust it was, that just because of a person's colour they were treated as a lesser person. I can remember thinking as a teenager how wrong it was. I also remember when Nelson Mandela was jailed back in 1964 and feeling how unfair and unjust it was that a person who stood up and fought for injustice and for a fair system could be imprisoned because he took that stand. When he was released from prison in 1990, instead of being angry and bitter, he said:

… I greet you all in the name of peace, democracy and freedom for all. I stand … before you not as a prophet, but as a humble servant …

That was 27 years after he was first jailed.

I have been to Robben Island; I have seen the prison; I have seen where he was held in that prison. I have experienced the really inclement weather on that island—cold and bitter. It would be a horrible place to be interned. Yet, after having worked by lifting and moving rock around the island and being treated in quite an inhumane way, he left there still capable of saying those words I have just quoted. It was an even greater tribute to the man to four years later be elected President of South Africa. As President he took people from both sides, black and white, and he said:
We enter into a covenant that we shall build a society in which all South Africans, both black and white, will be able to walk tall, without any fear in their hearts, assured of their inalienable right to human dignity—a rainbow nation at peace with itself and the world.

It could have been a very different scenario if, after he was elected, he had sought retribution. But what he did was to show true leadership.

He was a unifier; he brought the country together. Yes, there are still problems in South Africa; it still has a way to go. I have seen some of the problems that exist there, but it is a better place—and the world is a better place—because of Nelson Mandela's contributions. I would have to say that he is one of the people that I hold up as a hero. He is a role model for all politicians and all people who struggle against injustice. He showed that, if you stick to your cause and if you fight for what you believe in, then you can achieve. His achievements have established a place in history for him that few people will be able to enjoy. I will end with these words from Nelson Mandela:

During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society … It is an ideal for which I am prepared to die.

That ideal came to fruition under Nelson Mandela's leadership. As the world pauses to remember his contribution, it is very important to reflect on those words. The world is not dominated by either white or black; and it is a world where, if you are totally committed to what you believe in and to the struggle for noble ideals, you can achieve. Nelson Mandela certainly achieved, and he will be honoured in perpetuity by history.

Dr JENSEN (Tangney) (10:14): Greatness is not something that someone is born with. People come to greatness through many methods. Nelson Mandela certainly had some of the aspects of greatness from early on. He had great physical height, at six feet four, and he had a ferocious intellect, but unlike another great person who also came from South Africa—there must be something in the water!—Mahatma Gandhi, Nelson Mandela's genesis was not always peaceful. I think that we are ignoring his greatness if we seek to airbrush the history that was Nelson Mandela and not recognise the struggles that he faced to reach the position he achieved in the last few decades of his life.

It has been documented, of course, that Nelson Mandela was found guilty of treason at, among other things, a treason trial. There is discussion about that trial having been unfair and unjust. There were international reporters at the time who disagreed very much with the South African government, but they did feel that it was a fair trial. After all, Mandela did form Umkhonto we Sizwe, which is translated as Spear of the Nation. It was very clearly focused on violence. He advocated and formed Spear of the Nation with Walter Sisulu and Joe Slovo. Joe Slovo was a communist in South Africa at the time. In fact, it has latterly come to light that Nelson Mandela was a communist as well. He formed Spear of the Nation and was inspired by Fidel Castro. Initially his view of Spear of the Nation was that there should be sabotage alone and that there should not be any violence aimed at people or, indeed, any killing of people. He also said that, if that did not work, Spear of the Nation could resort to guerrilla war and terrorism. That is the person that Nelson Mandela was in the 1950s and 1960s. In fact, Spear of the Nation on Dingaan's Day in 1961 carried out 57 bombings in South Africa.
At the Rivonia trial Nelson Mandela was imprisoned for life. My father was a reporter with the *Star* newspaper at the time. He was not at the Rivonia trial, but he certainly was at the trial of Robert Sobukwe. I recall how he told me that Robert Sobukwe was a man of incredible intellect and great charm. My father was absolutely disgusted during the trial with the way that Robert Sobukwe was treated by the people that were guarding him, given that they did not have much in the way of thought about the country or anything else. They treated him as if he were subhuman simply because he was black.

I remember in 1978 going to my grandmother's place. Across the road there were some blacks, who had been drinking a bit and who were a bit rowdy, but they were not really causing a problem. They were just making a noise. I recall the police going there and beating them with shamboks and kicking them with their boots. I shouted out, 'Police brutality!' and fortunately they stopped. I think I got lucky that day, because I am glad to say that I was not thrown into prison. At that time I was not a Mandela supporter. I recall the Free Mandela campaign when I had an abortive year of engineering at Wits University. All I had to go on was what was written about him from the fifties and sixties. As I said, that was not something I agreed with. In fact, I supported the then official opposition, the Progressive Federal Party, which ironically with a name change is now the official opposition in South Africa, the Democratic Alliance. I recall chatting to people like Helen Suzman.

Mandela used his time in prison to think very deeply. He had spoken about it subsequently, saying that, when he gave up public life towards the end of his life, what he really missed about prison was the time to read and reflect. He clearly read and reflected a lot while he was in prison.

There are people in this place reflecting and speaking about sanctions having been the major factor in the South African apartheid regime coming to the conclusion that apartheid was not sustainable and that they had to change. I have to say it is a lack of understanding of the Afrikaner mindset. Remember, the Afrikaners are people that fought two Anglo-Boer wars. In the Second Anglo-Boer War, they were militarily defeated within one year but they continued for another two years with guerrilla warfare, despite their farms being burned and their children and wives being interned in concentration camps by the British. These are stubborn people and, when you push them with something like sanctions, to a certain extent they get their backs up even more.

The thing that precipitated a whole lot of things was actually the fall of the Berlin Wall. I can tell you that I remember from my childhood in South Africa that there was a communist seen behind every bush by the regime. They were absolutely paranoid about the 'kommunis gevaar'—the communist danger. The simple fact is that they saw communism as something that was the real evil, and they saw the Soviet Union as this all-encompassing power. It would have shocked them greatly to see the collapse of the Berlin Wall. In their view there was this incredibly powerful empire, the Soviet empire, which collapsed, and it would have made them realise: 'My God! We cannot actually hold the situation down in our own country.'

As a counterpoint to that, the other aspect of the Berlin Wall is that it precipitated a change in the views of Nelson Mandela as well, in that Nelson Mandela came to realise that communism and nationalisation of state assets were not the way of the future. Therefore, when he came to power, he did not nationalise anything, despite the fact that in his previous life—in the fifties and sixties and, indeed, going to 1989—he was very much of the
communist view. So he was remarkable because, despite deep internal hurt and anger at what had happened to him over 27 years—some would say wasted years, but they were clearly not wasted with this man; he gave a lot of thought to what he did—he came out incredibly forgiving. There were people who had precipitated all sorts of things against him, yet he came out forgiving where he could have come out, quite frankly, like Winnie Mandela. What a different South Africa that would have been if he had come out resentful like Winnie.

What he did was that he healed the nation. He brought black and white together. Who can forget those images of the Rugby World Cup—believe me, I wish I could forget that first match between the Springboks and the Wallabies, where the Wallabies were trounced, but anyway—with Mandela in the rugby jersey talking about the rainbow nation, despite the fact that the Springboks in the apartheid regime were hated because the Springboks and rugby are very much an Afrikaner sport and an Afrikaner team. So the true greatness of Mandela is that he moved from a position in the 1950s and 1960s to the position he had in the last few decades of his life, of a peacemaker rather than a warmaker, of someone who was working at bringing people together.

Another thing that he did that was truly great in the African perspective—because until then it was almost unprecedented—was that he retired from office. He could have been President for life if he had wanted to be. The problem with most of Africa is that you get despots who cling to power for dear life. One need only look a little bit further north to Zimbabwe to see that with Robert Mugabe. So that was an admirable lesson that he gave not only to Africa but to the world. I would like to finish by saying that, if there is anything that Mandela taught us, it is that we should all strive to be our own better angels.

Mr ALBANESE (Grayndler) (10:24): When we review the lives of the great men and women of history, the people who are remembered well beyond their lifetimes, their common characteristics are their commitment to justice and their level of connection with their own humanity. Whether they were politicians, preachers, peace campaigners, writers or entertainers, those who are remembered best are those who speak to the human soul. They slice through the political white noise of the day to appeal to the human heart.

Think of Abraham Lincoln, who taught America that slavery was an affront to humanity; Martin Luther King, who reminded his nation that real freedom required genuine equality; or Mahatma Ghandi, who taught India that the road to justice was also the road of peace; John F. Kennedy, who taught the world to ask what the individual can do for his or her country, not to ask what their country could do for them.

Nelson Mandela is the great voice of freedom in our time, a man whose contribution to humanity has no peer. He began his adult life fighting for freedom. He was so committed to freedom that he was prepared to endure 27 years in prison to demonstrate his commitment. The whole world watched when news came through that he would be released from prison. It was a time of massive celebration, as Mr Mandela walked free with the words, 'Free at last.' This was an extraordinary time. It is important, I think, to pay tribute to those people in South Africa, as members of the African National Congress, but also around the world: those citizens of Australia and the globe who campaigned for an end to apartheid. The labour movement, I believe, has much to be proud of for the role that we played. I well remember getting criticism for inviting Eddie Funde, the ANC representative in Australia, to speak at a Young Labor conference. It was seen to be controversial at the time in terms of support for
the ANC. Eddie Funde, while he was here in Australia, was subject to violent attacks including a shooting at his home in Ultimo in Sydney. This was not an issue of consensus. This was an issue on which the forces of right, however, prevailed substantially and people from across the political spectrum—people like Malcolm Fraser and others—were prepared to engage in support for sanctions against South Africa, to send the message. And, not to send it in a rhetorical way but to send a message by crippling the economy and crippling those who gained economic advantage from the apartheid system, that they would not continue to be able to profit from the misery of the majority of citizens of South Africa on the basis of their race.

It was quite extraordinary that just eight months after his release, Nelson Mandela came to Australia. As someone who was active in the anti-apartheid movement, I had the honour and the privilege of meeting Mr Mandela face to face and having conversations with him at meetings that were held at Sydney Trades Hall and at the major event that occurred at the Sydney Opera House where people in their tens of thousands came to see this great man. What struck you, and everyone who met him, was his humility. He was genuinely effusive in his response to people. This was someone who had been locked up on Robben Island—and I have seen the cell in which he was kept for 27 years—who genuinely engaged with people and was prepared to give everyone the benefit of the doubt.

He had an extraordinary ability to project a positive vision for the future, not just in what he said but in how he said it. When he danced onto the stage that had been established at the Sydney Opera House forecourt it made people cry with joy at being in his presence, at having that honour. To him, though, there were no airs and graces. He came to thank us for our support in the ending of apartheid. It was us who should thank him for making the world a better place by his example.

What I also think was quite extraordinary was that Mandela emerged from incarceration prepared to forgive his oppressors. In this building, where so many things that do not matter a jot inspire bitterness and division, his example is a lesson to all of us involved in politics, and to the world. The reserves of inner strength that this required! He could have emerged from prison bitter—most people would have, frankly, and it would have been very difficult to make any criticism of anyone who did. But Mandela was a leader, a great leader who examined his heart, thought about the future and came up with a better way.

He understood that the way to end decades of hatred was not to promote still further hatred but to embrace forgiveness and reconciliation. Mandela talked the talk but he also walked the walk. He walked all the way to a new South Africa. We can only marvel at his example; it is an achievement of the kind that we only see once in a lifetime. People of my generation came to adulthood aware that Mandela was in prison and bewildered by the institutionalised racism of South Africa. But we did not know Mandela until he was released, and it was only after he emerged from prison with his spirit of humility and reconciliation that we truly saw his greatness. This is because his life showed us that, even though some of our human instincts tempt us to respond to injustice with vengeance, ultimately anger gets us nowhere. The real answer to injustice is to work together towards its elimination. This was the genius of Nelson Mandela.

Mr TONY SMITH (Casey) (10:32): In rising to speak on this motion, I want to say how compelling the contributions have been, from the Deputy Prime Minister in the House to all
those who have contributed over the last few hours, including the previous speaker, the member for Grayndler.

It was a little over a half a century before Nelson Mandela's birth that Abraham Lincoln said:

Nearly all men can stand adversity, but if you want to test a man's character, give him power.

The life of Nelson Mandela is one that demonstrated humility and nobility. All of us, in speaking on this motion, are recognising a man who occupies pride of place in the pantheon of history's greatest peacemakers.

Many speakers have spoken of the adversity he confronted and, of course, he confronted it on the first day of his birth because he was born into a society built upon the bedrock of racism. At that time people's status, both legal and social, was of course determined solely by the colour of their skin. As a young man he exemplified the spirit of his favourite piece of verse, the poem Invictus, by William Ernest Henley.

He was determined to be the master of his own fate and the captain of his own soul. He was accepted into the University of Fort Hare, an elite institution, and it was there that the first glimmerings of his concern for social justice became visible. He was expelled for participation in protests against poor living conditions.

After leaving university, as we know, he transitioned from campus activist to civil rights leader. He joined the African National Congress and was instrumental in forming its youth league. Put on trial in 1964, he made a statement to the court that I have heard many times in the last few hours in this debate. At the end, he looked to the judge in the eye and said:

I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons will live together in harmony with equal opportunities. It is an ideal which I hope to live for, and to see realised. But my Lord, if needs be, it is an ideal for which I am prepared to die.

His eloquence, as we know, was to no avail, and he was condemned to life imprisonment and would serve 27 years of that sentence.

During that time, as he languished in the prison cell, the world changed. The international community became increasingly intolerant of South Africa's apartheid system. During the seventies and eighties, a series of international economic and cultural sanctions were put in place, and by the mid-eighties it became increasingly obvious to the political establishment in Johannesburg that the system was no longer tenable. The changing tide of history reversed the dynamic between the imprisoned and the imprisonment.

In 1985 the government opened negotiations with the still-incarcerated Nelson Mandela about the abolition of apartheid and the transition of South Africa to democracy. But it took five more years until the newly-elected president, FW de Klerk, legalised the African National Congress and released Nelson Mandela from his imprisonment.

All of us will look back and remember that time. I vividly remember watching the late news that carried pictures live of the release. At that point, the story of Nelson Mandela's life, as we have all spoken about in these last few days, transitioned to another phase. In one fell swoop he was transformed from a prisoner to the apex of South African politics.

He won the presidency in 1994 in a landslide. He now had power, and the question was what he would do with it. And it is what he did that makes him so worthy of inclusion.
amongst the ranks of the world's greatest leaders. The previous speaker and many before, of course, have alluded to this, that the moral measure of the man—someone who was 71 years old and who had spent more than a quarter of a century unjustly imprisoned—was that he never succumbed to rancour or resentment. Rather than vindictiveness he displayed forgiveness, and from his first day of freedom he worked not for conflict but for conciliation. His calm words and his dignified demeanour helped to heal the gaping wounds in the social fabric of South Africa.

The Truth and Reconciliation Commission established under his presidency helped South Africa moved beyond the ugly past. He recognised the power of sport as a unifier, promoting the victory of the racially integrated Springboks in 1995 at the World Cup as a symbol of a reborn South Africa. In 1999, he proved true to his word, freely relinquishing power by standing down after a single term as South African President. As we know in this House and as the public reflect, as they have in recent days, by any measure Nelson Mandela was one for the ages.

Ms MACKLIN (Jagajaga) (10:40): Today, we celebrate the life and mourn the passing of Nelson Mandela, a man whose influence stretches well beyond the borders of his nation, South Africa, into the hearts and minds of every person who believes that this world can be better tomorrow than it is today. Mandela's story of moral courage and immense personal sacrifice in the face of oppression is one that has inspired people around the globe. Perhaps his most famous speech, given at the start of the 1964 so-called Rivonia trial, the trial that eventually saw him sentenced to life in prison, summarises what we hear so often about him. I want to quote the one sentence that for me is so significant. Mandela concluded his defence by saying:

"During my lifetime I have dedicated myself to this struggle of the African people. I have fought against white domination, and I have fought against black domination. These were the words that stirred many of my generation. Every person who cared about social change, social justice, social progress was moved. Indeed, many of the people on the progressive side of politics can attribute their political coming of age to Mandela's heroic activism. Tragically, this would be the last speech the world would hear from Mandela for more than a quarter of a century. But, during the 27 long years of his imprisonment, his battle never ceased—a battle that he waged even behind bars against injustice, tyranny and racism in its most overt form. As he continued to stand against the brutal regime that ruled his nation, millions around the world stood with him.

I am very proud to be part of the Australian Labor Party and the broader Australian union movement, both having played a role in opposing that regime. It was the Whitlam government that banned racially selected sporting teams from touring Australia. It was Australian maritime unions that played a vital role by enforcing and organising sanctions against the apartheid government. During Mandela's visit to Australia in 1990, the ACTU hosted an event for him at the Melbourne Town Hall during which he acknowledged and thanked the Australian union movement for the role it played in the liberation of South Africa from racial repression. Recounting the impact of the Australian union movement on the struggle in South Africa, Mandela said:

It was the labour movement of this country—
that is, Australia—
… in the early-50s which supported the dockworkers—a decision which he said:
… created a great deal of excitement, and gave the people of South Africa in their struggle, a lot of strength and a lot of hope.
Mandela continued:
It was difficult to understand how workers, thousands of miles from our shores, who did take the initiative, the lead, among the workers of the world, to pledge their solidarity with the people of South Africa.

The feeling that we are not alone, that we have millions of workers behind us, is a factor which has prepared us, notwithstanding the most brutal form of oppression which we've faced in our country.

That day at building sites in Melbourne's CBD, the flag of the African National Congress flew proudly from cranes, symbolising the solidarity of the union movement with the struggle for a free and democratic South Africa. It was Australian unions that forged formal links with black African trade unions and directly with the ANC, assisting with funding the establishment of an ANC office in Sydney. Indeed, the ACTU's overseas aid organisation, Union Aid Abroad, played a role in helping exiled members of the ANC return to South Africa during the transition to democracy.

I would like to also acknowledge the work of Malcolm Fraser, who, both during his time as Prime Minister and in retirement, was a strong advocate for sanctions against South Africa and for Mandela's release from jail. I am very proud of the Hawke Labor government's role—the important role that they played in leading international efforts to impose financial sanctions on the South African regime. Those financial sanctions played a pivotal role in isolating the South African government during those crucial years in the late 1980s. Former South African finance minister Barend du Plessis later went on to say that the fall in investment that resulted from the sanctions was 'the dagger that finally immobilised apartheid'.

In recent days, there have been many brilliant tributes made to Nelson Mandela, but one that I would like to share with people today comes from John Carlin, in which he recounts Mandela's first day as President following his inauguration as the first black President of South Africa. Mandela came across an Afrikaner, John Reinders, chief of presidential protocol during the tenure of both the last white president, FW de Klerk, and his predecessor, PW Botha. Reinders was packing up his belongings and placing them in cardboard boxes in his office, when Mandela asked him what he was doing. Reinders responded that he was moving to another job, in the prisons department. To this Mandela responded:
… I know that department ve-ry well. I would not recommend doing that.

Mandela then set about persuading Reinders that he needed his expertise, and ultimately convinced him to serve in the role throughout his five-year presidency. Carlin writes:
Reinders, whose eyes filled with tears as he recalled that story … during the five years he had served at Mandela's side, he had received nothing but courtesy and kindness.

Mandela endured unimaginable personal suffering in the pursuit of justice for his country. That, after more than 27 years in prison, he found in his heart the capacity for genuine forgiveness and understanding of his former enemies and oppressors gives us all hope that, no matter how great our differences, peace and reconciliation can be achieved.
I had the enormous privilege of meeting Mr Mandela during his visit to Melbourne in the year 2000 as part of World Reconciliation Day and I do recall with great fondness receiving a very warm hug from Mr Mandela on that day. Asked about the need for an apology to Australia's Indigenous peoples, Mandela responded:

In Australia here, I have confidence in both population groups that there are competent and able men and women with experience who are able to resolve their problems, and to know how to resolve them.

Mandela's optimism about reconciliation in Australia was validated in 2008, when our Prime Minister, Kevin Rudd, said sorry and Aboriginal people said thank you. One of those able men whom Mandela unknowingly made reference to in his answer was Australia's father of reconciliation, Patrick Dodson. In his remarks on Mandela's death, Dodson stated that Mandela's greatest lesson for us was 'to believe that there is goodness in all human beings, irrespective of their colour, their beliefs, their particular ideology'.

The legacies of Nelson Mandela's life will be many, and some will only become visible to us after the passage of time. But perhaps his greatest legacy, to borrow Patrick Dodson's wise observation, is to have demonstrated to future generations the capacity for peace and forgiveness that resides in the heart of every human being. Equipped with these lessons, people around the world will continue to pursue a better world. May he continue to inspire generations to come.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (10:49): Nelson Mandela needs no title; he needs no introduction. He is a household name right across the globe. His is a name etched in our history, in our memory and in our hearts forever. His was a vision of freedom, of equality, of justice. His was a vision which united a country—a deeply troubled and divided country—and is a legacy which gave birth to the rainbow nation we know today as the modern South Africa. It is a vibrant, though still at times troubled, nation but, nonetheless, a united country going forward as one.

To the world he was the iconic Mandela. But to his beloved rainbow nation he was Madiba. He was one of them. He was their leader. He fought the apartheid regime and he won. His was a South African nation made much better, more equal and more historic for his existence, and we should always be grateful for that. The Prime Minister eloquently told the nation last Friday, upon hearing of Nelson Mandela's passing, that he was 'the father of the modern South Africa', and the Prime Minister was right.

Born into the Thembu royal family on 18 July 1918, Mandela studied law, becoming a renowned anti-apartheid campaigner. He rose to prominence in 1952 during the African National Congress's Defiance Campaign. He was later jailed for treason and spent 27 long, hard years behind bars, all the while believing that the rights of his people in the nation he loved ought to be equal to those of the white minority. So committed and passionate a believer in equality was he that he once declared such a mission was a cause 'for which he was willing to die'.

During his almost three decades behind bars, Mandela and his wife, Winnie, never lost faith or sight of their dreams. No-one who watched those historic events upon Mandela's release in 1990 will soon forget what a day it was and what it meant for the world. Indeed, television stations right throughout Australia cut programming to cross to South Africa for his long walk to freedom, which back in 1990 was unusual for commercial television stations in Australia to do. I remember watching in Wagga Wagga and I am sure many of the other
members in the chamber today also watched that historic event. It was such a moment of triumph, of belief, that one person could make such a difference—that one person could make such a passionate difference to his nation and, through it, to the world.

Along with then President Frederik Willem de Klerk, Nelson Mandela was awarded a Nobel Prize for Peace in 1993—very well deserved. A year later, Mandela was elected President of South Africa, the first black person to earn that title in his nation's history.

Following the announcement of Mandela's death on Friday morning, Wagga Wagga Wiradjuri man Hewitt Whyman recalled meeting the anti-apartheid campaigner while a member of the Aboriginal Legal Service on Mandela's Australian tour in 1990. Just the other day Hewitt recalled:

We were frightened to approach him but he put out his hand and said 'talk to me.' … I was nervous because I was meeting a great man … It was a moment in my life I will never forget.

Nelson Mandela inspired more than a community and more than a nation. He inspired people the whole world over to stand up for what they believe in and to have the courage of their convictions. He was a man who said what he meant and meant what he said. Although on the other side of the world, Hewitt Whyman says he felt a great affinity with Mandela because, like him, Mandela fought for a fairer deal for people. Hewitt said:

I related to him because he is a black man who served a political prison term because of his beliefs. He gave me strength to fight for what I believe as a person—the rights of Aboriginal Australians—to achieve good outcomes for our people.

My choice was to stay in Aboriginal affairs and to work toward reconciling.

The world paused yesterday to remember this great man, this legend. His South Africa, his rainbow nation, is better for the 95 years Nelson Mandela gave to it. Here we lowered our flags to half-mast as a fitting tribute to what he did for the world. While we mourn the passing of a legend the likes of whom we may not see again in our lifetime, Mandela's is a story which will live on, in our hearts and in our memories, for many, many years to come. Whilst he is consigned to the pages of history, history will remember him very well, as it should. What a man, what a story, what a legacy! Though Nelson Mandela has departed this world for the next, no-one will ever forget the contribution that he made to our world and to our history. He is the father of the modern South Africa and his is a legacy which will endure for the ages.

Just before coming into the Federation Chamber to deliver this speech I bumped into Kay Hull, my predecessor in the electorate of Riverina. She spoke of the inspiration that Nelson Mandela had given her. Kay is a great fighter for social justice and certainly was in the 12 years that she was member for Riverina, and her great work in my community goes on. She got hold of copies of *A Prisoner in the Garden*, one of the books about Nelson Mandela, and had them signed by all the national leaders on both sides of parliament. She was a little bit worried because her brood of grandchildren is growing and she only has so many books. But Kay certainly waxed lyrical about the wonderful inspiration Nelson Mandela had given her in her time as a parliamentarian. That inspiration enabled Kay to do the great work that she did on behalf not just of the Riverina but of our nation as well.

Nelson Mandela is, sadly, gone, but his suffering is over. He has finally freed himself of his earthly shackles and he has left behind a better world for his having lived. May he rest in peace.
Ms VAMVAKINOU (Calwell) (10:56): I am pleased to make a contribution today in memory of the late Nelson Mandela. It was a long life that he lived—indeed, 95 years of it—but what a life it was and what a contribution Nelson Mandela made to not only his community but also the global community. Nelson Mandela, as has been said by other speakers here, is a man who led a struggle, the anti-apartheid struggle in South Africa. It is a struggle that made him a global icon of resistance and sacrifice for the greater good. For Nelson Mandela that sacrifice was a personal one—one that saw him jailed for 27 years—but it was a sacrifice that he made for the greater good. That greater good was to free his countrymen and countrywomen from the inhuman oppression of apartheid. This was a struggle to free his people from the indignity and the oppression of the white-inspired apartheid regime.

In remembering Nelson Mandela we must, first and foremost, not forget what this struggle was. Apartheid, an Afrikaner word meaning separateness or apartness, was a policy of racial segregation devised by the minority white Afrikaners and seen by them as vital to the survival of their minority existence. It became official state policy in 1948 and its essence and purpose were to ensure the retention of a pure white race which sought to assert its domination in a country where some 73 per cent of the population were black South Africans. Its aim was to assist the separate development of the different groups and perpetuate white control and domination over non-white races, which were deemed to be at a less-developed stage of civilisation.

When Archbishop Desmond Tutu visited Australia in the early nineties as part of the anti-apartheid movement I attended a public lecture he gave at La Trobe University at that time. I remember Archbishop Tutu describing apartheid as an immoral, vicious and cruel Frankenstein's monster. At the time the white South African government was under immense internal and international pressure as the impact of the global anti-apartheid movement took hold, including trade union sanctions and supporting boycotts. It was all beginning to take its toll on the government.

So the white South African government tried to placate this international outrage by attempting to reform the system of apartheid. I recall Archbishop Tutu putting the question to the audience: 'How do you reform a Frankenstein?' His response was: 'You dismantle apartheid. You do not reform it.' Some of the reforms that the white South African government introduced at the time, in an attempt to get international outrage and pressure off their backs, included the legalisation of black trade unions, given that the trade union movement internationally was at the forefront of a lot of the trade sanctions and other pressures that were brought to bear. These reforms, Archbishop Tutu told us, were marred anyway by the continual harassment and detention of union leaders. Part of the reform also saw the abolition of the pass laws, which had made it a criminal offence for black South Africans to move within their homeland without a pass. They also abolished the Prohibition of Mixed Marriages Act and the Immorality Act, which had until then prohibited mixed marriages and made sexual relations between blacks and whites a criminal offence.

But these reforms were inadequate because, as Archbishop Tutu said, the fundamental laws of apartheid remained. The new constitution of South Africa of 1984, although meant to be a reforming one, further entrenched and perpetuated white minority rule by making no mention
of the 73 per cent of the population other than in a small clause that said that all black affairs would be dealt with by the state president by decree.

Nelson Mandela's South Africa was a country with a majority black population who were denied basic and fundamental rights—human rights and rights to dignity and respect. In their own homeland, they were denied the inalienable right to freedom of expression and freedom of movement. They were denied the right to education and employment opportunities for themselves and their children. Effectively, they were denied the right to live and walk freely in their own homeland.

White minority propaganda constantly described black leaders—and this included Mandela—as evil, with destructive intentions. The African National Congress, and in particular the ANC organisation Spear of the Nation, was seen as an enemy of the state. Police took free licence to shoot and kill at will. We are all familiar with scenes and reports of opening fire in crowds and killing children. All those who dared to resist were at risk. In an attempt to preserve its evil regime, the white South African government jailed people, from church leaders to children—children who were incarcerated without trial and put away in cells with hardened criminals.

The white regime actually gave rise to a struggle. Their actions gave rise to a struggle that they later characterised as evil, in order to justify their brutal response. Any regime that designs apartheid is itself not only a regime of evil but a regime of terror. This was the South Africa that Nelson Mandela struggled against. This was the South Africa that the world community joined his struggle against. My own party, the Australian Labor Party; the Australian trade union movements and trade unionists; and Australian sportspeople leant their support and activism to the anti-apartheid struggle.

In fact, from 1960 to about 1990, Australian unions organised and enforced trade and shipping boycotts alongside the official sanctions that were in place around the world against South Africa. They formed links with black African trade unions—particularly the peak organisation, COSATU—and helped establish and fund the ANC's office and representatives in Sydney.

The ACTU's overseas aid organisation, Union Aid Abroad, or APHEDA, as it is also known, was a leading agency in supporting the democratic movement, including providing assistance to the ANC during the apartheid years and later helping those in exile to return to South Africa during the transition to democracy.

When Nelson Mandela visited Australia in 1990, as the member for Grayndler so fondly spoke of a little while ago, he came here to thank us. He was released from Robben Island prison in 1990 and he came to Australia to thank us. I also had the privilege to see him and to hear him speak at the ACTU function hosted at the Melbourne Town Hall. I consider myself very fortunate to have seen and meet such a significant human being, one who, as President Obama said, 'now belongs to the ages'. Mandela thanked Australia. He was indeed a very humble man and he acknowledged that, without international community support, his cause may never have been realised.
During that time in 1990 he also thanked then Prime Minister Bob Hawke for maintaining economic and sporting sanctions against South Africa. Australia was active in the international push to have Mandela freed from jail. In fact, the push to dismantle apartheid and the push to free Nelson Mandela from jail became a defining world struggle. We in Australia joined in, as did other European countries, the United States, the United Kingdom, South African nations—basically all the nations of the world. In the words of then foreign minister Gareth Evans in March 1986, in response to a question on what progress had been made toward achieving the release of Nelson Mandela, Gareth Evans quoted from a letter he had written, which called for the unconditional release of Nelson Mandela and said:

On September 2nd last year the Australian Government called for the release of political prisoners, including the immediate release of Mandela as an essential step toward dialogue and negotiations leading to the end of apartheid and a transition to a united free and democratic South Africa.

Mandela's release was deemed essential to a breakthrough in the struggle against apartheid. We all remember the euphoria after his release, not only his personal euphoria but also the euphoria in his homeland and the euphoria around the world. With that came the challenge of uniting and healing a nation which had been torn apart by the struggle which had given rise to hatred and fear.

Mandela went on to become the first democratically elected black President in May 1994. At the time, the Australian said:

Mr Mandela's Presidential victory is the culmination of an odyssey that could easily have ended on the gallows in 1964 when he faced the death sentence for treason against the apartheid state. Instead he was sentenced to life in jail. Behind bars, he evolved into the world's most celebrated political prisoner and the standard bearer of the struggle for racial equality in the world's pariah nation, South Africa.

For those who proclaimed him a terrorist because of his support for armed struggle against the South African regime, or indeed as a communist, history has shown that he was a freedom fighter, a man who became the face of and indeed epitomised the struggle against apartheid. As President Obama described him yesterday at the memorial service, he was a giant because without him change may not have come to South Africa when it did or how it did and, certainly, without him the reconciliation and healing which followed that change may not have happened. For every human struggle throughout our history, the burden of that struggle has usually fallen on an individual who became the reference point for everybody else. There were many individuals who shone in this human struggle against apartheid, but Nelson Mandela was the tallest of the tall, a man born in a small village of Transkei, stood up and moved the earth.

Madiba's message was always clear and focused. In his later years he liked to visit school children. In one of his visits to SAHETI, a Greek school in Johannesburg—which my chief of staff attended, as she is South African born and bred, now Australian—Nelson Mandela's speech to the children centred on the nursery rhyme Twinkle, Twinkle, Little Star. Madiba, as he is known to South Africans, had a message for the children: never give up. If you fail, you try and you try again until you shine like a star. One of his most famous quotes was:

Do not judge me by my successes; judge me by how many times I fell down and got back up again.

That, I think, in many ways epitomises the humility of the man that so many of our members here today have spoken about.
In closing, just to illustrate what he meant to the people of South Africa—here we are in
the Australian parliament talking about him, as they work their way through the 10-day
mourning period—in a televised address President Zuma said that the man known as Madiba
brought South Africa together:
Our nation has lost its greatest son. Our people have lost a father.

This is the moment of our deepest sorrow.
Our nation has lost its greatest son.
Yet, what made Nelson Mandela great was precisely what made him human. We saw in him what we
seek in ourselves.
And in him we saw so much of ourselves.
Thank you.

Mr SNOWDON (Lingiari) (11:11): I firstly thank my comrade here, the member for
Calwell, for her great contribution this morning and for the very erudite way in which she
explained the nature of apartheid and its impact upon all of us. I thank her for her
contribution, and might I make an observation about the quality of the contributions made by
all members who have contributed to this debate.

I regard myself as privileged to be participating and to offer my own words of condolence
to commemorate and celebrate the life of Nelson Mandela. I suspect, certainly over the last
century, that he was the most formidable and the greatest political and moral leader over that
period. There have been many others who have been significant, but I think he stands above
them all. That includes such notables as Mahatma Gandhi.

As we can see from the contributions that have been made in this discussion here, he has
been admired and eulogised by all sides of politics and by all parts of our community. I
suspect I am one of only a few in this place who had the opportunity to meet and have a
conversation with him over perhaps half an hour. I will come to that a little later.

I speak also as a child of the sixties and seventies, as an adolescent growing up during
those terrible years of violence in South Africa with the anti-apartheid movement gaining
such strength here in the late sixties and the seventies; being here at Manuka Oval when the
Springboks were playing, with the demonstrations of people opposed to their presence in this
country, and then through the Labor movement, particularly with my colleagues in the trade
union movement, but also with great workers for the ANC cause from South Africa, including
the great Eddie Funde, who traversed the halls of parliament and was known to many—not
many who currently serve—of us who served at that time. He was a great man, who actually
made a deal of difference to the way in which people appreciated and understood what was
happening in South Africa.

We know that Nelson Mandela, who had been working as a policeman in 1941—before
anyone in this place was born and I suspect before anyone working in its wider environs was
born—dedicated his life to achieving justice and a nonracist South Africa, where the colour of
a person's skin or the nature of their beliefs would be irrelevant. We know, too, that Nelson
Mandela first joined the African National Congress in 1943. As we also know, he famously
burned his passbook in protest of the grotesque restrictions placed on non-whites under
apartheid. He opened the first black law practice in South Africa with his colleague, comrade
and great freedom fighter, Oliver Tambo, in 1952. In 1956, he was one of 156 activists arrested and charged with high treason—a case which was to last until 1961 before they were found not guilty.

Despite the violence against anti-apartheid activists in South Africa, the grotesque massacre of 69 anti-apartheid protestors at Sharpeville and the passing of laws banning Mandela's political organisation, he and his comrades were not perturbed; they became emboldened in their struggle. After years of peaceful protests, it was only after Sharpeville and the banning of the ANC that Nelson Mandela and his comrades turned to armed conflict. The member for Calwell outlined in precise detail the grotesque nature of apartheid. The decision to arm was a rational decision by a man and others who had an irrepressible drive to free their people. Just as he believed years later when he was released from prison that the only way to unite South Africa after decades of apartheid was to forgive and to heal, Nelson Mandela believed that the freedom of his people from apartheid was worth dying for.

In 1961 the ANC's armed wing, Umkhonto we Sizwe—or MK, 'the spear of the nation'—was launched with Walter Sisulu and others, with Nelson Mandela becoming the commander-in-chief. He led underground guerrilla attacks against state institutions as he continued his protests against the tyranny of apartheid and the South African government. He was a freedom fighter who in today's world, along with the ANC, may well have been labelled as a terrorist.

In 1962 he was captured and sentenced to five years in prison for incitement to strike and for leaving the country illegally, having travelled to Ethiopia and Algeria for military training. Two years later, Nelson Mandela was retried along with several of his ANC comrades and convicted of sabotage. He and his associates faced the death penalty. He said in his famous speech from the dock at the time—I know it has been quoted by others but I think it is worth quoting again:

I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

We know that he was then sentenced to life in jail and was sent to Robben Island, where he was incarcerated for 27 years. He would not be a free man again until February 1990. I have vivid memories of the day—11 February 1990—when he was liberated from that jail. I remember the sensational enthusiasm of South Africans and, indeed, the world community who supported the ANC and the anti-apartheid movement, at seeing this great liberator released from that terrible place, and to recognise later his contribution as he became president of a new nation—with Oliver Tambo, his great sidekick and someone with whom he had fought the struggle for so long, as his vice-president.

In October 1990 Mandela visited Australia. I was a member of parliament and was in Darwin. I understood he was transiting through, so, as I am sure you would expect me to do, I rang the foreign minister and asked who was meeting Nelson Mandela. The answer was no-one, so I said, 'Well, there is now.' I fronted up at the airport and had the great privilege of welcoming Nelson Mandela to Australia. I then had the further honour of spending time with him while he was in transit—sitting down and having a cup of tea and a chat. I do not have precise memories of that discussion but I know I was in awe of the man—I had the privilege
of spending time with such a great force for good in what was then a troubled world. I admired him, and of course I did express the support felt by so many Australians for the struggle he was engaged in, for his liberation and for the future of South Africa.

Nelson Mandela understood clearly, as we now know as a result of his discussions further on in the trip, the invaluable contribution made by the Australian labour movement—particularly the trade union movement, as outlined by the member for Calwell, and indeed the Labor Party and the Labor government—towards ending apartheid in South Africa. We say a lot and hear a lot about our trade unions in this place, but they have been such a force for good in this country. We know that they raise awareness. They might be vilified for participating in these activities, but the fact is that they are a very important part of the political dialogue in this country. They are very important in raising the awareness of working people about their rights and about the rights of others—as was the case with apartheid. That remains the case today. I say to all of those who vilify trade unions: understand that they have a number of roles in this country, one of which is to prick our conscience and make us aware. I am grateful that they have done that in the past and continue to do it now.

To me, Mr Mandela was a hero—as he was to all of us. When I met him he was 72 but he had a great vitality. As I have said, he was awe inspiring. How could anyone, from 1941 onwards, continue that struggle, be jailed for 27 years, become President and then, with the greatest of graciousness, want reconciliation—reconciliation after struggle and sacrifice and bloodletting; reconciliation by putting his hand across the table to those who imprisoned him and saying, 'Let's share this together'? He was a great warrior, a great man of vision, but he was a unifying influence, and I say to those who in the past were critical of those of us in this country who supported the struggle of the ANC that you have to be wary of making false judgements. This is proof positive of the need to take people on their merits and to understand the importance of what they are doing in a broader context and not be selfish about the way we look at things.

Australia has had its own heroes who have suffered from discrimination. Vincent Lingiari is one. It was in the 1960s, around the same time that Nelson Mandela was so active, that we saw political awareness being raised about racism in this country. We have a lot to be grateful for, because it was okay to participate in that activity—to make people aware of racism and all the terrible things that are associated with it. Now in this country we know that racism is unacceptable, that discrimination on the grounds of colour is unacceptable and that it will not be tolerated. Discrimination on the basis of your beliefs or discrimination on the basis of the one you love is not to be tolerated. The person who gave us the strength to fight those struggles through what he did and the leadership he showed to the international community was, indeed, Nelson Mandela. May he rest in peace.

Ms BRODTMANN (Canberra) (11:25): I commend the member for Lingiari for that powerful speech. It was wonderful to hear his personal accounts of meeting the late and great Nelson Mandela. I can honestly say what an honour and a privilege it is to stand here as an elected representative in this magnificent place, which is a symbol of democracy for our nation, to speak about a man who was a symbol of democracy, not only for his nation but for the whole world.

Few leaders are so significant that they transcend their country, but Nelson Mandela's vision of harmony resonated worldwide, and today the whole world mourns. As someone who
developed a political awareness in the late 1970s and the 1980s, the struggle of Nelson Mandela against apartheid and for universal suffrage in a united democratic and non-racial South Africa was incredibly defining. It was the backdrop to my early political activism. I can clearly recall the anticipation and excitement of the moment in February 1990 when Mandela walked free. During the 1980s there were so many campaigns, by rock stars and others, that it became a universal campaign to free Nelson Mandela. For me that moment is as powerful and poignant today as it was 23 years ago.

I believe in many ways that Mandela faced as significant a challenge on the day he walked free as he did on the day he was imprisoned some 27 years earlier. Upon entering Robben Island in 1964, the challenges facing Mandela were paramount. While the anti-apartheid struggle continued around him, his days were spent working in a quarry, breaking rocks into gravel. With limited visitors, access to newspapers, letters and the outside world, the difficulty of staying in touch with the cause he had devoted his life to—and was prepared to give his life for—was enormous. On his release, however, the challenge was quite different—a great and moral one. After facing extreme adversity and oppression—27 years in prison and loss of liberty—his challenge was to turn the other cheek and to greet those who had created his oppression by denying his freedom for so long with forgiveness, peace, harmony and reconciliation.

This is the great moral challenge: when we face adversity we can respond in one of two ways—despair or hope, resentment or forgiveness. We can retaliate, we can seek revenge, we can seek vengeance; or we can respond in the name of harmony and reconciliation. I genuinely believe there are few people who would have had the strength to forgive as Mandela did; few who would have rejected the opportunity for revenge as he did; few who would have shown no sign of resentment as he did. I often ask myself: what would I have done had I been in his shoes? I honestly cannot say. I would like to know how I would respond to such adversity, but I honestly do not know. That is why this man is such an extraordinary and great man.

Upon leaving prison, Mandela greeted his well-wishers 'in the name of peace, democracy and freedom for all'. He said:

I stand here before you not as a prophet, but as a humble servant of you, the people.

Your tireless and heroic sacrifices have made it possible for me to be here today. I therefore place the remaining years of my life in your hands.

This certainly was a defining moment. I am proud to have been part of the Australian Labor Party and the Australian union movement, who stood by our friends in the African National Congress, the people of South Africa and the global movement to end apartheid. I am proud that our leaders like Gough Whitlam, Bob Hawke, Don Dunstan and Gareth Evans ensured that Labor in government took the lead in imposing sanctions on the apartheid regime. And, as the member for Lingiari mentioned, I am also proud of the unionists across Australia who fought hard, who mobilised to fight against apartheid and who sent messages of support to those across the ocean to let them know that the workers of Australia were standing firmly behind them.

I am proud that Australian Labor gave practical assistance to Mandela and the ANC in the 1994 election. When Mandela visited Australia following his release from prison, he told the tens of thousands who turned out to hear him speak that he could 'feel the solidarity of
Australians and others for 27 years through thick prison walls'. Nelson Mandela was an international leader in reconciliation and democracy. He showed courage, compassion, integrity and hope through unthinkable adversity. He was not perfect and he was the first to admit that he was no saint, but what he inspires in all of us is that he rejected resentment and conflict in favour of reconciliation and forgiveness. We can all learn a lot from him.

The world is a richer and better place because of Nelson Mandela. He inspires us all to be better people. Farewell, Nelson Mandela.

Ms CLAYDON (Newcastle) (11:31): It is a great honour to rise to join with my colleagues from all sides of this parliament today to pay tribute to a great freedom fighter and a great friend of Labor, Nelson Mandela AC. All members here in this House joined parliament for a reason. We joined with the firm belief that we can make a difference. We joined because we believe we can improve this nation, that we can help make this nation a better place. With no offence intended to any of my colleagues, the difference we make here in this parliament will no doubt pale in significance alongside the difference that Nelson Mandela made to his nation, the Republic of South Africa. While few if any will rise to his heights, we should all be driven by his words:

What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.

The South Africa that Nelson Mandela leaves behind is a far better place than the one he joined in 1918. It is a country where democracy now reigns and in which people can live together with equal opportunities—opportunities which he helped to create. Mandela was a true freedom fighter. He rose above oppression and incarceration, and led the battle to take down the worst side of humanity.

Mandela's infinite capacity for inclusiveness and forgiveness should serve as an inspiration to us all. His eternal optimism and determination to always find and then move towards what was the very best in humanity was truly remarkable. His words again:

No one is born hating another person because of the colour of his skin, his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love, for love comes more naturally to the human heart than its opposite.

Mandela battled for equality and what was just, and after considerable time he was victorious.

In the year of my birth, Mandela made his famous Rivonia trial speech from the dock, where he professed democracy 'is an ideal that I would die for' before being sent to Robben Island. It was nearly two decades later while at university that I first learnt of this extraordinary man and his long struggle against apartheid. I made it my business then to learn much more of this struggle, the struggle of the people of South Africa, and I pledged my support to do all I could to free Nelson Mandela. Throughout the sixties and seventies while I was growing up, learning about life and enjoying everything of wonder here in Australia, Nelson Mandela was being kept in a cell smaller than my bathroom and put to work crushing stone.

His struggle was indeed an important part of my political awakening, as, indeed, many of my colleagues have discussed today. Through his 'long walk to freedom' and through his fight to end apartheid, Mandela gave a true gift to the people of South Africa and to the world at large. It is an often-forgotten fact that Nelson Mandela offered to help the Howard
government with native title holders at a time when the then government and, indeed, our
nation was struggling to come to terms with the very belated recognition of common law
native title rights of the Aboriginal and Torres Strait Islander peoples. In 1997 Nelson
Mandela also invited long-standing Aboriginal activist, Dr Gracelyn Smallwood, to attend the
huge 20th anniversary memorial service for Steve Biko, another crucial figure in South
Africa's anti-apartheid struggle who tragically died in custody.

It was this tragic death of Steve Biko that was to have a profound impact on Australia's
own father of reconciliation, Professor Patrick Dodson, who in 1989 was appointed as one of
the commissioners of the Royal Commission into Aboriginal Deaths in Custody. On hearing
the news of Nelson Mandela's death, Patrick Dodson described Mandela as 'a giant for justice'
and mourned the loss of a great human. For Patrick Dodson, Nelson Mandela's
incontrovertible stand against racism and his life's demonstration of the power of conciliation
over persecution are his greatest teachings:

The key thing is to believe that there's goodness in all human beings, irrespective of their colour,
their beliefs, their particular ideology.

This was the way in which Nelson Mandela influenced Patrick Dodson's own work in
Australia. I quote again:

My work in reconciliation, along with many others, has been to challenge our nation to deal with its
history, the legacy of the dispossession of Aboriginal peoples, and then the legacy of treaties and
sovereignty and those sorts of issues. To deal with these matters in a mature, constructive way so that
the nation can go forward, to make sure that there is recognition in the constitution of the first peoples
of this country.

For Patrick Dodson:

So there's a motivation that Mandela has given, along with Gandhi and others, of a non-violent
approach, but also a consistency and dedication to that sort of cause for the betterment of the nation and
not just for personal aggrandisement.

While Mandela's life has ended, his influence will continue through the lives of many others.

As Patrick Dodson concluded this week in his comments on the passing of Mandela:

Those universal teachings of his, along with Gandhi and Martin Luther-King ... will live forever. I don't
see it ever fading.

Nor do I.

I am very proud that it was the Australian Labor movement that ensured that apartheid
remained on the agenda here in Australia, putting pressure on the government to use all of its
diplomatic powers to force change, providing assistance to the ANC and its representatives in
exile and enforcing economic sanctions against South Africa when they were needed most. A
few months after his release from prison in 1990, Nelson Mandela repaid the favour,
travelling to Australia and attending a special function in Melbourne where he personally
thanked the Australian unions and Labor for their support. I quote from Mandela's words on
that occasion:

I will remember that the Labor movement of this country was among the very first, if not the first, to
launch solidarity action in line with the people of South Africa in the course of their struggle. It was
difficult to understand how workers, thousands of miles from our shores, who did take the initiative, the
lead, among the workers of the world to pledge their solidarity to the people of South Africa. The
feeling that we were not alone, that we had millions of workers behind us is a factor which has prepared
us, notwithstanding the most brutal form of oppression, which we have faced in our country. Throughout, since 1912, every South African Government has tried to destroy the African National Congress, or at least to cripple it. Not only have they failed in that resolve, but we have emerged to be the most powerful political organisation in the country, inside and outside of Parliament.

I note that many of my Labor colleagues, including the member for Gorton, were present at his address and I thank the member for sharing the transcript of Mandela's speech from that day. I note that many members of the Maritime Union of Australia, Newcastle branch and many other comrades were involved in the actions around Australia at the time, where they refused to unload ships from South Africa not only in Newcastle but across Australia and the world. These were critical forms of action taking place in order to shift the debate and political discourse around the issues of apartheid in South Africa. I pay tribute to the many men and women from my area who were very involved in those struggles and have now passed. I feel their presence with me today in this chamber.

It is very fitting that, last night at his memorial service, close to 100 leaders from around the world gathered to honour the life of Nelson Mandela. Perhaps no speech was more poignant than that of the President of the United States, President Barack Obama. In 2008, Nelson Mandela was amongst the first to congratulate Obama on his magnificent election victory. That he was the first black American to occupy the Oval Office was not lost on Mandela or the world. Mandela said Obama was an inspiration to people all over the world:

Your victory has demonstrated that no person anywhere in the world should not dare to dream of wanting to change the world for a better place.

I will finish with some words from the memorial service held last night, by General Thanduxolo Mandela:

I am sure Madiba is smiling from above as he looks down on the multitude of diverseness here, for this is what he strove for, the equality of man, the brotherhood of humanity and the unity of progressive peoples until his last days.

Peace, justice, unity of all mankind. Let us pledge to keep Madiba's dream alive in the way in which we honour the humanity in each other, in the way in which we reach out to the humanity in each other, and in the way in which we raise up the impoverished, and the disfavoured.

These are important lessons for us all. May the generous spirit of Nelson Mandela live forever.

Mr HAYES (Fowler—Chief Opposition Whip) (11:42): I would like to join with my parliamentary colleagues and millions of people around the world in expressing my sincere condolences over the passing of Nelson Mandela. My condolences go to his family, who lost a loving family member, and to the citizens of South Africa, who lost their first democratically elected President and, more importantly, the father of their nation—a man who transformed South Africa into a harmonious, diverse and multicultural society. My condolences also go to humanity in general, which lost one of its great warriors, someone who fought for fairness and decency and respect for all peoples.

Every once in a while a person is born whose nature and actions change the course of history. Nelson Mandela was one such special person, who ultimately sacrificed his own life through the way he lived—which saw him incarcerated for some 27 years, hounded and treated as a terrorist—all in the quest for truth, justice and impartiality for people living in the great country of South Africa. This is a man who truly believed in his nation and in humanity.
Mandela was one of those people who will live on forever not only in the history books but also in the minds and hearts of all those who have known him, who have learnt of his actions and who care and yearn for freedom and democracy. We join together in mourning his passing and, as was beautifully demonstrated by the residents of South Africa during his memorial service yesterday, in celebrating his life and his extraordinary achievements. The fact that flags are flying at half-mast in Australia, and for that matter in many other countries around the world, is a testament to the greatness of this man.

Australia should be particularly proud of its strong stance against apartheid during the 80s and 90s, an era I remember well, being someone who enjoys rugby and seeing the protests that occurred at the Sydney Cricket ground when the South African team visited. It showed that Australians—not only the trade union movement, not only the university activists but Australians as a whole—deplored intensely the very notion of apartheid. That is something that lives with me and we can all be very proud that we were party to what was achieved in the restoration of democracy in South Africa.

A number of my colleagues have already spoken about Mandela's visit to Australia in about October 1990. I was at one of the union congresses held with the ACTU and a number of unions in Melbourne. At that stage I was working for the Australian Workers Union and was very proud to be there and to listen to his address. I know a number of my colleagues—it was Brendan O'Connor who first mentioned this—were similarly young trade unionists at the time and were able to sit there and be inspired by a man standing before us, a man who was championing freedom and democracy.

There is a famous saying that tells us that friends in adversity shall always be cherished the most, and this is what Nelson Mandela had to say in 1990 in thanking our nation for its support during the most difficult times of his struggle. We can be proud of the fact that we were clearly on the right side of history. We were on the side of a man who inspired change for the better, not only in his country but in the world, for generations to come. There are still many struggles going on around the world. Violence, oppression and silencing people who fight for freedom, justice and human rights are, regrettably, still everyday realities. But people who are prepared to stand up, who are not prepared to be silenced, can only take inspiration from the life of Nelson Mandela. Let us hope that Nelson Mandela's life inspires all of us to live by his example of freedom, peace and justice and be prepared to stand up in the face of injustice and oppression. His courage, conviction and spirit should be an inspiration to all and we should endeavour throughout our sphere of influence as a country to keep his legacy alive. May he rest in peace.

Mr RIPOLL (Oxley) (11:48): I, like everybody else in this place and I think all Australians, feel some sort of special connection to Nelson Mandela. I thought it was important that I make a few remarks in this place about his life and contribution to all people, and also to associate myself with a range of statements that have been made by members, including the Prime Minister and the Leader of the Opposition. It would be an understatement to say that Nelson Mandela has left an indelible change throughout his life. He was a man who was born with little opportunity in a country that gave very little opportunity to him and his people, a man who was born in 1918 and lived an incredibly good and long life through so much hardship, so much pain and suffering. Yet he achieved so much good, so much to be
proud of, such a large family. We should understand that during the peak of his life he spent 27 years in prison, and it was not an easy prison life.

For him to later become the first black president of South Africa in 1994 says a lot about him, about his country, about his determination. I signed the book in Parliament House yesterday that will be sent through to South Africa, and wrote just a couple of short words. The thing that sprung into my mind was what great faith a man like Nelson Mandela must have had in people, in humankind, in mankind—a great faith that not only would he be able to lead them at some point in time, that he would be the change, but that people would follow him. For me, it just seemed to sum up what must have been, for him, what kept him going.

Quite famously, Nelson Mandela, it is written, has a favourite poem—I am not too sure if it is specifically or not; there is some conjecture—but it is quite well-regarded. It is called *Invictus*, which in Latin means 'unconquered'. I am not going to read the poem out—I am sure others have done that—but I did want to pull out a few words from that poem which I think summarise everything that Nelson Mandela, as a person, represented. In the first paragraph the poem says, 'I thank whatever gods may be/For [his] unconquerable soul'; that his head was 'bloody, but unbowed'; that with 'the menace of the years' he should find himself unafraid. The poem finishes with, 'I am the master of my fate:/I am the captain of my soul.' Quite a great poem, quite a stirring poem, and if in a few words anything could sum up the life of a man who lived for 95 years, it does a pretty good job.

The outpouring that we are seeing in South Africa right now, but also right around the world, is on a scale unimaginable: that any one person, one individual, could be held in such high regard, have changed the world so much, have brought so many people together that literally every head of state, every leader, every country is represented. Everybody wants to be associated with the good things that he did, and I think that is quite incredible. He did change the world, and he did it in the most adverse of circumstances, which is why it is so powerful, why it is so big: because it is almost not possible that one single man could possibly do all these things. But he did that. It must have been very difficult for black people in South Africa to believe that one day they would be on an equal footing, to be equal citizens, to have equal rights, to be considered the same as everybody else, to see the end of apartheid. It must have been an incredible dream or aspiration to have, that you could actually change that.

There were a lot of similarities between the things that were happening in South Africa in that movement that he pushed and some of the things that were happening in Australia. I am very proud to belong to a political party, a political movement, proud to be associated with a range of people across the union movement and across the community in a whole range of areas, and particularly with then Prime Minister Gough Whitlam, who banned racially selected sporting teams from touring in Australia. This was a big thing to do, this was controversial; these are not easy decision to take. Looking back, we can all probably agree and say, 'Of course that was the right thing to do, of course that was right,' but at the time it would not have been so easy. Sometimes in life you find yourself making decisions which are really difficult. It does conjure up a whole range of thoughts around what governments do, what individual people do, what political parties do, what the community does. Sometimes you find yourself in the face of adversity or criticism and there may be an easier path. In fact, there is always an easier path. Sometimes the popular vote, let us just say, is an easy path. But leading is not about the easy path. Leading is about knowing what is right, making a decision
based on well-informed facts, and doing the right thing—just simply doing the right thing. And that is certainly what Prime Minister Whitlam did back then.

Prime Minister Hawke also was significant in ensuring that global bodies adopted economic sanctions against South Africa. Again, it was not an easy thing to do, particularly with the circumstances of the time, but it made an enormous difference. I think it put Australia, and all Australians, on the right side of history; Australia had collectively done some good. In a small way, Australia helped to place the focus, the light and the pressure to ensure that Nelson Mandela and his people, in their great struggle, knew that other people were on their side.

There are circumstances around the world, even today, of political prisoners in jail and other people who find themselves in horrific circumstances. I have spoken to some of those people, sometimes through their advocates. I know that many people in this parliament have written letters in support of people to governments, saying, 'We don't agree with this and we think you should release political prisoners.' But to hear directly from them that the difference it makes to them in their prison cell to know that somewhere in the world somebody in authority, somebody in government, somebody in a parliament knows they exist, knows their struggle and is supporting them makes the world of difference to these people. It gives people hope. I can only imagine that for Nelson Mandela one of the small things that must have carried him through those 27 years in prison would have been the knowledge that there were people outside that prison who were supporting him. There were people in Australia, people in the United States—people all around the world—supporting him. I think that all of that collective action made an enormous difference.

But there is something even bigger that is the reason so many people are contributing in some way in his memory. There is so much celebration, not that the man is gone, but celebration of his whole life. The one thought I have had continually in mind about this is that it must have been so hard for a man who was wrongfully imprisoned for 27 years to walk out of his prison cell and feel no animosity, not want to take revenge, not want to get people back. He must really have understood something that so few leaders can ever possibly comprehend or, even if they understand, enact. He must have understood that he represented the future of his country and of all his people. In fact, it was probably bigger than that: he represented something that would change the face of humanity, and that he would sacrifice his own people in the way he behaved. He walked out of that prison; he became President; and he saw himself as the great uniter. He would be the one who would bring everyone together, the person who would be representative of all the people of South Africa. He knew that everyone would look to him for leadership and that they would follow. That is an incredible thing. The temptation—the doubt in his mind—sometimes to seek some small retribution, to try to make things even, must have been an enormous pull.

It is with great pleasure that I, like so many other people in this place, associate myself with the words that are being said. I thank the House for this opportunity.

Ms KATE ELLIS (Adelaide) (11:58): I rise to offer my thoughts on the condolence motion marking not just the death of Nelson Mandela but his incredibly remarkable life. It is remarkable to have lived and touched so many people across the world. We have seen that in the last few days in the vision of people right across South Africa celebrating his achievements and contributions, in the changing fortunes right across the continent of Africa
and the people recognising that and in world leaders coming together and sharing their words of appreciation. But there are also many Australians who have been incredibly touched by these events and by the life that Nelson Mandela lived. I send my thoughts to the local South African community in Adelaide and to the ever-growing African community in Adelaide and South Australia. I know they particularly are grieving at this time. But I send my thoughts to all Australians who have been touched by this remarkable man.

I know that people of different ages and backgrounds have different experiences when it comes to Nelson Mandela. I listened with more than a little degree of jealousy to hear some of my colleagues talk about the opportunity to be present when Mandela spoke, to be hugged by the great man, to have interaction. My experience was a little bit different. When I had to do my first-ever piece of public speaking was when I first started high school. We all had to pick a topic and stand and talk to the class about something we were passionate about. This was in 1990 and I chose to speak about racism. Some could cruelly suggest that I could be a rather self-righteous teenager at times, always standing up and lecturing on whatever was my current cause of the day. My poor classmates had to sit through talks on cruelty to animals, on why we should free the circus animals and on a whole range of different things.

I will never forget the first-ever speech where I decided that I wanted to talk about an issue I was passionate about—racism. I went home and I was researching it, which is when I learnt of the horrors of apartheid. It was when I, as a 12- or 13-year-old, actually learnt about the life of Nelson Mandela and a life that had many, many chapters still to go at that stage. Particularly at the beginning of adolescence, when people can often think that the whole world is against them and that they have the biggest struggles that anyone has ever faced, I will never forget the inspiration I felt in learning about Mandela, in learning about the power of one person who was able to make such an incredible difference and stand up against adversity. What a truly inspiring story that was for me. It was a story of overcoming adversity, a story of incredible courage and a story of truly extraordinary leadership.

Since that time I have had the opportunity to travel to South Africa on several occasions. It has been a pretty special place for me. Most recently, when I was there earlier this year, I visited Robben Island. I saw the cell that Nelson Mandela called home for 18 of his 27 years in incarceration. I saw firsthand the absolutely true horror of apartheid and the true horror that Nelson Mandela had to confront. I took the tour and was shown around by someone who, themselves, had spent years as a political prisoner there. I saw some of the true evil that was in the day-to-day running of apartheid. I will never forget the moment when they held up the different menus, which divided the prisoners based on whether they were considered black, white, coloured or Indian, which gave them different rations, different amounts of sugar and determined whether they got jam on their toast in the mornings. This was a truly evil regime in the way that it treated human beings. To even imagine being subjected to that, to even imagine living your life for over a quarter of a century imprisoned in those conditions, is very, very hard to believe.

What also struck me from my experience on Robben Island and in South Africa was the contrast between what I saw and the stories that I was told by those who had been there and the story that Nelson Mandela himself told in his amazing autobiography, *Long walk to freedom*. In that book there are only passing references to cruelty, to beatings and to a range of things; they are not at the heart of the story, whatsoever. It struck me that there is probably
a very good reason for that. With the extent of the huge injustice of cruelty, horror and evil that was happening on Robben Island, it may be that Nelson Mandela was man enough to forgive what happened to him. I really doubt that anyone else who read that book, or any other South Africans who read of his experience, could do that too. It was incredibly important to reconciliation that this great man not only overcame his adversity that was inflicted upon him but also led that nation to reconcile.

When I was in South Africa in February of this year I had an amazing man, Darryl Lea, as the driver who took me around. It was a winery tour that we went on, so I will not share any more stories of later in the afternoon. Talking to Darryl opened my eyes about how extraordinary it is and how far that country has travelled in just over a decade. To think that they have gone from a horrendous regime, to a place that has reconciled to a large extent, to the Rainbow Nation is truly extraordinary.

Darryl told me about his upbringing, how he had been considered one of the Cape Town coloured and, as such, had a range of restrictions on his life. He talked about after Nelson Mandela was freed, after they had their free elections and Mandela became president, about the little things that you do not think about. He talked about how he joined the Rotary Club. He said it was the first time he ever got to interact with members of the white community and see that they were working to improve the neighbourhood and to improve the conditions for people of all different races and backgrounds. This would seem like such a normal thing for so many people, but for Darryl this was the first time he had ever actually seen that white South Africans were out there trying to help him and many other families like his as well. This was the first time that they got to work together on community building projects. It was remarkable to hear from Darryl just how far they had travelled.

I know the time for this debate has gone and I know many people have made contributions, but I will wrap up by saying we have heard many of Nelson Mandela's great quotes. We have heard many of the stories, many of the inspirations. I think we should also mark that, unfortunately, we cannot all be the man that Nelson Mandela was, but it is fitting that the federal parliament reflects on how he did so much, even when he was powerless, even when he was imprisoned, he achieved so much. We are not powerless; we are the Parliament of Australia and it is right that we take some level of inspiration and try and have a smidgeon as much integrity, a smidgeon as much leadership as the great man, Nelson Mandela. One of the quotes that I really like from him is one that I have not heard in this debate yet: There are times when a leader must move out ahead of the flock, must go off in a new direction, confident that he is leading his people the right way.

When I think about that quote and about some of the debates before this parliament, I think we can raise the question: are we leading the Australian people in the right, new direction or are we sometimes just playing to the lowest common denominator? Nelson Mandela did not take the easy options. He did not say what the people wanted him to say but he in fact brought them along and achieved great results. So I like to think that we can think of just a few of the amazing things about this man—a little bit of his integrity, a little bit of his passion, a little bit of his humility, a little bit of his determination, a little bit of his intellect and a little bit of his humour.

I will leave the House today with just one anecdote. We have talked a lot about the remarkable achievements of Nelson Mandela. I would also like to place on record the humour
of the man. One of the articles I saw over recent days was particularly good. Nelson Mandela had people fawning over him, talking about how wonderful he was. In 1997, Nelson Mandela had the opportunity to meet the Spice Girls, who decided to tell Nelson Mandela that what he had done for apartheid, they had really done for girl power. They had been on their own girl power quest. A journalist turned to Nelson Mandela and asked him how he felt about getting the chance to meet the great Spice Girls, to which he responded, 'I don't want to be emotional, but this is one of the greatest moments of my life.' He was a remarkable man. Long may his legacy live on, long may we be inspired and long may we try to replicate just a little bit of this man's greatness.

The DEPUTY SPEAKER: I thank all members for their contribution to this historic debate. I understand it is the wish of honourable members to signify their respect and sympathy by rising in their places.

Honourable members having stood in their places—

Mr WILSON (O'Connor) (12:09): by leave—I move:

That further proceedings be conducted in the House.

Question agreed to.

Federation Chamber adjourned at 12:10