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SITTING DAYS—2003

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>4, 5, 6</td>
</tr>
<tr>
<td>March</td>
<td>3, 4, 5, 6, 18, 19, 20, 24, 25, 26, 27</td>
</tr>
<tr>
<td>May</td>
<td>13, 14, 15</td>
</tr>
<tr>
<td>June</td>
<td>16, 17, 18, 19, 23, 24, 25, 26</td>
</tr>
<tr>
<td>August</td>
<td>11, 12, 13, 14, 18, 19, 20, 21</td>
</tr>
<tr>
<td>September</td>
<td>8, 9, 10, 11, 15, 16, 17, 18</td>
</tr>
<tr>
<td>October</td>
<td>7, 8, 9, 13, 14, 15, 16, 27, 28, 29, 30</td>
</tr>
<tr>
<td>November</td>
<td>3, 4, 24, 25, 26, 27</td>
</tr>
<tr>
<td>December</td>
<td>1, 2, 3, 4</td>
</tr>
</tbody>
</table>

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- **PERTH** 585 AM
- **HOBART** 729 AM
- **DARWIN** 102.5 FM
CONTENTS

TUESDAY, 14 OCTOBER

Business—
Consideration of Legislation ........................................................................................................ 16267
Rearrangement .......................................................................................................................... 16267
Parliamentary Zone—
Approval of Works .................................................................................................................. 16267
Family Assistance Legislation Amendment (Extension of Time Limits) Bill 2003—
In Committee .......................................................................................................................... 16267
Questions Without Notice—
Howard Government: Ministerial Code of Conduct ................................................................. 16286
Iraq ............................................................................................................................................. 16287
Howard Government: Ministerial Code of Conduct ................................................................. 16288
Solomon Islands ......................................................................................................................... 16288
Housing: First Home Owners Scheme ...................................................................................... 16289
Superannuation: Parliamentary Scheme .................................................................................. 16290
Social Welfare: Rent Assistance ................................................................................................ 16292
Human Rights: China .................................................................................................................. 16293
Health Insurance ....................................................................................................................... 16294
Economy: Fiscal Policy ............................................................................................................. 16295
Trade: Live Animal Exports ...................................................................................................... 16296
Health: Tough on Drugs Strategy ............................................................................................. 16298
Trade: Live Animal Exports ...................................................................................................... 16299
Fisheries: Southern Bluefin Tuna ............................................................................................. 16300
Questions Without Notice: Additional Answers—
Telstra: Email Services .............................................................................................................. 16301
Information Technology: Tasmania ............................................................................................ 16302
Education, Science and Training: Roam Consulting—
Return to Order .......................................................................................................................... 16302
Questions Without Notice: Take Note of Answers—
Answers to Questions .................................................................................................................. 16303
Superannuation: Parliamentary Scheme .................................................................................. 16308
Condolences—
Cairns, Hon. James (Jim) Ford .................................................................................................. 16309
Insurance: Medical Indemnity—
Return to Order .......................................................................................................................... 16329
Petitions—
Trade: Free Trade Agreements ................................................................................................. 16333
Notices—
Withdrawal .................................................................................................................................. 16333
Presentation ................................................................................................................................. 16333
Business—
Postponement ............................................................................................................................ 16337
Trade: Live Animal Exports—
Return to Order .......................................................................................................................... 16337
B’nai B’rith .................................................................................................................................. 16338
Ebadi, Ms Shirin: Nobel Peace Prize ............................................................................................ 16338
Committees—
Foreign Affairs, Defence and Trade References Committee—
Extension of Time ....................................................................................................................... 16339
Extension of Time ........................................................................................................................ 16339
SBS Insight Program ......................................................................................................... 16339
Human Rights: Colombia .................................................................................................. 16339
Poverty ............................................................................................................................... 16340
Committees—
  ASIO, ASIS and DSD Committee—Meeting............................................................... 16340
Matters of Urgency—
  Environment: Alternative Fuels.................................................................................... 16341
Documents—
  Joint House Department ............................................................................................... 16352
Committees—
  Environment, Communications, Information Technology and the Arts References
    Committee—Report ................................................................................................... 16352
Petroleum (Submerged Lands) Amendment Bill 2003 ...................................................... 16352
Offshore Petroleum (Safety Levies) Bill 2003—
  First Reading ................................................................................................................ 16353
  Second Reading ............................................................................................................ 16353
Farm Household Support Amendment Bill 2003—
  First Reading ................................................................................................................ 16357
  Second Reading ............................................................................................................ 16357
Superannuation (Government Co-contribution for Low Income Earners) Bill 2003—
  Consideration of House of Representatives Message ................................................... 16359
Education, Science And Training: Roam Consulting—
  Return to Order ............................................................................................................. 16359
Documents—
  Australia-Indonesia Institute: Annual Report .............................................................. 16360
  Consideration ................................................................................................................ 16360
Adjournment—
  Queensland Department of Families ............................................................................ 16361
  Nuclear Testing: South Australia .................................................................................. 16364
  Environment: Alternative Fuels .................................................................................... 16365
  Indonesia: Terrorist Attacks ......................................................................................... 16368
  Shenman, Mr George .................................................................................................... 16370
  Lifeline Australia ........................................................................................................... 16372
  Military Detention: Australian Citizens ........................................................................ 16373
  Middle East: Israeli-Palestinian Conflict ...................................................................... 16375
  Whyalla Career Employment Group ............................................................................. 16377
  Family and Community Services .................................................................................. 16379
  Veterans: Health Services .............................................................................................. 16381
  Scouts Australia ............................................................................................................. 16383
  Military Detention: Australian Citizens ........................................................................ 16385
  Poverty ............................................................................................................................. 16387
  Trade: Live Animal Exports ......................................................................................... 16389
  Trade: Live Animal Exports ......................................................................................... 16393
Documents—
  Tabling .......................................................................................................................... 16395
Questions on Notice—
  Western Australia: Regional Solutions Program—(Question Nos 1550 and 1551) .... 16397
  Immigration: Detention Centres—(Question No. 1642) ............................................. 16427
CONTENTS—continued

New South Wales: South East Packaging Operation, Moruya—(Question No. 1691) .......................................................................................................................................................................................................................... 16434
New South Wales: South East Packaging Operation, Moruya—(Question No. 1692) .......................................................................................................................................................................................................................... 16435
Australian Defence Force: Cadets—(Question No. 1831) .......................................................................................................................................................................................................................... 16435
Defence: Point Nepean—(Question No. 1870) .......................................................................................................................................................................................................................... 16437
Defence: Properties—(Question No. 1962) .......................................................................................................................................................................................................................... 16437
Defence: Properties—(Question No. 1963) .......................................................................................................................................................................................................................... 16438
Environment: Flora for Fauna Project—(Question No. 2011) .......................................................................................................................................................................................................................... 16438
Solomon Islands: Indo-Pacific Bottlenose Dolphins—(Question No. 2014) .......................................................................................................................................................................................................................... 16439
Defence: Institute of Public Affairs—(Question No. 2038) .......................................................................................................................................................................................................................... 16439
Employment and Workplace Relations: Institute of Public Affairs—(Question No. 2041) .......................................................................................................................................................................................................................... 16440
Australian Federal Police: Family Home Raid—(Question No. 2106) .......................................................................................................................................................................................................................... 16441
Environment: Private Forest Reserve Program—(Question No. 2111) .......................................................................................................................................................................................................................... 16441
The PRESIDENT (Senator the Hon. Paul Calvert) took the chair at 12.30 p.m., and read prayers.

BUSINESS

Consideration of Legislation

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (12.31 p.m.)—I move:

That the provisions of paragraphs (5), (6) and (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Petroleum (Submerged Lands) Amendment Bill 2003

Senator BROWN (Tasmania) (12.31 p.m.)—This is a motion to exempt from the cut-off the Petroleum (Submerged Lands) Amendment Bill 2003 and the Offshore Petroleum (Safety Levies) Bill 2003, and I make my standard objection. They should have been listed for debate here in time so that the cut-off did not need to apply. The government’s urgency argument does not apply. We have, in fact, got them on the list for today. Even if the government sees them as machinery bills—and they are more than that—it ought to be getting the bills listed on time. It is a reflection not on the staff of the bureaucracy but on the minister involved that the request has been made to debate these matters without allowing a suitable amount of time for senators to contact constituents and allow the cut-off exemption. There is no justification for it and I object to it.

Question agreed to.

PARLIAMENTARY ZONE

Approval of Works

Senator IAN CAMPBELL (Western Australia—Manager of Government Business in the Senate) (12.32 p.m.)—I move:

That, on Thursday, 16 October 2003, the sitting of the Senate shall be suspended from 10.30 am to 2 pm, to enable senators to attend a National Remembrance Service honouring the victims of the terrorist attacks in Bali.

Question agreed to.

FAMILY ASSISTANCE LEGISLATION AMENDMENT (EXTENSION OF TIME LIMITS) BILL 2003

In Committee

Consideration resumed from 13 October.

The CHAIRMAN—The committee is considering amendments (R2) and (R5) on revised sheet 3115, moved by Senator Greig. The question is that the amendments be agreed to.

Senator HARRIS (Queensland) (12.33 p.m.)—When we suspended consideration of these amendments last night, I was speaking in relation to the Democrat amendments (R2) and (R5). I would like to bring us back to the context of the debate. The Democrat amendments move towards ensuring that the department clearly communicates to those people who find themselves in the situation of having received an overpayment that they need to enter into a process to repay that overpayment. The situation that we generally find, unfortunately, is one that would appear to be somewhat dominated by the department pressuring people to make final and
complete settlement of that debt within one calendar month, and certain processes are used to achieve that. They are not, in some cases, limited to having collection agents knock on people’s doors. One Nation believes that there is a process that already exists within the department, and this process is set out very clearly. It is that process that I was speaking about last night.

I will refer briefly back to the document that sets out this process. It is a departmental document that is prepared and used by recovery staff in area recovery teams. It is also used by customer services officers in customer service centres, so it is clearly a process that the recovery team is supposed to follow. It is also a document that is available to the departmental staff in their customer service centres for guidance. I will briefly go through the steps that are set out. Step 1 is when an overpayment has been identified. The department is required to put the question: will the customer agree to make a full refund on the due date? If they say yes, they go to the completion statement, which is step 10. However, if the person says no, the department goes to step 2. The step 2 question is: will the customer finalise the account within 14 days of the due date? If the answer is yes, the department is instructed to accept the offer and then go to step 10. If the answer to step 2 is no, the department puts the next question: will the customer make a partial lump sum payment now? If the answer is yes, the department then negotiates a lump sum amount and goes to step 4. If the answer is no, they are advised to ask the customer if they are expecting any money—that is, a tax refund—and, if they are, to include that in the negotiations.

So the instruction is clearly there already for the department to advise the person that possibly their tax return could be used as part of offsetting this overpayment. If the answer is no, the department is instructed to go to step 4. The question in step 4 is: is it legal to recover this type of account from the customer’s current payments? In other words, it refers to the withholding table. That question is put to the person. The next question is: is it possible for the person to repay the overpayment out of the existing payment that they are receiving? Again, if the answer is yes, they move to the next question. If the customer has different types of account, an SSA or an ANTSFA, and they are receiving Abstudy or an AIC payment, withholdings cannot be deducted due to legislative restriction. The department has the information at its fingertips to clearly let these people know.

In relation to question 4, if it is not possible to recover it from their current payment, the department should move on to step 5. The question in step 5 is: do Centrelink records indicate that the customer has income or investment that could allow them to finalise the account, pay a lump sum or pay more than standard withholdings? Again, if the answer to that is yes, the department is instructed to negotiate an arrangement which takes this information into account. If the customer says no, they do not want to do that, the department is instructed to go to step 6. Step 6 is: advise the customer of the approximate rate of standard withholding and remember to tell them that this may change if their income assets change.

So they are instructed to advise the person what the approximate rate of withholding would be. If the customer indicates they cannot afford the standard withholdings, the department is instructed to go to step 7. Step 7 is: can the customer afford a withholding rate that will recover the account in three months? Again, if the customer says yes, the department is instructed to go into that process, set it out formally and, when the customer agrees, move to the final step, step 10.
However, if the answer is that the person cannot do that, the department is instructed to go to step 8. Step 8 is: obtain information about the customer’s current financial situation, preferably over the phone. They have a reference there to ask about financial information. They are clearly instructed to ascertain over the phone what the person’s current financial state is. If they were to do this, a lot of the problems that we have seen in the past would be resolved. The customer would have the opportunity to tell the department what their particular situation happens to be.

People are then instructed to go to step 9. Step 9 is: negotiate an arrangement that takes the customer’s financial circumstances into consideration and send an OLA or Q246 if required. The instruction to the department is very clear: this whole process should—and I emphasise the word ‘should’—be done in conjunction with the customer. If the customer’s expenses exceed their income and the maximum withholding rate is $10 per fortnight, the next step is: discuss options with the customers, which may include approaching each of their creditors to reduce the amount they pay. The department is instructed to have this discussion with the customer and, if their expenses do currently exceed their incomes, to try to negotiate with whoever their creditors are to slightly reduce those payments to be able to make the restitution back to the department. It is there; it is clear. This is not happening.

Note 2 under step 9 says: if below standard rate withholdings are negotiated, advise the customer this rate can only be accepted for three months before it will be reviewed again. Again, there is a clear instruction to the department that, if they do enter into this form of repayment that is below the normal amount that would be accepted, the customer should be aware that it is only for that short period, three months, before the process should be gone through again. Finally, step 10 says: record the details on document 22.1 documenting the information. If above standard rate withholds are coded, a manual review should be coded for a future withholding rate review.

I know that I am putting a rather complex contribution before the committee, but it is complex because it is the process that the department is instructed to follow. I think the majority of senators would concur that this process is not being followed. This is one of the reasons why we are having this debate today. One Nation believes that the Democrat amendment will reinforce the necessity for the department to follow this process.

One of my reasons for going through this quite lengthy explanation of the steps is that, if people cannot access this process anywhere else, in the future they will be able to access it from the *Hansard*. With that in mind, I will seek the indulgence of the chamber to have this photocopied and circulated and, at a point before we complete this debate, I will seek leave to table this document. In closing, One Nation supports the Democrat amendments because they include the process—and I quote:

‘Add “including the fair instalment repayment options provided for in section 91; and
(fa) that the person must be offered a choice of the methods of recovery specified in section 82”.

These are the options that they ought to be given now. They are departmental procedure. I commend the Democrat amendments to the chamber.

**Senator Patterson** (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (12.46 p.m.)—As honourable senators know, the family tax benefit is part of the tax system. That is probably one of the issues that has been quite difficult for people who have not
been familiar with the tax system, and I can understand that. Pay-as-you-earn taxpayers, whose employers take money out of their income, very rarely get a return, so they are unlike people who have investments or, at the other end of the scale, who are more familiar with dealing with tax underpayments and having to repay them at the end of the year. We are dealing with a group of people—and most of us pay-as-you-earn taxpayers are in that classification—who do not expect to get a debt.

But as we have said before, and as the shadow minister has said, if a debt has been incurred, it ought to be paid and one of the difficulties which we have to deal with is how we make sure that it gets paid in a way that is appropriate. As I have said, this benefit is part of the tax system. Details of the tax offsetting arrangements have been included in various tax and family assistance office publications since its introduction. These include FTB forms and information products produced since July 2000; the 2003 TaxPack; the 2003 FTB tax claim instructions; various communications with tax agents by the ATO, for example tax agent newsletters; a range of family assistance office publications, including the notes attached to the claim form for FTB; maternity allowance and maternity immunisation allowance; family tax benefit and child-care brochures on estimating your income, reconciliation and the checking process; and in the More Help for Families newsletter.

There are a number of reasons why a debt might not be able to be taken from a customer’s tax return—for example, if they have a tax debt. If this is the case, the current debt recovery arrangements for the FTB are flexible. Customers are able to pay their debt off in full, if they can afford to do so. They can repay the debt through withholdings from their fortnightly FTB payments at a rate of either $20 or $40 a fortnight depending on the size of the debt and they can contact Centrelink if, for whatever reason, they are unable to meet these recovery arrangements to arrange a different repayment amount. These options afford customers a great deal of flexibility concerning the repayment of family tax benefit debt.

The amendments the Democrats are suggesting would simply impose an additional administrative burden with no better outcome for customers. I will make a commitment to look at the notices that go to customers to ensure that these options are clear to them and easily understood. I am hoping to meet with Centrelink customers. I have asked the department to set up some meetings with people who have incurred family tax debt to talk to them first-hand about what we could do, because sometimes people at the grassroots level can make suggestions about what we can do more effectively than those of us who sit around here. I intend to ask people how we could better inform them and, if everything goes well, I hope that process can be started on Friday, or at least next week. It is important for me to meet with clients to talk to them and to look at this issue.

We are all in agreement that we would prefer people to have money on a weekly basis. In some ways, you would think maybe it would be better to give it to them all at the end so that they have a windfall, but this is about helping families in their day-to-day living. It is an additional $2 billion a year but it is causing grief because it is very difficult for people to estimate their income. There has to be give and take on both sides. We have to be better at entering data, making sure that when a client gives information to Centrelink it is recorded appropriately and that they can get a receipt for it. There is the commitment I made last night to have a look at the possibility of errors in recording that information. I am told it is very small com-
pared to the overpayments that result from people misjudging their income for the year. We have more choices for families to enable them to have different options of part payment and then having a top-up and there are various options to assist them in dealing with the fact that their incomes may vary over the 12-month period. I would be appreciative if any of my colleagues have suggestions from discussions with clients about the way that we can do it, but it is part of the tax system. I do not think we should make it any more complicated for clients but I do believe that we should inform them more fully.

I note that the proposed amendments do not attempt to change the law as it relates to withholdings from ongoing FTB payments; rather, these amendments could limit the capacity of the family assistance office to enter into an agreed repayment arrangement with the customer. That is another concern I have about the amendments. For those reasons, the government will be opposing them.

Question agreed to.

Senator GREIG (Western Australia) (12.51 p.m.)—by leave—I move Democrat amendments (R3) and (R4):

(R3) Schedule 1, page 4 (after line 6), after item 3, insert:

3C After subsection 77(1)

Insert:

(1A) Where a person does not notify the Secretary of a choice in accordance with paragraph (1)(fa) within 10 working days of receipt of notification of the right to make a choice of repayment method, the secretary may determine the method of repayment.

(R4) Schedule 1, page 4 (after line 6), after item 3, insert:

3D Subsection 82(1)

Before “recoverable”, insert “, subject to the Secretary first offering the person the options outlined in paragraph 77(1)(f).”.

Before speaking to these amendments, I acknowledge and thank the minister for her contribution and certainly her undertaking to review the situation as she has explained to the chamber. If the amendments which have just been passed and which we have just dealt with ultimately do not adhere to the bill and if they are removed in the House of Representatives and not insisted upon by the Senate, the outcome, nonetheless, as advised by the minister, is a good one and I thank her for that. If there is an opportunity for the Democrats to assist her in that process, we would be delighted to do so.

I will speak to the amendments before us in reverse order so they make better sense. Amendment (R4) aims to change the balance so that the families involved in these situations are given a choice as to the method of recovery, rather than this remaining at the discretion of the family assistance office. Amendment (R3) provides that a measure be inserted after subsection 77(1) putting a limit on the time people can take to make that choice. That is self-explanatory. There has been some discussion on this already, and I referred to it at some length in my speech during the second reading debate. I seek chamber support for that.

Senator MARK BISHOP (Western Australia) (12.53 p.m.)—Democrat amendments (R3) and (R4) seek to alter the schedule of periodic instalments in cases where there is no fraud so that repayments are made at no greater than half the rate at which they were originally paid and are repaid over twice the period over which they were originally paid out. Whilst the opposition expresses concern that these amendments will only apply to some forms of repayment and not others, we
nonetheless indicate our support for this amendment in its current form.

Senator HARRIS (Queensland) (12.54 p.m.)—I also rise to support Democrat amendments (R3) and (R4). One Nation is supporting these amendments because, in effect, we would have a person going through a consulting process with the department, which is covered by (R4), and then (R3) binding that person to make the decision within 10 working days. That is a good, sound process. It is one thing to give a person the option to accept a level of payment but, unless we set a time limit by which that person has to make that decision, we could be making things difficult for the department if it is not able to get a completion of that process by the person either accepting or rejecting it. So these two amendments put forward by the Democrats provide for sound procedural processes. One Nation believes that all five of these amendments are necessary both to bring about the process of accountability and to ensure that the department is responsible for the actions that it takes.

I hear what Senator Greig is saying. He is hoping that the government will accept the amendments. One Nation’s position is that—sad as we would be to stop it—the bill should not progress unless these amendments are part of it, although we support what the government is setting out to do in extending the time for a person to make an application for a top-up and also allowing 12 months extra for that to be paid. They are very sound and good amendments put forward by the government. But the essence of this whole process to some degree will be lost if we do not insist on having these changes that have been suggested by the Democrats. They will resolve all of the heartache and pressure currently being put on these people. So One Nation commends not only these two amendments but all five amendments. Hopefully they will be passed. I hope that the chamber will insist upon them should they come back from the House of Representatives. Having said that, I seek leave to table the document that I have circulated to the chamber—Debt recovery manual 4.42: Withholding arrangements.

The TEMPORARY CHAIRMAN (Senator Watson)—Is leave granted for the tabling of the document?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (12.58 p.m.)—No. I am just saying no for the time being so I get an opportunity to speak and then I will say yes. The document that Senator Harris wants to table is a public document. It is on the Internet, I am advised. I am also advised that, with all due respect to Senator Harris, it does not apply to this issue. What we might do is say yes, he can table it because it is a public document, but offer Senator Harris a briefing. I might attend the briefing too so I can understand why the document does not apply to this bill—being a week and two hours old as minister. I would suggest to Senator Harris, through you, Mr Temporary Chairman, that the document pertains to different benefits. But we will sort that out in a briefing and I will attend as well.

Leave granted.

Senator PATTERSON—I want to talk on the amendments. Provided that a customer does not elect a choice within 10 days concerning a repayment option, Centrelink can decide the method of repayment. This will give customers less time to decide on their repayment method than under current administrative arrangements. Currently, if a debt cannot be recovered through a customer’s tax return, the Family Assistance Office writes to the customer and gives the customer 28 days
to contact the Family Assistance Office about repayment arrangements.

The letter advises that the customer can pay the debt off in full if they can afford to do so; repay the debt through withholdings from their fortnightly FTP payments at a rate of either $20 or $40 a fortnight, depending on the size of the debt; or contact Centrelink if, for whatever reason, they are unable to meet these recovery arrangements to arrange a different repayment amount. The existing arrangements are flexible and fair, and for these reasons the government opposes the amendments.

Question agreed to.

Senator MARK BISHOP (Western Australia) (1.00 p.m.)—by leave—I move opposition amendments (1) and (2) on sheet 3116:

(1) Schedule 1, page 4 (after line 6), after item 3, insert:

3E Subsection 87(1)
After “may”, insert “with the prior written consent of the person”.

(2) Schedule 1, page 4 (after line 6), after item 3, insert:

3F At the end of section 87
Add:

(5) Where a person has accrued a debt as a result of deliberate misrepresentation or omission, the Secretary may, without the consent of the person, direct the Commissioner of Taxation to apply the whole or part of the person’s income tax refund to the debt.

These amendments seek to address the government’s clandestine recovery of family assistance debts from family tax returns without consent. Currently when a family accrue a family assistance debt, often without their knowledge, their tax return may be stripped to recover all or part of the overpayment. All of this occurs without warning to hapless families who have been counting on the money for bills, school fees or other necessary household expenditures. Most do not even know they have a debt, let alone know that it may run into thousands and accrue over many years. The government relies on fine print in the TaxPack that says refunds may be used to offset family assistance debts. The truth is that there is not so much as a phone call or a letter before the money is stripped—removed from an individual’s tax return. The Ombudsman has called for an end to this practice, or at least a requirement whereby a family assistance debt may not be recovered from a tax return until a subsequent financial year.

Labor’s amendment (1) will ensure that written consent must be obtained from families before debts are recovered from tax returns. This need not be an administrative burden. The consent could be contained in the TaxPack, in the annual income estimate forms that families are required to fill out or at the time of an original claim. This amendment will apply only to families who are continuing customers and will give them some choice as to whether debts are recovered directly from tax returns or as a deduction from their future benefits. Labor’s amendment (2) will provide some limited discretion for the recovery of debts from tax returns without consent if the secretary is satisfied that the overpayment occurred due to a deliberate misrepresentation of circumstances by the recipient. There is little cost associated with this amendment.

I note that the new minister has said publicly that she is keen to be more sensitive in the collection of debts. Here is an opportunity for her to show that those words on ABC radio were not empty words. I likewise counsel Nationals senators that the new target voters, Peter and Lindy, are the very people who are getting their tax returns stripped each year under the current system. For this
reason I urge all senators to support the amendments circulated by the opposition.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.03 p.m.)—
The amendments would only allow tax offsetting to occur where the customer has provided written consent. As I have said before, family tax benefit is part of the tax system and assessed on adjustable taxable income. Senator Bishop has indicated that I said I would look at these issues, and I am looking at them. But this does not mean that I do not think it appropriate that, as the family tax benefit is part of the tax system, when a person has a repayment due from the tax office any overpayment in their family tax benefit is taken out of that.

As I said in my previous comments, I want to make sure that people are as fully informed as possible but I think that sometimes we are all a bit lax. When I get my Bankcard conditions I tend to throw them in the garbage bin. I think a lot of people do that. Sometimes when you get a whole lot of guff from government you may not read it carefully. I want to look at how we can highlight and make people very aware of the fact that this is part of the tax system and, like other entitlements available through the tax system—and it is called the family tax benefit—it is reconciled at the end of the tax year as part of the annual tax assessment process.

It is no different from somebody having had an income from a small share investment, for example, on which they have not paid tax, where there is a reconciliation at the end of the year and they have to pay their debt back. In this case they have had an assessment of their income which has not been correct and have therefore been in receipt of payments during the year which are greater than those made to somebody else on a similar income. It is no secret. It was an original feature of the legislation which went before parliament and it has been clearly articulated. As I have said, a number of communications go out to clients but I want to make sure that we are doing the best we possibly can. Details of the offsetting arrangements have been included in various tax publications. When I was talking about the previous amendments I mentioned the various ways in which these arrangements have been notified; I will not reiterate them.

I have been advised that the opposition amendments could cost $70 million per year. That should be factored into the opposition’s proposals for what looks like their spending spree. It was $25 million yesterday. Every time I turn around, the opposition has another policy with a bit more spend on it. We will be back into a $10 billion black hole with interest rates going up and employment going down; we will be back to where we were six years ago.

I am concerned about the fact that we have opposed a number of the amendments that have been put forward. The legislation will of course go back to the House of Representatives and come back here, but I remind honourable senators that this could delay the passage of this bill to a point where people will not get their top-ups before Christmas. You need to think about that carefully. We had hoped that we would get this through and be able to move on with this issue. I remind honourable senators that a delay, going back to the House and then coming back here, could mean that we cannot implement parts of the bill that we have put forward in a timely manner.

Senator MARK BISHOP (Western Australia) (1.07 p.m.)—I want to ask the minister a couple of questions arising out of her advice, and I thank her for her advice. The minister responded that, if passed in their
current form, the opposition amendments before the chair would be a cost to revenue of $70 million per annum. When I look at the two amendments, the principal amendment goes to the prior written consent of the person affected and the second amendment is essentially a minor amendment which goes to recovery of moneys where there has been deliberate misrepresentation or omission—that is, fraud. From responses to Senator Vanstone over the last two or three years at estimates, we know the exact quantum of instances of fraud and recovery, and they have nothing to do with that figure of $70 million. As a matter of logic, that means the question of cost to revenue of $70 million arises from ALP amendment (1). My question to the minister is: how is that figure of $70 million calculated? What variables are involved? Would the minister advise us as to when that figure was calculated. It was not advised to the opposition in any of the negotiations in the lead-up to this discussion in the Senate.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.08 p.m.)—I am just thinking on my feet here. I will have a go at it; I will fly a kite. I do not know whether the opposition is going to be pretty happy with this. Obviously this bill is going to come back again. I do not know—and it would be an administrative cost to do this—whether people should have to sign some form to say that they understand that, if there is an overpayment of their family tax benefit, and if they have a positive in their tax return and the tax office is in debt to them, it could be taken out of their tax refund. That would be an administrative cost. That might be one way of making sure they understand, but it would be an enormous cost. I am just saying that I will have a look at that but I think it could be an enormous administrative task.

The issue with the amendments that the Labor Party have put forward is that there is in administrative cost in the first instance of getting people to sign. There will be some people who will say, ‘No, I do not want it taken out.’ You will then have a situation where the tax office cannot offset the overpayments with the fact that a person is owed a rebate from the tax office from their income tax but has had an overpayment in their family tax benefit. By that person not having that taken out or used to pay their debt, the tax office then has to wear a debt while that person pays it off. There is a public debt interest cost for that because, instead of being able to offset it against the debt that the person has, that person might choose to pay it off. As I have said, they have options; but, even if the option is for $20 or $40, depending on the level of debt, it takes time for that. The Commonwealth wears that debt during that time and there is an interest associated with that debt. We would have money that we would not otherwise have had in our current budget. So the estimate is that it would be about $70 million. You can question that estimate of how many people will sign on to having their tax rebate used to pay back their FTB debt. That is a judgment, but that is the estimate the department has given me.

Senator MARK BISHOP (Western Australia) (1.11 p.m.)—You say that that figure of $70 million per annum has three principal contributory aspects: firstly, getting consumers to sign the necessary authority; secondly, the fact that when persons refuse to sign the necessary authority, the ATO cannot offset the tax payment and then presumably they have to go through a more cumbersome procedure to recover the debt; and, thirdly, the public debt interest costs. Those three aspects amount to a figure of $70 million per annum. Is that correct, or is there something else that we have missed?
Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.12 p.m.)—I am advised that the first amendment will have an administrative cost. That is fairly simple to understand: you have to get people to sign the thing and you have to register that they have signed that they do not want to have their rebate included to offset their family tax benefit debt. What I was suggesting was that to somehow have everyone informed would have an even bigger administrative cost. That is why I was saying it was flying a kite: it is most probably not possible because it would fly away in terms of the cost of administration. But I am desperately trying to think how you actually inform people and help them to understand the tax system better when many of them have not been experienced in the workings of the tax system.

I am advised that there were some preliminary estimations done by Treasury about the second amendment, which I think is your fifth amendment, or the one that we are discussing here anyway about people not offsetting their family tax benefit through their rebate. They have estimated how many people would choose not to have their rebate used to offset their family tax benefit overpayment. If they do that and it then has to be repaid over time, the government wears that debt. Money does not come out of nowhere. We have interest on that debt. The estimated cost by Treasury of wearing that debt for that period of time, given a preliminary estimate of how many people they think would say, ‘We do not want to offset’—and, as I said, that is their assumption in this—is $70 million per year.

Senator MARK BISHOP (Western Australia) (1.14 p.m.)—Let us bed that down then. When you first answered the question, you said there were three aspects of the $70 million: getting people to sign, the fact that the ATO can offset tax payment and the fact that the ATO wears the debt of the public debt interest cost. You just said then as you were concluding that the $70 million was the third point. Can you give me the break-up of the $70 million into the three subsets so that we know which is significant and which is not?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.14 p.m.)—I want to correct what I said. The issue is with amendment (1) on sheet 3116, where it says ‘may’ and ‘with the prior written consent of the person’. I do not think we are connecting on this issue. The Treasury has estimated that, if you take the number of people who choose not to offset their FTB debt with their rebate—

Senator Mark Bishop—Not signing.

Senator PATTERSON—They do not sign. They say, ‘I don’t want to offset my rebate; I want my rebate and I want to pay back my debt some other way’—$20 or $40 a week, or some of the other combinations we have for choices. If that occurs—and they have estimated how many people they think would make that choice— it would mean that there would be people who are paying their debt off over a period of time. That is a cost to the Commonwealth; the Treasury has estimated it as a cost of $70 million a year.

Senator MARK BISHOP (Western Australia) (1.16 p.m.)—How many people would choose not to offset, in Treasury’s estimate?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.16 p.m.)—Treasury’s estimate is 80 per cent.
Senator MARK BISHOP (Western Australia) (1.16 p.m.)—That is 80 per cent of what figure?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.16 p.m.)—That is 80 per cent of the people who incur a debt and have a tax rebate.

Senator MARK BISHOP (Western Australia) (1.16 p.m.)—We know that figure, from estimates, is something in the order of 700,000, so we are talking about 80 per cent of 700,000 people who carry the debt?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.16 p.m.)—I am advised that it is not 80 per cent of the 700,000; it is 80 per cent of the people who have a debt and who have a rebate in the tax system.

Senator MARK BISHOP (Western Australia) (1.17 p.m.)—It is 80 per cent of the people who have a debt and a rebate owing to them?

Senator Patterson—Yes.

Senator MARK BISHOP—Okay, I understand that. We know the answer to that question. The next question is: does that $70 million of the public debt interest cost roll over from year to year? Let me ask the question a different way: if you are going from year 1 to year 2 to year 3 and the debt is not repaid, does the public debt interest cost compound in year 2, year 3, year 4—until the debt is negatived?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.18 p.m.)—I will just go back to that previous answer. There seems to be a bit of doubt. I have here something from Treasury and something from our department, and there seems to be a question about what the 80 per cent is of. I do not think I have sufficient detail here. You are going to oppose this bill anyway, I presume; we are opposing your amendment. I think it would be better if I get some more detail, because I do not want to mislead the Senate. When we come back on this we can go through it. I am new at this game. This is very detailed. It is a Treasury estimate; it is not an estimate that we did in our department. I will reserve my comment on the previous comment about what it was 80 per cent of, because there seems to be a little bit of disparity between the advice I am being given by Treasury and the advice I am being given by my department.

I can understand that it is quite complicated. It is an assessment. You know and I know that some people choose not to do that. It will be a judgment about how many. But whatever, whoever and however many, there will be a cost. What I am telling you is that there will be a cost somewhere between zero and $70 million, and that is of concern to us. I am not prepared to sign off on amendments that will have the possibility of having an annual cost at that level. There are a lot of other things I could spend that money on for people who are desperately in need.

We always have to remember that these are people who have received an overpayment because they have not been able to judge what their income is going to be, and they have underestimated their income. They are people who have had more money throughout the year than other people on exactly the same income who have been able to assess their income accurately. We always have to go back to that premise about it being fair. It is tough to ask people to estimate their income, and I am going to look at how we can streamline that—what we can do to assist them. But, short of not giving them
money until the end of the year, there will always be situations. You in Labor had it when you had a family allowance, but you did not give them a top-up. If they made an error and got underpaid, they did not get a reconciliation in the positive. At least we have that system, which I think is tremendous. But there is a problem with people who underestimate their income and receive a family benefit over the year that is larger than the benefit someone else receives on a similar income. When they have a rebate in their tax payments, why should they then impose a debt on the Commonwealth—and have it extended—because they have been in receipt of a larger payment than somebody else on the same income? It just does not seem logical to me. It seems that, because it is within the tax system, the important thing is to inform them and help them to better understand how the tax system works and to be more able to predict their income more accurately.

Senator MARK BISHOP (Western Australia) (1.21 p.m.)—I thank the minister for her response. It would probably be useful to bring this debate to an exact point. This debate was occasioned because the minister, in response to ALP amendments (1) and (2), said that the reason the government was opposing ALP amendments was the cost, and the minister identified the cost as $70 million per annum. Under questioning, the minister gave three subsets of that cost of $70 million. We then asked the minister how many people would choose to offset, in Treasury’s estimates, and we know the answer to that question already, because every three or four months for the last three years I have asked that question of officials of the department at estimates. So we know how many FTB debts are going forward every year. Now we are told by the minister that the cost is somewhere between zero and $70 million, so it has changed. It could be zero, and it could be $70 million.

Senator Patterson—It won’t be zero.

Senator MARK BISHOP—Well, you said between zero and $70 million—coming from an initial position of $70 million. My question still is: are the figures supplied by FaCS the same figures that Treasury is advising you of now? If they are different figures, what is the answer to the question as to how many people would choose not to offset, in Treasury’s estimate? You said 80 per cent. I am asking: 80 per cent of what figure?

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.23 p.m.)—I do not know whether Senator Bishop was listening or not. I said that there seems to be a bit of disparity as to what the 80 per cent relates to. I need to go back and clarify that. When I said that there was a cost between nought and $70 million, I meant that there will be a cost. You can guarantee that not 100 per cent of people will choose to offset their FTB overpayment with their tax rebate; there will be a percentage. That is a guessimate; nobody can know what people will choose. We do not know how many people would choose, if that amendment went through, to not offset their tax rebate against their family tax benefit debt if they had been in receipt of an overpayment. Any number of people will have a cost associated, because the government will have to bear that debt over a longer period of time, because they will be repaying it over time rather than taking a lump sum from their tax rebate. There are estimates—which I will get before we bring this bill back again—and details of how those have been calculated. You can most probably work out what it will be if 50 per cent do it and what it will be if 70 per cent do it.

Senator Mark Bishop—All right then—
**Senator PATTERSON**—I am still on my feet. I know you are anxious. I am anxious to go back for a break before we start question time—and I do not think we are going to be able to do that. I will ask the department if they can look at what it will be if it is 50 per cent or if it is 80 per cent. Somewhere between zero—and that is very unlikely—and 100 per cent will choose not to use their tax rebate to offset their family tax overpayment. It will be somewhere in between. You would need a crystal ball. What we are trying to do is estimate it. You can bet your bottom dollar that there will be a significant number of people who choose to go with the amendment here—who will choose not to have their tax rebate offset—and therefore will incur a debt.

Why should they, because it is in the tax system, incur a debt and have that debt extended over a period of time, when there are other people who have the same income who do not have a debt and who are therefore treated unfairly? There is an amount of money—the estimate is anything up to $70 million a year—which could very well be spent in other ways. There are enormous demands on this portfolio, as I have discovered in this very long week. It seems to me unacceptable that you have a rebate due to you when you have had an FTB overpayment. We are opposing it not just because of the cost. That is one of the factors. I can tell you that there is a cost involved. It would be wrong for me not to say that there will be a cost associated with this amendment. It is very difficult to estimate that cost, but there will be a cost.

The reason we are opposing it is that it is inconsistent with the family tax benefit being part of the tax system. As I said, the costs were preliminary—because we have only just got these amendments and made a preliminary assessment of what the costs would be—and are subject to further analysis. But there will be costs with the amendment, because the ATO will pay more in tax refunds and have a debt for a longer period of time. So the reason we are opposing it is that it is inconsistent with the family tax benefit being part of the tax system. But you need to be aware that your amendment has a cost associated with it, and we have done some preliminary costings of that. But that is not the only reason we oppose this amendment. The primary reason is that it is part of the tax system.

**Senator MARK BISHOP** (Western Australia) (1.27 p.m.)—I thank the minister for her response. The response begs an obvious question. At the beginning of each financial year, every recipient of FTB has to put in a renewal form which states their estimated income for the year, to receive the FTB on a fortnightly basis. My understanding is that each person who submits the form has to sign the form. Would it not be a simple administrative matter to add an extra paragraph or question authorising deductions for the individual from an approved bank account if there should be an overpayment made and a debt created in that period? That way, there would be no additional administrative costs. Alternatively, that paragraph or question could be put into the system when the person first applies for the FTB or the CCB as relevant. It could be at either inception or annual renewal time, if the relevant paragraphs are in the form. If the person signed that, it seems to me that there would be somewhere between zero and minimal additional administrative costs. So to that extent this argument about administrative costs of somewhere between zero and $70 million appears to be somewhat hollow.

I just put that on the table for the minister to perhaps respond to. But I still have not had a response to my original question going to the issue of the calculation of the public interest debt and whether that $70 million, as
it grows from year 1 to year 2 to year 3, has a compounding cost in the out years—year 2, year 3 and year 4—that causes the debt to grow.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.29 p.m.)—Let me just say very clearly that the estimation that we gave you was not about the administrative costs; it was separate. What you said, Senator Bishop, was a bit confusing, because you were talking about taking money out of people’s bank accounts. I lost you on that point. If you want a question on the form to be: ‘If you receive an overpayment of the family tax benefit and you are eligible for a rebate, do you want to use that rebate to pay off your overpayment of the family tax benefit?’—which is what you are saying in the first part of the amendment—there would still be an administrative cost. But that $70 million is not about the administrative costs; it is quite separate. There would be an administrative cost in asking people whether they want their FTB paid for with their tax payment.

We are opposing it because this is absolutely one and the same system: I happen to have a tax rebate and I happen to have a family tax benefit which has been overpaid, and one offsets the other. It is as though—I think; I am not a tax expert—my boss was not taking enough money out of my income and I suddenly found I was facing a debt.

Senator Mark Bishop—You don’t take it out of my tax return, do you? You send me a bill; you don’t just take it.

Senator PATTERSON—Senator Bishop, I am not a tax expert, but I think I most probably have a better grasp of it than you have at this stage. What I am saying is that it is a system within which you could underpay the tax office because your boss did not take enough out of your income. This happened to me once when I was a typist—the boss did not take enough out of my income and I suddenly found I was facing a debt.

Senator Mark Bishop—But if you have a debt, they prosecute you.

Senator PATTERSON—No, if I have a debt, I can pay it back. They would not prosecute me in court.

Senator Mark Bishop—If you don’t pay it back—

The TEMPORARY CHAIRMAN—Order! Senator Bishop, you will have another opportunity in a moment.

Senator PATTERSON—That is not the issue we are talking about. We are talking about a closed system, where if I do not have enough tax taken out of my income and I have tax deductible items, the two offset each other. I might not have to pay anything because my tax deductible claims might cover the fact that my boss took too little out of my income. These are two separate processes, but they are reconciled at the end of the year in the tax process. These are two processes—the family tax benefit and the assessment of income, whether it be from work, shares, a real estate investment or whatever. At the end of the year they are reconciled. I and other taxpayers do not get a choice to repay debts and not have them offset; our tax deductible items and the tax that was taken out of our incomes are automatically offset. If too little tax was taken out of our incomes, we could not say, ‘I made all these donations. I’d like to have my tax rebate and I will pay back the cost of my boss not taking enough tax out of my income.’
other. It is what happens in the taxation system. When the legislation went through that was quite clear.

We most probably need to explain that more clearly, especially to people—as I have said—who are not used to dealing with the Taxation Office, who have a pay-as-you-earn situation where the right amount is taken out and they rarely have a rebate or anything to pay. They are not dealing with the tax office often because they fill in a tax return and there is no rebate because they have no claims or very small claims and they get a very small rebate. People who are at the other end, who have investments and are dealing with the tax office all the time, understand much more clearly and have much more experience of having a debt because they have not paid all their tax at the end of the year; there is a reconciliation.

With regard to your suggestion, Senator Bishop, of taking it out of people’s bank accounts, I really need to go back and look at the Hansard because I do not know what you are talking about. I think what you were trying to say to me was that, if this amendment were to get up, in the beginning of the year when they fill in the form that information should be there so they can make a choice. We are opposing it because it is a part of the tax system. People who underestimate their income can receive a tax benefit in excess of what they should have, compared with people on a similar income. If they have a rebate, it means that they, for some reason, have claims—whether they are occupational claims or claims for gifts, donations or whatever. It is part of the tax system, and that should offset the debt that they have incurred in the other part of the tax system. There really ought not to be a choice. That is part of reconciling tax at the end of the year. If those two do not balance out and you still end up with a debt then there are various ways of paying it back.

If we were to accept your amendment, there would be a cost, over and above the administrative cost, of wearing the debt for a longer period of time. I do not know whether it compounds; I suspect it would compound if they do not pay it back, but I am not a tax expert and I do not pretend to be. I have had to learn to be an expert in a lot of areas, as we all have here. When we come back to debate this again, we will give you the estimates and you can make a guess. You can say: ‘If it is 25 per cent, 50 per cent or 80 per cent, here are the costs.’ It would be somewhere in between those figures. I do not know what it would be; I do not think anybody knows what people would choose to do. You can see what your amendment would cost. The cost is not the prime reason for opposing your amendment, but you need to know that there is a cost involved in your amendment. There are estimates of that cost. You would only know at the end of a 12-month period, when you knew how many people had chosen not to offset their FTB with their tax rebate, how much it would be.

I do not think that I would want to be in the position of having to live with that. Those people who have money owed to them by the Taxation Office in one system but who owe money to the Taxation Office in another system would cause a cost—and we do not know what that will be—that could be better spent in other areas in a situation where they are getting benefit over and above people on a similar income. We always have to go back to that. We are saying that there are two families with the same level of income: family A have been able to estimate their income for the year, have had the appropriate payments and have no debt at the end, but family B, who for various reasons have not been able to estimate their income and have received more than family A, have to reconcile at the end of the year so
Senator MARK BISHOP (Western Australia) (1.37 p.m.)—Thank you, Minister, for that lengthy response. Just to make it clear that we are talking about the same thing, I ask the minister to take on notice to ask both the Department of Family and Community Services and the Department of the Treasury to provide full details in writing to the committee as to how the figure of $70 million was calculated, what if anything involves a compounding effect as interest accrues from year to year and what part, if any, of the $70 million from year to year takes into account any debts that the Commonwealth might choose to write off from year to year on behalf of consumers. It would be appreciated if the minister could provide that in writing to the committee. If there has been any modelling done on the question of how the figure of up to $70 million was calculated, it would be appreciated if that modelling could also be provided in writing to the committee. I make those requests of the minister.

I will just respond to the point that the minister correctly identified as the central issue in this discussion. The minister put the case that two sets of families are being treated differently: one particular family that have a debt through inadequate, improper or nondisclosure of facts to the department receives a benefit compared with a family that puts in the form correctly, amends it correctly and receives the correct amount from year to year. The minister draws the conclusion that the families are being treated differently and that the Commonwealth has an obligation to recover the differential from the family who were improperly advantaged by the system. That is the core of her debate. It is the core position of the government, of this minister and of the previous minister.

Our position is that the incursion by the department into future benefits is what we refer to as ‘stripping’, and we regard that as improper because the debt has been created by the system. As far as the opposition is concerned, if a person in this chamber receives income from any means, all of that income should be disclosed and the appropriate amount of tax paid. For example, if I have income from my position as a politician and I also receive dividends from share interests, interest from a bank account or proceeds from the sale of property, that income should be disclosed and the appropriate tax paid. If the income from some or all of those sources is not disclosed, the only avenue that the ATO has to recover unpaid tax is to (1) seek negotiations with me as the taxpayer, (2) issue a notice or (3) if I refuse to pay the debt prosecute me in the appropriate court of law to recover the unpaid tax.

We are simply saying that, if that process is good enough for persons who have income from property or income from a range of sources and who have fraudulently or improperly taken advantage of the system by not disclosing their income and have incurred a debt and the ATO goes through the system to recover that debt, that process should apply in the social security system. You cannot do an offset.

Senator Patterson interjecting—

Senator MARK BISHOP—It is family and community services. You can label it as being under the taxation system, but it is a social security payment being made to people who are entitled to receive it. You are seeking to take, essentially, benefits paid under legislation. We say that the system of recovery should be the same as for those who do not pay the appropriate amount of tax on a range of other benefits—that is, through the courts or through the legal system, not by simply plundering future benefits.
to be paid under the system. That is the rebuttal of the position that the minister put.

Senator HARRIS (Queensland) (1.42 p.m.)—I would like to address a couple of issues that the minister has raised. The first thing is that the minister is focusing on injustice. As she explained, a family with a set income is successful in determining what their income would be, there is no top-up payment to apply for and no overpayment to be repaid, but because there are people who do get it wrong and who do underestimate their income, the minister has said that there is an injustice to the family that was accurate in determining what their income would be. One Nation disagrees with the minister. There is not an injustice, because the family that has incorrectly assessed their income will pay back that money. So the argument of injustice between two families having the same income is not based on the outcome. The second thing is that it was the government that brought in this process of asking people to forward project their income. The amendments that have been successful so far will go a long way to ensuring that, if those people have incorrectly assessed their income, they will be given a series of options on how to pay that back. One Nation believes that is the right process to correct that anomaly.

The other issue that the minister raised was the fact that, if these amendments are passed, we may put in jeopardy people being able to access their lump sum top-up before Christmas. We have the remainder of this sitting week; we have a week in which neither house sits for the departments and the government to assess the amendments; and we come back on the week of 27 October for another sitting week. This would give a reasonable amount of time (a) to assess the amendments and (b) for the government to bring them back to the chamber. That still leaves us eight weeks before Christmas for the department to administer the legislation as amended. I believe Senator Patterson’s comment that passing the amendments may jeopardise people’s ability to obtain the top-up payment is incorrect. I know that every senator in this chamber would work very diligently with the government to ensure the passage of the legislation as amended should the government be prepared to bring it quickly back through this chamber.

I believe the amended bill should definitely gain passage through both houses because it achieves what the government is setting out to do. It will allow those people who, unfortunately, were locked out and unable to apply for a top-up payment, if they had actually overestimated their income and not received their full benefit, to be paid. The amendments that have been put through the chamber will make the department far more accountable in the process and in the way in which it makes those assessments. Those people who are unfortunate enough to inaccurately project their income will be given twice the amount of time to repay the debt that they have incurred involuntarily. One Nation commends both the amendments and the eventual amended bill not only to this chamber but also to the government.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.47 p.m.)—In response to Senator Harris, sometimes things are not as simple as they seem. I have just been advised that, once the legislation has been passed, Centrelink would have to write to all of the 2001-02 FTB customers who received fortnightly payments but who missed out on the top-up because they lodged too late, advising them that they will receive a top-up payment. Similarly, Centrelink would have to write to all customers who lodged lump sum claims with Centrelink for 2001-02 but who were ineligible for
payment as they lodged their claims late. The ATO would also have to contact tax agents and accountants, advising them of the proposed changes, and the Australian Taxation Office would work with tax agents and consultative groups to explore other ways of effectively assisting accountants and tax agents.

It might be that the Senate comes back eight weeks before Christmas, but all of this process has to take place. In addition, there have to be systems changes between Centrelink and the ATO put in place, and this cannot occur until the legislation has been passed. So it is not just a simple matter of the legislation going through and therefore tomorrow we will start helping people who were not able to make those claims because they did not lodge their tax returns on time. There is a whole process that has to go on as a result of the legislation. What might seem very simple to Senator Harris is not as simple as it seems.

The delay, I believe, will mean that people who are entitled to top-ups will not be able to receive them before Christmas. But that is fine—that is what I will tell people when they do not get their top-ups. I will tell them that, because we wanted to address this issue, which did concern us—and the legislation was very positive for people who lodged their tax returns late—now it has become complex and more costly because of these amendments and maybe it will be delayed for a very long time because the amendments do not fit with the concept of its being part of the tax system.

Senator Bishop said—and I will stand corrected if this is not correct—that someone may say, ‘I’ve had an FTB overpayment and I do not want my rebate to pay it off. I may decide to pay it in a lump sum or I may pay it in some other combination, which may be a part lump sum payment.’ If in some way they do not do that, then they go to court—just like everyone else who fails to pay their tax if they have underestimated their income for a year. That is basically what happens. If I underestimate my income and squirrel some of it away and the tax office finds out, they will come after me. If I do not want to pay it, Senator Bishop is saying, ‘Go to court.’

I think that a whole lot of people who get the family tax benefit will be very interested to know that the Labor Party’s policy is not to assist them in paying this debt, not to work with them in using their offset—and that is exactly how it happens if I fail to put in my income tax from last year. I know there was a previous Prime Minister who was very tardy in getting his tax returns in because he was so busy being Prime Minister. Mr Keating did not get his tax returns in. If a person has a rebate one year and in the next year—because he put both tax returns in at the same time—he has a debt, the tax office do not say, ‘We will give you the rebate for the first year and you can pay off the debt for the second year.’ They reconcile it and say, ‘This is what you owe.’ They have not got a choice; they reconcile the tax system. It beggars belief that people on the other side do not understand that.

Senator Mark Bishop—What about same-year tax returns filed—

Senator PATTERSON—if people have a debt to the tax office, it is reconciled. This is a family tax benefit within the taxation system, and a tax rebate can be offset against any debt that they have incurred. If you do not do that, you are actually working outside the taxation system. This is a debt that has been incurred with a family tax benefit. If they have made donations or they have business expenses or whatever, that gives them a rebate in their tax, and the tax debt is simply offset against the tax credit. It is no different
from any other situation within the tax system. Why should these people be any different?

If you are saying, ‘Yes, let them choose, and then we will send them to court,’ you are going to put more people into debt and there will be a huge cost to the Commonwealth in processing these through the courts. But I will go out and issue a press release, if that is what you want me to do, saying, ‘Senator Bishop really wants you to make a choice and not have the normal tax offset that everyone else has. He says that, if you have a debt and you decide you are not going to pay it back, we will proceed through the courts.’ I do not think that is the way to go.

Senator Mark Bishop—Clearly.

Senator PATTERSON—That is what you said. If that is not what you said, then you had better get up and correct it, because I will remind you constantly that that is the way the Labor Party would deal with it. The Labor Party’s policy is: let people make a choice and when they get into debt we will just chase them through the courts, unlike the treatment for every other person in the tax system where, if they have a credit, it is offset against a debt. This happens to be a debt which they have incurred by, for some reason, not being able to estimate their income correctly and having underestimated it. They have therefore had a benefit all year, which is more than somebody else on the same income has had. You are telling me, ‘Do not let them offset their tax rebate against that debt and, if they decide not to pay it, we will chase them through the courts.’ I do not think that it is an acceptable way to go. It is not the way the tax system works, but if that is your policy I will sing it from the rooftops. Maybe you had better get up and tell me whether it is your policy or not, because I do not think it is the policy that your shadow minister was purporting to put forward. I would be quite surprised if it were. I do not know whether Senator Bishop has discussed it with the shadow minister. I will be quite generous and not go and shout it from the rooftops until I get it clarified but, boy, it seems to me to be a very heavy-handed way of going about it.

Senator MARK BISHOP (Western Australia) (1.55 p.m.)—In response, I was simply putting a proposition that people within the taxation system or the social security system be treated the same—that the same rules be applied to the treatment of income, to the disclosure of income and to people within the system to the nondisclosure of income. That is a relatively simple proposition, and I am surprised it has drawn a lengthy comment. Nonetheless, having said that, it is disappointing that, when the opposition amendments were put in good faith and were argued in response the minister initially put the proposition that the reason for the government opposing the amendments was that they were going to cost $70 million. That was later amended to ‘somewhere up to $70 million’.

Senator Patterson—That is not the primary reason. I have said that a number of times.

Senator MARK BISHOP—Okay, the reasons were a combination of administrative cost and a cost of up to $70 million. They are the reasons.

Senator Patterson—No, that is not the primary reason.

Senator MARK BISHOP—Having said that, it is disappointing that the minister, having advanced that as the reason, has been unable to respond to the request for the break-up of the cost of $70 million.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (1.56 p.m.)—Can I say very clearly, very loudly and very
simply that it was not the primary reason for the government opposing the amendments. Again: it was not the primary reason for the government opposing the amendments. I will say it a third time: it was not the primary reason for opposing the amendments.

Senator Kemp—Sorry, what was that?

Senator PATTERSON—It was not the primary reason for opposing the amendments.

Senator Mark Bishop—Well, why did you say it?

Senator PATTERSON—Because I believed that you should know that there would be a cost involved in your amendments. You should know that and it might make you think about whether you want to withdraw those amendments.

Senator Mark Bishop—I have asked you for the costings, and you have not been able to provide them.

Senator PATTERSON—I have indicated to Senator Bishop that the costings are preliminary, but there will be a cost involved and it will be considerable. The amendments are being opposed because they are inconsistent with the family tax benefit being part of the tax system.

Senator Mark Bishop—I understand that.

Senator PATTERSON—You agree? You remember now.

Senator Mark Bishop—I am asking you for the break-up of the $70 million cost.

Senator PATTERSON—It has taken 20 minutes for you to understand that it was not the primary reason. I do not want you to leave this chamber and I do not want to move on to question time without your understanding that it was not the primary reason. You needed to know that your amendment had a potential cost involved and that potential cost could be in the order of $70 million.

Question agreed to.

Bill, as amended, agreed to, subject to requests.

Bill reported with requests; report adopted.

QUESTIONS WITHOUT NOTICE
Howard Government: Ministerial Code of Conduct

Senator FAULKNER (2.00 p.m.)—My question is directed to Senator Hill, representing the Prime Minister. Can the minister explain how the Prime Minister satisfies himself that a minister does not know what shareholdings are owned by a family trust of which the minister is a beneficiary? Can the minister confirm that the former communications minister, Senator Alston, privately declared shareholdings in the Alston family trust, Messen Pty Ltd, to the Prime Minister as required by the prime ministerial code of conduct and the cabinet handbook? What action did the Prime Minister take to ensure there was no conflict between Senator Alston’s family trust holdings in Telstra and his responsibilities as the communications minister?

Senator HILL—I think the Prime Minister relies on the word of a minister. Any reasonable person would say that it is impossible and unnecessary to go behind the word of a minister in this regard. As Senator Faulkner would know from the statement that Senator Alston has issued today, he had no beneficial interest in Telstra shares. There does not seem to me to have been any breach of the Prime Minister’s guidelines, and I would respectfully suggest that Senator Faulkner accept the statement that Senator Alston has put out.

Senator FAULKNER—Mr President, I ask a supplementary question. Minister, are
you saying that the only course of action the Prime Minister takes is to accept what a minister says about these matters? Does the minister accept that there is a stark difference between a blind trust, formally managed by an independent broker, and a family trust managed, for example, by a close relative? Minister, after 7½ years, isn’t it time that Mr Howard ensured that no minister in his government can trade in shares directly or indirectly? Isn’t that the Prime Minister’s responsibility?

Senator HILL—That might be the Prime Minister’s responsibility, but it has not occurred in this instance. Senator Alston has put out a statement today indicating that his mother was the trustee of this particular trust. He had no knowledge of any particular shareholdings of that trust. All I have said to Senator Faulkner is that it seems to me that it is really impossible for the Prime Minister to go further in any investigations, if that is what is being suggested by Senator Faulkner. The Prime Minister, of course, has the benefit of knowing that his ministers are honourable—and, in particular, that his former minister Senator Alston is an honourable man.

Senator Faulkner—Does the Prime Minister have the returns looked at?

Senator HILL—Yes, the Prime Minister does have the returns looked at and considered, but what I am telling you is that he really cannot go behind the returns. (Time expired)

Iraq

Senator JOHNSTON (2.03 p.m.)—My question is to the Minister for Defence, Senator Hill. Will the minister update the Senate on the international effort to build a better future for the people of Iraq? How is the Australian Defence Force contributing to this effort?

Senator HILL—I thank the honourable senator for a serious question.

Senator Faulkner—Do you mean the previous question wasn’t?

Senator HILL—No, yours was not. All honourable senators will realise that the security situation in Iraq remains dangerous as coalition forces, with the help of the Iraqi people, continue to confront the remnants of Saddam Hussein’s despotic regime and other extremists. But very real progress is being made across the country in the effort to bring about a better way of life for the Iraqi people. Nearly all hospitals and health care clinics in Iraq are operating, and more than four million Iraqi children have been inoculated. The coalition has begun modernising the Iraqi health care system, which was below regional standards due to a lack of investment by Saddam’s regime. The Iraqi education system is operating, with schools having been reopened and teachers being paid. More than 90 per cent of primary and secondary schools are operating, employing over 220,000 teachers. Twenty universities and 43 technical schools are also open. Electricity supplies are being restored and water production is returning to prewar levels. Overall, law and order is improving. A police recruiting drive is already two-thirds of its way to its target, and courts and prisons are functioning. Progress is also being made in efforts to create a new Iraqi defence force, one which will protect the Iraqi people rather than being used as a tool to oppress them. In fact, the first graduations took place only a few days ago.

The ADF continues to play an important role in rebuilding Iraq. Our detachment of C130 Hercules aircraft have now completed a thousand sorties with a 100 per cent success rate. They have carried more than 6,500 passengers, including 500 medical evacuees and more than seven million pounds of cargo. This represents nearly eight per cent of the total coalition effort, achieved by a detachment of just two aircraft—about one
16288 SENA TE Tuesday, 14 October 2003

per cent of all coalition airlift assets. Our P3C Orion detachment has flown over 200 missions, a total of 1,700 flying hours. Our air traffic control detachment at Baghdad airport has processed more than 53,000 aircraft movements, including vital humanitarian aid deliveries. The Royal Australian Navy continues to provide security in Iraq’s territorial waters and to prevent oil smuggling. HMAS Newcastle has completed 233 boardings since arriving in mid-August. The Army continues to provide security to the Australian Representative Office in Baghdad and is assisting in the training of the new Iraqi army.

Finally, defence personnel are providing invaluable assistance in the continuing hunt for Saddam’s weapons program, and they are also making an important contribution in support of coalition headquarters and the Coalition Provisional Authority. The government is proud of the contribution being made by the Australian Defence Force, despite serious risks and difficulties, to give the Iraqi people a better future and to provide wider security and stability.

Howard Government: Ministerial Code of Conduct

Senator CONROY (2.07 p.m.)—My question is to Senator Hill, representing the Prime Minister. Will Senator Hill acknowledge that, if a minister in the Howard government is a beneficiary of a family trust and responds to a margin call, it is incumbent on that minister to make inquiries of that trust to ensure it makes no investments in companies directly associated with his portfolio? Given that the Prime Minister’s code of ministerial conduct prohibits a minister from owning or being a beneficiary of a company or companies directly associated with his portfolio, wouldn’t this require a minister to make full and proper inquiries about a family trust of which he is a future beneficiary and then disclose such matters to the Prime Minister?

Senator HILL—If I am asked the question, I do not think that the senator needs to—

Senator Faulkner—You were.

Senator HILL—He was asking for my personal opinion. I do not think the senator need go behind the discretionary trust. Where the senator has no control over the trust in terms of becoming a beneficiary of that trust, I do not see that he has an interest in which a conflict might arise.

Senator CONROY—Mr President, I have a supplementary question. Was Ambassador-designate Alston too busy flogging off Telstra and smearing the ABC to properly attend to his personal financial affairs?

Senator HILL—Senator Alston has put out a statement which shows that there is no conflict of interest and which shows that he has accorded with the Prime Minister’s guidelines—guidelines which are, I might say, quite demanding. Additionally, at least those on this side of the chamber believe he is an honourable man. As far as I am concerned, that completes the matter.

Solomon Islands

Senator CHAPMAN (2.09 p.m.)—I direct my question to the Minister for Justice and Customs. Will the minister update the Senate about the valuable work being undertaken by the Australian Federal Police to assist the people of the Solomon Islands in restoring law and order to their community?

Senator ELLISON—I thank Senator Chapman for a very important question. Of course, in just the few months since 24 July this year when we deployed troops and the Australian Federal Police to the Solomon Islands, much has been done. Recently, Senator Hill and I visited the Solomon Islands and saw the progress at first hand. It is
heartening to see that schools have now re-opened. Children can go to school in safety. In the villages we visited, women came up to us and said that they were now free to walk the streets without fear of attack. It was a reminder of just how important the rule of law is. Restoring that to the Solomon Islands has been of great benefit to the people there.

The Australian Defence Force troops, the Australian Federal Police and the Australian Protective Service have been warmly welcomed. The force in the Solomon Islands stands at 279 participating police. That is made up from six countries from the region, including Australia, shortly to be joined by Vanuatu, I am pleased to say. We now have 147 AFP personnel and 51 people from the Australian Protective Service.

There has been some great progress made in relation to arrests. On the morning of 10 October this year, police arrested ‘Tarzan’ Holosivi and searched his home and business. He has now been bailed. Guadalcanal militant Stanley Kaoni and five gang members have been arrested near Gold Ridge, and a further three GLF militants have been arrested.

Investigations are continuing, especially in relation to murders committed on the Weathercoast. It has been in the press recently that there have been exhumations. This forms a grisly part of the task of the Australian Federal Police who are stationed up there. A total of five gravesites have been identified. Ten bodies have been exhumed from these locations and are forming the subject of murder inquiries by police authorities in the Solomon Islands.

As well as that, the participating police force, with the Royal Solomon Islands Police, have carried out about 165 arrests of non-Solomon police. In relation to the Royal Solomon Islands Police force itself, progress is being made in not only putting in place a structure for the future but also dealing with personnel who have been corrupt and guilty of misdemeanours. Twenty-four Royal Solomon Islands Police personnel have been charged with 82 offences. One former employee has already been sentenced to a term of imprisonment of 10 months for embezzlement. Over 30 personnel have been dismissed from the Solomon Islands police force for disciplinary reasons.

This forms an essential part of the job that has to be done, and that is reforming the Royal Solomon Islands Police force, not only in the immediate future but for the long term so that it can carry out the law enforcement duties which are so important in maintaining the rule of law. It is a great tribute to our people in the defence services, the Federal Police and the Australian Protective Service that such great progress has been made in such a short space of time.

**Housing: First Home Owners Scheme**

**Senator SHERRY (2.13 p.m.)—** My question is to Senator Minchin, representing the Treasurer. Given that four Victorian babies aged less than two have received the first home owners grant, how many babies and toddlers nationally have bought a house using the government’s $7,000 grant? How many under-18s in total nationally have bought houses with this grant since its inception? At the outset, why didn’t the Treasurer, Mr Costello, who set the guidelines on the operation of the scheme, stipulate an age limit on these grants? Why is it being left to Labor state governments to shut off this loophole?

**Senator MINCHIN—** Trust the ALP to rush to the front page of the *Herald Sun* to find their question for the day. Perhaps they should have listened to the Treasurer’s reply to this issue, which he gave earlier on in the day, which made it absolutely clear that this very good scheme that the government intro-
roduced with A New Tax System is, in fact, by agreement with the states, administered by the states. If there are any faults in the scheme, as identified by the Herald Sun, then they are the responsibility of the states and it is the states that should fix this problem. The intergovernmental agreement makes it absolutely clear—and I quote:

The relevant State and Territory legislation will contain adequate administrative review and appeal mechanisms, along with provision to prevent abuse of the FHOS.

We welcome the belated recognition by the Victorian government that there is a problem with the way it is administering this very good scheme in Victoria. We urge the Victorian government to render corrections to that scheme as soon as possible to stop this abuse. If there have been overpayments, they ought to be returned because we do not want to see that sort of abuse tolerated. We would hope that all other state governments, which, by agreement with the federal government, agreed that they would administer the scheme, will ensure that their administration is not also being abused.

Senator SHERRY—Mr President, I ask a supplementary question. Given that the Treasurer, Mr Costello, sets the rules of operation and he has refused to exclude millionaires from accessing it, how long has the government been aware of the baby home owner buyer rort and what has Mr Costello done to prevent further baby home purchasers using taxpayers’ money as identified by the Victorian government? Of these baby home owners, can the minister inform the Senate how many bought million-dollar homes and would not such purchases only be possible with parental consent? What is the government doing—it sets the guidelines—to stop this appalling rort by rich parents who are circumventing the first home owner buyer criteria set by Mr Costello?

Senator MINCHIN—I have been advised that no state or territory has brought this problem to our notice before. As I have said, we welcome the Victorian government belatedly recognising that it has a major problem in its administration of the scheme. By agreement with the federal government, it agreed that it would administer the scheme to prevent abuse. It was clear in the rules that applicants must be buying or building their first home.

Opposition senators interjecting—

Senator MINCHIN—Do you want to listen to the answer or not? An eligible home must be intended to be the principal place of residence and occupied within a reasonable period. We did set very specific guidelines for this very good scheme, which has enabled a whole lot of Australians to buy their first home. We will not tolerate abuse and we expect the states to fix it.

Superannuation: Parliamentary Scheme

Senator CHERRY (2.17 p.m.)—My question is to the Minister for Finance and Administration. I refer to the Remuneration Tribunal report recommending a resettlement grant for all MPs elected from 2001 whose retirement benefits will be preserved to age 55. Does the minister acknowledge that every election represents a new contract between electors and parliamentarians? Why then has the government seen fit not to impose the age 55 preservation age requirement on all parliamentarians elected or re-elected from 2001 on? Given that the government has now responded to two of the recommendations of the 1997 Senate Select Committee on Superannuation report into the parliamentary scheme, when will the government respond to the core finding of that committee that the scheme is excessively generous and out of step with superannuation practice in the wider community?
Senator MINCHIN—I think that question began with a question about the Remuneration Tribunal’s report in relation to a query put to it by former finance minister Fahey at the end of the last term of government as to whether or not there should be some sort of resettlement grant, as it is called, for members and senators. The Remuneration Tribunal’s response to that query was tabled on 9 October. I would point out that responsibility for the Remuneration Tribunal transferred to the Minister for Employment and Workplace Relations at the time the ministry was sworn in in 2001 and therefore the report was tabled in the name of the Minister for Employment and Workplace Relations.

The tribunal has indicated a disposition, in response to this query, towards such a resettlement grant on the basis of a trade-off between the travel entitlements that otherwise accrue to an involuntarily retired member for this proposed resettlement grant. All that has happened is that the government has received this response to Mr Fahey’s request from the Remuneration Tribunal. The government has yet to consider the position put by the Remuneration Tribunal and will be considering it. No-one should assume that the government favours this particular approach or will necessarily be suggesting to the Remuneration Tribunal that they should make a determination to this effect. All I can say on the matter is that we will look at what the Remuneration Tribunal have to say, but it is certainly not government policy to have such a resettlement grant and I do not think anyone should assume that it is about to become law or to become a new entitlement for members and senators.

In relation to the other part of the question, we can debate the question of parliamentary superannuation until the cows come home, but most MPs and senators acknowledge that, given the conditions of employment that we all enjoy, or do not enjoy, in relation to the fallibility of life in parliament, the current arrangements are not unreasonable, given the lack of security of tenure in the life of parliamentarians. The fact is that many on both sides of the chamber give up otherwise lucrative careers to serve the people in parliament and therefore suffer when they leave the parliament from the loss of those career opportunities, so the trade-off in relation to the existing superannuation arrangements is not unreasonable.

Senator CHERRY—Mr President, I ask a supplementary question. I thank the minister for that answer. My question related to the issue of why there are now two classes of parliamentarians—some who were elected for the first time at the last election who now have their benefits preserved to age 55 and some who were elected prior to that who are still allowed to access their benefits. Is the minister aware that the actuary gave evidence to the superannuation committee in 1997 advising that preserving benefits to a later age would reduce the cost of the scheme by 20 per cent and would bring us into line with the parliaments of the USA, Canada and the UK where benefits are not paid until the ages of 50, 55 and 65 respectively? When is the government going to consider ensuring that the lack of security that the minister talked about is reflected at each election, which is essentially when each person’s employment starts and finishes in this place?

Senator MINCHIN—Yes, of course it is true that the government, in recognition of some community concern about the nature of the parliamentary superannuation scheme, did introduce the preservation age of 55, which brings it more in line with community standards. I think that was a sensible move, but it was done prospectively. I do not think there is any argument to be sustained that it should have been retrospective. Members
and senators come into parliament on the basis of certain terms and conditions that apply from the time they enter the parliament. I think that is perfectly reasonable and proper, but it is not reasonable or proper for any changes to be retrospective. We would oppose that, but we stand strongly behind our prospective changes in relation to the preservation age.

Social Welfare: Rent Assistance

Senator CONROY (2.23 p.m.)—My question is to Senator Minchin, the Minister representing the Treasurer. Minister, isn’t it true that, on Senator Patterson’s own figures yesterday, 51,380 age pensioners who do not own a home are paying more than 30 per cent of their pension in rent, while 13,600 are paying more than 50 per cent of their pension in rent? Is it not the case that the maximum rent assistance for a single pensioner without dependants is $2,454.40 a year? Instead of providing $7,000 subsidies to the babies of rich parents, why will the government not provide further housing assistance to those more than 13,600 elderly Australians who are forced well below the poverty line because of rental costs?

Senator MINCHIN—This is a fairly pathetic attempt to play off the Herald Sun story this morning, which I have already answered. We have made it quite clear that, in relation to the introduction of the new tax system, we introduced the first home owner’s grant scheme to take account of the effect of the goods and services tax applying. We very sensibly and properly brought in this grants scheme for first home buyers in recognition of the goods and services tax coming into effect.

I note for the record that the goods and services tax is now Labor Party policy. The Labor Party now accepts that this is good policy. We had a wide-ranging set of mechanisms to compensate Australians for the impact of the new tax arrangements, which have been demonstrably good for this country, as evidenced by the Labor Party belatedly accepting the wisdom of the goods and services tax, having wasted something like five years opposing it and driving themselves down a blind alley of opposition to it. They now accept that the goods and services tax is fundamental to Australia’s taxation arrangements. The first home owner’s scheme was a fundamental part of the compensation arrangements for the introduction of this very important tax reform initiative.

If there are, at the margins, abuses of the scheme as applied and administered by the states, then we expect the states to correct those abuses. There is not one single government scheme at federal, state or local government level in any nation on earth that is not abused at the margins. That is a fact of life. We do not want to tolerate that abuse. Senator Vanstone, when she had the portfolio, did an enormous amount to eradicate abuse in the social security area. We want to see the states eradicate abuse of the first home owner’s scheme, as agreed by the states when they signed the intergovernmental agreement that they would administer the scheme and ensure that administrative processes were in place to prevent abuse. That is in black and white—the states would be responsible for ensuring that there would be no abuse. I am pleased to see the Victorian government accepting its responsibility and moving to eradicate that abuse.

Senator CONROY—Mr President, I ask a supplementary question. When 151,120 elderly Australian pensioners are receiving rent assistance because their rental costs are over the rent assistance threshold, why does Mr Costello want to persist in giving the equivalent of three years worth of rent assistance to rich people to buy houses for their toddlers? It is your scheme.
Senator MINCHIN—We are very proud of what we have done for Australian pensioners. They have benefited as much as anyone else from the extraordinary economic record of this government over the last 7½ years. As to the compensation arrangements for the GST, we took it to an election. The distinguishing feature of this government is that we had the courage to go to the people and seek a mandate for the introduction of the goods and services tax, for tax reform. The first home owner’s scheme was put in place as part of the sophisticated and generous compensation mechanism for the introduction of the new tax system.

Human Rights: China

Senator HARRADINE (2.27 p.m.)—My question is directed to the Leader of the Government in the Senate, Senator Hill. I refer to the appalling record of human rights and continuing human rights violations in the People’s Republic of China, including the repression of workers’ rights, the repression of religious and spiritual groups, the repression of political activists, the torture and ill-treatment of prisoners, the forced abortions and sterilisations, the continuing persecution of Tibetans and the recent arrest and forcible repatriation of North Korean asylum seekers. Will the government take the opportunity afforded it next week of raising with President Hu the concerns we all have about these continuing violations of human rights?

Senator HILL—The government has, as Senator Harradine knows, a continuing dialogue with China on human rights issues. It is very difficult to generalise in the case of a country as large and complex as China, but I think there have been signs in recent years of significant improvement in the area of human rights. As China continues to open up—something that we encourage and support—I would be reasonably confident that that trend would continue. Certainly Australian foreign affairs ministers take the opportunity, when appropriate, to raise these issues with China and press upon China our values, which we say in this instance are the universal values, and also to point out the advantages of a more open and liberal society. So, whilst I think it is possible to point to particular instances of conduct that we may still regard as unsatisfactory, I think the trend is in the right direction and that positive reinforcement is the best way to move forward in that regard.

Senator HARRADINE—Mr President, I ask a supplementary question. Is the minister aware that what he has said is not in accord with Amnesty International, which states that serious human rights violations continue and in some respects the situation has deteriorated? Is the minister aware that the Chinese government’s Strike Hard campaign last year, for example, resulted in 4,000 executions—often without due process—and that Amnesty International reports that the Chinese executed more than all other countries combined last year? So much for an improvement. Has the minister forgotten that, for example, an eight-months pregnant Chinese woman deported from Australia was forcibly aborted by Chinese authorities? If the government will not raise it next week, when will it raise this at the highest level? The opportunity is there next week. When will you express our concerns about the matter at the highest level?

Senator HILL—The Prime Minister will obviously listen to, and take note of, Senator Harradine’s representations. I certainly have not sought to argue that China’s picture is a clean sheet. Amnesty International obviously, by the nature of its mandate, tends to point out the worst cases. What I am saying is that from my observations and readings over the last decade or so there has been significant improvement overall. The challenge for a country such as ours is to certainly be critical when it is appropriate but also recog-
nise the positives and encourage further improvement.

**Health Insurance**

Senator McLUCAS (2.32 p.m.)—My question is to Senator Ian Campbell, the Minister representing the Minister for Health and Ageing. Why hasn’t the minister taken the opportunity over the last two full sitting days to correct the record after his erroneous claim last Wednesday that the Howard government now has private health insurance up over 50 per cent? Isn’t it true that private health insurance is at 43.4 per cent and falling? Isn’t it also true that insurance premiums have risen by 7.9 per cent and 6.9 per cent respectively in the last two years? Isn’t it true that if ministers have misled the parliament they must correct the record at the earliest opportunity? Will the minister do so now?

Senator IAN CAMPBELL—Senator McLucas’s figures in relation to the number of people in private health insurance are absolutely correct. The current figures for the June quarter show that about 8.6 million people are privately insured. That is 43.4 per cent of the population, which I think is what Senator McLucas said. I do agree with her that I may have confused that figure with a figure in the brief which I had only read about an hour before that question time. I do apologise for the confusion there. For one tranche of citizens the improvement in the level of private health insurance was well over 50 per cent, and I think I did confuse the figure with that massive increase—people who have been targeted by Lifetime Health Cover. This is worth noting, because it is a significant policy achievement of the Howard government to lift the levels of private health insurance. We know that Senator McLucas’s party has canvassed over recent months the abolition of the 30 per cent health insurance rebate. Senator McLucas has to struggle with her own party’s policy there.

We of course have increased the percentage of people in private health insurance from the very low levels under Labor to 43.4 per cent, but amongst certain very important categories of people it is higher. Let me pick up the case of people aged between 31 and 64 who have taken out Lifetime Health Cover. More than half of those people—58 per cent—were aged between 31 and 40; so more than half of the people who have taken out Lifetime Health Cover are in that younger age group. I think that is one of the great achievements of the previous two ministers in this portfolio. Traditionally in Australia and certainly under Labor, when you had a total reliance on the public health system, with all of the weight being put onto the public health system and the queues in public hospitals getting longer and longer—Labor have an ideological opposition to private health insurance and therefore an ideological opposition to the coalition’s policy of the 30 per cent private health insurance rebate—many young people in that 31 to 40 age group chose simply not to insure.

If you do as Labor want to do under their spokesmen and the leadership of Mr Crean and return to a situation whereby you put all of the weight and the burden of health in Australia onto the public system, you will end up with the catastrophe we had under Labor when I think Carmen Lawrence was the health minister and the catastrophes we had when I think former Senator Graham Richardson was the health minister. You had the collapse of private health insurance funding and you also had a significant problem with younger people simply not wanting to get involved in insurance. This government’s policies have seen a significant improvement in private health insurance. The only risk to that sort of fundamental underpinning of quality health in Australia is the Australian...
Labor Party’s policy, and the Australian Labor Party’s policy is of course to do away with the 30 per cent private health insurance rebate in its current form. They will not come clean. (Time expired)

Senator McLUCAS—I ask a supplementary question. I am interested in the comments that the minister has made about the age break-up of private health insurance. Isn’t it true that the membership of private health insurance for people under 55 has actually fallen in the last quarter? Will the minister also admit that he has started his ministerial stint badly, being careless with the truth on a number of occasions in only the last five question times? Didn’t he mislead the Senate on state planning over the Peel deviation? Hasn’t he misled the Senate on the take-up of private health insurance? Perhaps the minister would also like to correct the record of last Wednesday when he said that the government was looking at massive increases in patient costs that occurred under Labor whereas, under this government, the private health costs of a family of four have skyrocketed to an average of $2,520 per annum and, over the last five years, direct health costs borne by consumers rose by 7.7 per cent a year, which is 50 per cent faster than government spending on health.

Senator IAN CAMPBELL—I have been guilty of anything in my first few days as a minister, it has been overzealousness in wanting to communicate to the people of Australia and the Senate the phenomenal achievement of the Howard government in relation to underpinning Medicare, strengthening it and providing firm foundations—

Senator Sherry—Why are you looking at Kay Patterson?

Senator IAN CAMPBELL—I am looking at Senator Kay Patterson because of the extraordinarily great job she did in building the A Fairer Medicare package. Can I say that, if the Labor Party is serious about supporting and strengthening Medicare, it should actually engage, the way that the Australian Democrats did. Under the leadership of Senator Lyn Allison on this issue and, of course, Senator Meg Lees, the Democrats have shown that they care about Medicare enough to engage with the government and progress those important reforms that will ensure that all Australians get access to bulk-billing and that lots of Australians get the benefit of being privately insured because of the 30 per cent rebate that Labor is seeking to remove. (Time expired)

Economy: Fiscal Policy

Senator COLBECK (2.39 p.m.)—My question is to the Minister for Finance and Administration, Senator Minchin. Will the minister advise the Senate of what the government is doing to ensure that rapidly growing expenditure programs such as the PBS can continue to be delivered into the future? Is the minister aware of any alternative policies?

Senator MINCHIN—I thank Senator Colbeck for that very astute question. Last week I did comment on the final budget outcome for 2002-03. That showed that total government revenue increased by eight per cent over the previous year on the back of very strong company results and total expenditure rose by 3.1 per cent. As finance minister I am pleased to say that this means that total government expenditure is under control, but I regret to say that in relation to one item, the Pharmaceutical Benefits Scheme, expenditure is not under control—it is the fastest growing area of Commonwealth government expenditure. Senators will recall that in last year’s budget we drew specific attention to the fact that, in the last decade to the year 2000, expenditure on the PBS went from $1.2 billion to no less than $4.2 bil-
lion—a growth of 250 per cent over the decade.

That is why we did introduce what were pretty modest measures in the 2002-03 budget to try to keep some control over the growth in the cost to taxpayers of this fastest growing area of Commonwealth government expenditure. All that we were proposing was a $1 rise in the concessional payment and $6.20 for the general co-payment, which would have saved taxpayers more than $1.1 billion over four years. Of course, the Labor Party, who say no to every sensible reform that we put up, blocked this fairly modest proposal. In other words, their policy is to let the cost of the PBS spiral out of control.

Now that we have the final result for 2002-03, I can report to the Senate that the total level of expenditure on the PBS last financial year cracked the $5 billion mark. It was $5.06 billion—a growth of 10.3 per cent on the previous year. This means that the government is now in the position of having to find no less than half a billion dollars extra every year to fund the current Pharmaceutical Benefits Scheme. It has been growing at more than 10 per cent a year for the last five years. No government in its right mind can just sit back and say, ‘That is terrific. We will just let that program grow by 10 per cent a year.’ It is unsustainable. If the current rates of growth were to continue, in 13 years time, which is not that far away, we will be spending more on subsidising pharmaceuticals than the Commonwealth will spend on the total education budget for this country—that is, all universities, schools and everything else. We will be spending more just on subsidising pharmaceuticals than on education.

Any responsible political party has to address this issue. You would think that the opposition would behave as a party that thought that one day they might just get back into government and therefore pay some attention to this serious issue. But, no, they are determined to act like a party that is never going to be in government again and they are simply not interested in finding solutions to these sorts of problems. The Labor Party’s blocking of this measure in the Senate already cost taxpayers $299 million last financial year, and for every single day that this measure remains blocked by the Labor Party it is costing taxpayers nearly $1 million. I think that Labor senators do need to understand that, because this is government policy, these savings are factored into the forward estimates.

If the Labor Party continue to oppose them, they have to explain to the Australian people how they are going to make up the $1.1 billion that is factored into the forward estimates as savings for this measure. The Labor Party cannot run around promising to spend a whole lot of new money without explaining how they are going to pay for this $1.1 billion, which is their policy. It is their policy to continue to let the Pharmaceutical Benefits Scheme grow at over 10 per cent per annum. It is their policy that the government are going to have to find another half a billion dollars every year to fund this scheme. It is their policy that is costing taxpayers nearly $1 million every day.

**Trade: Live Animal Exports**

Senator O’BRIEN (2.43 p.m.)—My question is to Senator Macdonald, the Minister representing the Minister for Agriculture, Fisheries and Forestry. Can the minister confirm that the MV Cormo Express left Australia 71 days ago? Can he also confirm that the ship has been stuck in the Kuwaiti port of Shuwaikh for the last 12 days, despite the fact that Mr Truss said reloading of fodder would take just two days? Minister, when is this ship going to leave Kuwait and what will its destination in Australia be?
Senator IAN MACDONALD—The statistics on the unfortunate vessel that Senator O’Brien mentions are well known to both him and the rest of Australia—and, I regret to say, the rest of the world. This is a very difficult and complex issue, and one that is very difficult in respect of Australia’s interests and its future as a live animal exporting nation. It is an issue that has to be handled with great care and sensitivity. I know that most senators will agree with me that the Minister for Agriculture, Fisheries and Forestry, Mr Warren Truss, has been absolutely marvellous in the sensitive way in which he has handled this very difficult issue. He has given regular media reports—he has been very open with all this sort of information—and he has looked very widely and discussed this very closely with the industry and all relevant stakeholders.

I am still yet to hear any suggestion from Mr Crean or Senator O’Brien on what the Labor Party might do if they had some particular influence. If they have a suggestion that would be useful in Australia’s interests—this is a national issue, not a political issue—I know that Mr Truss and I, and indeed the government as a whole, would be very interested in hearing what they might propose. But, in that whole time, there has been not a word, not a suggestion—not anything that might help in the national interest.

The loading of the ship has taken longer than expected because of some difficulties of supply. All the feed is in pellet form, and it is difficult to obtain and difficult to load, but the ship will be leaving as soon as is reasonably possible. We have made it quite clear that activities continue intensely, with great effort from the Australian government and all involved, to try to find a destination for the sheep—somewhere the sheep could go and be slaughtered and used for food in a country that may well appreciate that sort of contribution to their diet. Mr Truss and the government have made it clear that, whilst we will continue to look for that, the ship will be returning towards Australia. We will keep the issue under constant review, as we have indicated all along, and we will deal with the issues as they come up. An enormous amount of work has gone into any possible eventuality. That work will continue, and we will continue to keep the Australian public informed on just what will happen as things unfold.

Senator O’BRIEN—Mr President, I ask a supplementary question. I remind the minister that we have been waiting to see the import risk analysis which may assist the opposition to make constructive suggestions about this matter. If you produce it, perhaps we will make some suggestions. In the interim, will the minister rule out the following islands and ports—already identified by anonymous government sources and terrified coalition backbenchers—as dumping grounds for the stranded sheep: the Cocos (Keeling) Islands, Christmas Island, Darwin, Port Hedland, Geraldton, Fremantle, Albany and King Island? I ask again: where is this shipment of sheep going to be landed?

Senator IAN MACDONALD—Again, we have made it clear that nothing is ruled out at this stage. We will continue to look at any sensible suggestion. If Senator O’Brien is suggesting King Island—we will look at anything. It is not a suggestion I have heard before, but perhaps Senator O’Brien sees some benefit from a Tasmanian perspective. He is, after all, a Tasmanian. He has raised it; I have not heard of it before. We do not rule anything out. It is a very difficult issue, and we make no apology for saying that. It is a very complex issue and we will continue to try to do whatever we can in the national interest.
**Health: Tough on Drugs Strategy**

Senator GREIG (2.49 p.m.)—My question is to the Minister for Justice and Customs, Senator Chris Ellison. Is the minister aware that the government’s self-praise of its Tough on Drugs policy has been roundly criticised by drug and alcohol professionals who advocate harm minimisation strategies as a more effective response to the high levels of drug abuse in Australia? Is the minister aware of new evidence which shows that Australia now has the highest level of ecstasy use in the world and ranks second only to Thailand in methamphetamine use? Given this recent explosion in amphetamine use in the last few years, and given that the Australian Office of Strategic Crime Assessment predicted a heroin supply drought as early as 1996, what evidence can the minister provide to illustrate that the government’s crime-focused Tough on Drugs approach is working and is responsible for the drop in heroin availability, rather than the predicted drought?

Senator ELLISON—This is an important issue. All Australians have been touched in some way, no doubt, by the scourge of drugs on young people, particularly in our community. When I was in Vienna at the United Nations Narcotics Control Commission meeting, it was widely recognised that Australia had made great progress in limiting the supply of heroin. We have always said that the Tough on Drugs fight does not only include law enforcement. It also includes education—the education of the next generation of Australians, particularly in relation to the harm of illicit drugs—and health, particularly the rehabilitation of those who already have a problem. This is a three-pronged attack that we have with our Tough on Drugs program, and we have allocated funding accordingly.

We have some great partnerships with those people in the community who are doing great work. I have seen it at Odyssey House in New South Wales, and I have experienced in my own home state of Western Australia, diversionary programs dealing with Palmerston farm and Cyrenian House. In fact the drug court there relies largely on diversionary programs which enjoy Commonwealth funding. That is the extent of our Tough on Drugs approach.

Senator Greig quite rightly points to the dangers and the emerging threat of amphetamines. There is no question that, worldwide, the use of amphetamines is increasing. I would, though, provide a cautionary note to those who say readily that Australia has the highest rate of abuse of amphetamines in the world. What we have is a very good system of reporting, of data collection and assessment compared with a lot of other countries. So what we have is a reporting situation which details that usage for obvious reasons—so that we can deal with the problem. Not many countries in the world have as advanced a reporting assessment and monitoring of the problem as we do in Australia.

Having said that, I do not discount for one minute the problem of amphetamines in this community. We have always said the war on drugs will not be won overnight; it will take time. In relation to heroin, we have put some runs on the board. Education and the stemming of the flow of supply have been recognised internationally. The United Nations has recognised that our law enforcement measures have had an impact on the reduction of supply. You see that in the reduction in the rate of overdose deaths. Some states and territories around this country have seen a reduction in the rate of deaths of up to 50 per cent. Why? Because the purity rate has gone down. Why has the purity rate gone down? Because of the lack of supply of heroin. When your cut heroin is down to about 15
per cent, you are less likely to get the over-
doses that you get when it is up to 60 per
cent, as it was in previous times.

Having said that, we are not complacent
by any means. Tough on Drugs is one of the
key priorities of the Howard government. We
will continue this fight on the fronts of
health, education and law enforcement. It
cannot be done just by the national govern-
ment, either. It has to be done in conjunction
with the states and territories and interna-
tionally. That is why we have been working
at the level of the United Nations, to keep up
international efforts in the fight against
drugs. This extends across the board: law
enforcement, educating of our people—
young people particularly—and also reha-
bilitating those people who have a problem
with drugs. That is where we need a compre-
hensive approach, and we have resourced
that accordingly in an unprecedented fash-
ion.

Senator GREIG—Mr President, I ask a
supplementary question. Given the disastrous
mental health implications of amphetamine
use, including mood swings, anxiety, depres-
sion, paranoia, memory loss, aggression,
psychosis and in some cases suicide, can the
minister explain why in the recent govern-
ment report on substance abuse in Australian
communities only two pages in a 53-page
chapter on illicit drug prevention and treat-
ment were dedicated to amphetamine use?

Senator ELLISON—I think if you look
at the Australian Illicit Drug Report which
was released by the Australian Crime Com-
mission you will see the importance that law
enforcement places on the usage of am-
phetamines. We have never shied away from
the fact that amphetamine type stimulants are
where we have the new challenge with drug
abuse. This government has made that very
clear, and we did that with the extension of
the Heroin Signature Program. I think it was
in the last budget that we extended the pro-
gram to include amphetamines. We have ad-
dressed that in relation to law enforcement
measures. What we do have to face in the
programs and partnerships that we have with
the community organisations is to develop
further how we deal with people who have
an amphetamine problem. That is something
we are working on.

Trade: Live Animal Exports

Senator FAULKNER (2.55 p.m.)—My
question is directed to Senator Ian Mac-
donald, representing the Minister for Agri-
culture, Fisheries and Forestry. Can the min-
ister confirm that the ship’s crew of the MV
Cormo Express is unable to dispose of a
growing number of dead sheep accumulating
on board the vessel since it docked in Kuwait
12 days ago? Can the minister also confirm
that the crew has been unable to clean the
ship since it has been in port? Is it true that
there is an escalating problem with the faeces
and urine excreted by the 52,000 sheep on
board since it docked in the port of Shu-
waikh? What impact are the deteriorating
conditions on board the ship having on the
health of the ship’s crew and of the veteri-
nary and other staff? Minister, what impact
are these conditions having on the surviving
animals?

Senator IAN MACDONALD—It is true
that, while the ship is in port, disposal of the
dead carcasses is difficult and not being
done, similarly with the cleaning of the ship
while it is in port. That is obvious and it
stands to reason. Senator Faulkner asks me
whether it is impacting upon the health of the
crew. That is something I have not heard of
before. I will make some inquiries and let
Senator Faulkner know if that is true. As
with the health of the sheep, according to the
last report I have, which is the situation re-
port that comes through daily, the sheep are
still in reasonable condition—much better
than might have been expected. There were 19 mortalities overnight. I can advise the Senate that it has been suggested that 3 a.m. Wednesday will be the time of departure of the ship from the port.

Senator FAULKNER—Mr President, I ask a supplementary question. Can the minister indicate to the Senate whether the carcasses of the dead sheep are decaying? Can the minister indicate to the Senate what is going to happen to the carcasses? Is the minister aware of the banner headline in the major Kuwaiti daily Al-Watan on 3 October that screamed ‘The Ship of Death is in Kuwait’? How much longer is the government proposing to allow this fiasco to continue?

Senator IAN MACDONALD—No, I am not aware of what is on the front page of the Kuwaiti newspaper, I am sorry to advise Senator Faulkner. There is a small maceration plant on board the ship which does deal with the deaths that occur in the normal course of transport, and that happens all of the time. I am not sure that I can add much more to what I have already previously said.

Fisheries: Southern Bluefin Tuna

Senator FERRIS (2.58 p.m.)—My question is to the Minister for Fisheries, Forestry and Conservation, Senator Ian Macdonald. Will the minister inform the Senate of Australia’s lead role in ensuring the sustainable use of tuna stocks in the Pacific Ocean? Is the minister aware of any alternative policies?

Senator IAN MACDONALD—I appreciate this question from Senator Ferris, who obviously has an interest in Australia’s primary industries, including our fish stock, and how Australia can benefit from the proper management of fish stock. We have developed a creditable international reputation in many fields, but I suspect that our leadership in world fisheries management is little known. Australians all watched with a great deal of pride as the Australian customs and fisheries patrol vessel the Southern Supporter chased the alleged Patagonian toothfish pirate the Viarsa across three oceans and through some of the most dangerous sea conditions existing on this planet.

Senator Sherry—If you can bring back dead fish, why can’t you bring back live sheep?

The PRESIDENT—Senator Sherry, shouting across the chamber is out of order!

Senator IAN MACDONALD—But few Australians would know that the management of our fish stocks and our fisheries can have long-term benefits to Australia’s standing in the Asia-Pacific region and can give very considerable benefits to the nations in our sphere of influence, who look to Australia for assistance and guidance.

I am very pleased to report the conclusion last week in the Cook Islands of the preparatory conference on the Western and Central Pacific Fisheries Commission. This conclusion clearly demonstrates the lead role that Australia is playing. The commission will deal with highly migratory species in the Pacific, mainly tuna and billfish stocks, which Australia shares with the many Pacific island nations who are our neighbours and friends. Australia signed the convention in the year 2000 and ratified it about a month ago. We are now the 10th country to ratify this convention. Niue and Tonga are about to ratify it and, with New Zealand ratifying it in the very near future, the required 13 nations will be there and the convention will become law.

This fishery is the world’s last great fishery, one that is incredibly important to the future health and wellbeing of our Pacific island neighbours. One million tonnes of fish come out of this fishery annually, at a value of some $US2.2 billion. The fishery provides some 20,000 to 30,000 jobs in the Pacific

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island nations. That is about eight per cent of all employment in the Pacific island nations.

Australia has played a very real lead role in getting this convention up and running. We have supported the Pacific island nations in their discussions—what I would call, rather robust discussions—with the distant water fishing nations, the European Union particularly and Japan. We have supplied the Chief Scientist to the technical commission; we have worked to protect the island nations in the management of the fisheries; we have funded a lot of work; and indeed our officials have played a major role. I particularly want to mention here Mr Glenn Hurry and Dr John Kalish, who have had very leading roles. This convention has brought a new sense of unity and regional stability to the Pacific islands. It is important work and it laid the framework for the great success Australia had last week at the Convention for the Conservation of Southern Bluefin Tuna.

I am asked if I am aware of any alternative policies. In respect of this very important area of fisheries management and support, in an area so critical to Australia, I have to say the answer is, regrettably, no. There is no policy from the ALP at all. There is something out called a discussion paper but, in this discussion paper that masquerades as policy, there is not one word about this important area in the Pacific. In spite of Labor’s lack of interest, I am delighted to report that the Howard government has got on with the job of helping our neighbours in the Pacific.

(Time expired)

**Senator Hill**—Mr President, I ask that further questions be placed on the Notice Paper.

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**

**Telstra: Email Services**

**Senator KEMP** (Victoria—Minister for the Arts and Sport) (3.03 p.m.)—On 13 October, Senator Mackay asked me a question without notice regarding the difficulties that Telstra customers have been experiencing with the provision of BigPond and email services, which have caused delays in the receipt of incoming email. I undertook to provide some additional information and I seek leave to incorporate the following answer, which is based on information provided by Telstra, in *Hansard*.

Leave granted.

*The answer read as follows—*

On the basis of information provided by Telstra, the e-mail issue was caused by an unexplained 25 to 30 percent increase in e-mail received into the Telstra mail servers since 24 September 2003. At this stage Telstra does not understand why this large increase has occurred and is investigating whether it is related to spam or virus activity.

In relation to the question of how many customers may have been affected, Telstra has advised that as the e-mail platform supports both dial-up and broadband customers all customers have had the potential to be affected. However, since this problem began, Telstra has advised that call volumes to its Help Desk did not suggest that this was the case. According to Telstra, the most visible impact has been that users have experienced delays in retrieving e-mail. A secondary impact has been delays in the receipt of e-mail by Telstra servers and consequently a delay to the mailboxes of subscribers. Service levels have varied across the subscriber base at different times.

In relation to the question whether customers with user names beginning with M or H being the most severely impacted, Telstra has advised that is not aware that such customers were impacted to any greater level than any other users. If these people were impacted by the e-mail issues, it would have been at a similar rate as most other people.

According to Telstra, all Telstra e-mail subscribers may have been affected and it appears from media reports that other major ISPs have had a similar impact due to the large increase in e-mail traffic.

In relation to the statement that the Telstra website includes a notification of “major and wide-
spread’ service disruptions on 13, 14, 16 and 21 October, Telstra has advised that it is not aware of any such notification on its Telstra website of service disruptions on the days specified. Telstra has also advised that if its customers feel they may have suffered financially from this situation, they have access to Telstra’s standard compensation claim procedure.

Information Technology: Tasmania

Senator KEMP (Victoria—Minister for the Arts and Sport) (3.04 p.m.)—On Wednesday, 8 October, Senator Murphy asked me a question without notice regarding the Australian Research and Education Network. I undertook to provide additional information and I seek leave to incorporate the following answer, which, Senator Murphy may care to note, has been provided to me by the Minister for Education, Science and Training, in Hansard.

Leave granted.

The answer read as follows—

The Australian Research and Education Network (AREN) will be an enhancement of the existing Australian Academic and Research Network (AARNet) which currently provides telecommunications links between universities across Australia, including the University of Tasmania. The AREN initiative, announced by the Minister for Education, Science and Training, Dr Brendan Nelson and the former Minister for Communications, Information Technology and the Arts, Senator Richard Alston, is being funded from the Systemic Infrastructure Initiative (SII) under Backing Australia’s Ability. The SII is designed to address issues of system wide infrastructure to support research in the higher education sector.

The AREN Advisory Committee, established by Dr Nelson and chaired by Dr Michael Sargent AM, earlier this year initiated the establishment of a key stakeholder group in Tasmania, comprising representatives from educational and research institutions, the CSIRO and the Tasmanian Government to address bandwidth issues. The AREN Advisory Committee is assisting this group to develop a proposal for a sustainable, long-term solution to provide a high bandwidth connection between Tasmanian institutions and the mainland.

The AREN Advisory Committee and the Department of Education, Science and Training are also in discussions with telecommunications carriers and providers concerning options for the provision of high bandwidth infrastructure. It is expected that the work currently being undertaken will result in improved bandwidth infrastructure for research and education in Tasmania over the course of 2004-05.

EDUCATION, SCIENCE AND TRAINING: ROAM CONSULTING

Return to Order

Senator BROWN (Tasmania) (3.04 p.m.)—I seek leave to ask the Manager of Government Business in the Senate about a matter, very briefly. It is procedural.

Leave granted.

Senator BROWN—I ask the Manager of Government Business about his assurance to the Senate yesterday that, on the matter of the return to order regarding the Chief Scientist, there would be a supplementary statement. I ask him when that statement and the return to order is going to be forthcoming.

Senator Hill interjecting—

Senator IAN CAMPBELL (Western Australia—Minister for Local Government, Territories and Roads) (3.05 p.m.)—by leave—it is on broadcast; you can see the light is on, so you know you are going to get a stunt of some sort. The Minister for Science, Mr McGauran, said in the statement I read that he would respond. He said in that statement, as I recall, that his department had not had time to respond. He was literally given a couple of days. He said he would make a supplementary statement when he had had time to respond. I will obviously provide that response when I receive it from the minister.
QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS
Answers to Questions

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (3.06 p.m.)—I move:

That the Senate take note of the answers given by ministers to questions without notice asked today.

The opposition asked Minister Hill a number of questions today in relation to some revelations in a newspaper this morning about particular shareholdings of Minister Alston when he was communications minister. I want to say at the outset that really these questions do not go to Senator Alston’s behaviour at all. It is not really about Senator Alston. Everyone knows that Senator Alston has resigned as communications minister. Everyone knows that Senator Alston is halfway down the air bridge towards getting on the pointy end of a big jet and heading off for a very plum ambassadorial appointment, and so be it. He is lucky in that regard.

But it is not about Senator Alston. It is about the Prime Minister’s code of conduct. How could it happen again that a minister is caught in yet another imbroglio about shareholdings? Look at the record of the Howard government: you had a parliamentary secretary, former senator Brian Gibson, resign over a related matter on 14 October 1996. You had a former Assistant Treasurer, former senator Jim Short, resign on 14 October 1996. You had Mr Moore, who had $100,000 capital in Bligh Ventures, and he had a ticker in his office when he was the Minister for Defence so that he could follow all the activities on the share market. You had Mr Prosser, who was a former minister for small business, who continued his business through 1997 until he resigned. And then, of course, we had the extraordinary situation in relation to a former resources minister, former senator Parer, who had an undeclared coalmine in his family trust and $2 million of financial interests. He left parliament after the 1998 election.

How could it happen again? After all these incidents how can it happen that the Prime Minister is unable to fix these sorts of problems? You ask the question: is it acceptable that a minister stands to benefit from a family trust that includes Telstra shares, that bought Telstra shares while the former minister was the Minister for Communications, Information Technology and the Arts? Is that acceptable? Surely it should not be acceptable. Surely that is out of bounds under any reading of proper practice. But where is Mr Howard in all of this? This is a self-declared family trust; it is not a blind trust. Did Mr Howard inquire of Senator Alston about these matters when he was sworn in as a minister in over three governments? Did Mr Howard follow up on the material provided now in the public arena by Senator Alston in relation to the two loans he provided to Messen Pty Ltd? I think they were in 1998 and 2003. Did Mr Howard inquire whether the 2003 loan was to top up a margin loan? Where is the rigour? After all the appalling experiences in the Howard government, where is the rigour from Mr Howard and his ministers in relation to these very important matters?

Is it not time for the Prime Minister to close, once and for all, the loopholes in his own guide to ministerial responsibility? However discredited that guide is, is it not time for him to close the loophole that is the family trust? That is the loophole that allows this sort of share trading in under the radar. That is the sort of thing that gives ministers cover in relation to these sorts of issues. It is simply not good enough. Yes, Senator Alston has resigned. He has left, he is on his way to a plum ambassadorial post, but Mr Howard
is left again with the responsibility of cleaning up the mess. He has had ample warning and ample opportunity, and you would think a responsible Prime Minister would have done the job by now. (Time expired)

Senator HILL (South Australia—Leader of the Government in the Senate) (3.11 p.m.)—The Prime Minister’s guidelines are to ensure that there is not a conflict of interest between a minister’s public responsibility and his or her personal interests and also to see that there is no perception of such a conflict of interest. Ministers accept that obligation and the Prime Minister rigorously enforces it. So the issue here is whether there is a conflict of interest in the case of Senator Alston.

Senator Alston has put out a statement today explaining the circumstances of the trust to which Senator Faulkner referred. This is really a rather grubby attempt by Labor, I have to say, because the circumstance of this trust arises out of the death of Senator Alston’s father. As Senator Faulkner would have seen from the statement that was boxed before question time, and I presume he has, this trust, Messen Pty Ltd, was originally owned and operated by his late father and since his death has been controlled by his mother.

As disclosed in the Register of Senators’ Interests, Senator Alston and other family members, he understands—certainly he but he believes other family members also—are contingent beneficiaries. In other words, there is no specific entitlement to Senator Alston at all. This has been reinforced by a letter from one of the current trustees, Mr John McCormack, a chartered accountant, who says in the letter, which Senator Alston has also put on the public record today:

Since 1996, Mrs Alston and I have been the only directors and shareholders of Messen Pty Ltd, as the trustee of the Robert Alston Discretionary Trust. Senator Richard Alston, along with his brothers and their families, are contingent beneficiaries of the trust, meaning that they have no specific entitlement to any distribution which is entirely at the discretion of the trustee.

Senator Faulkner has read these documents and he therefore knows that there is no conflict of interest in this circumstance. Nevertheless, he still decided it was worth having a shot at Senator Alston and in some way detrimentally affecting Senator Alston’s reputation. I think that is unfortunate, but it seems to be the way that this carping negative opposition fills in its time.

Seven and a half years in opposition and the Labor Party has nothing better to do than dredge the gutters in the hope of finding some morsel that might be embarrassing to a member on the other side. Seven and a half years and not a positive policy contribution to offer! Here is an opposition that has done nothing constructive in 2½ terms of opposition and therefore shows that it is in no way deserving of the responsibility of government in the future. It has not learnt a thing from its electoral defeats. All it does is sit on the opposition benches and carp and whinge about the government and, if there is a chance of a personal attack upon a member of the government, then that opportunity is seized.

What about the hypocrisy of the situation? From the public record you can see that there is no conflict of interest in the case of Senator Alston. But what was the position of the ALP in relation to its former Prime Minister, Mr Keating? When Mr Keating, as Prime Minister, owned a pig farm and borrowed money from the Commonwealth Bank at the same time as he made banking policy, was that a conflict of interest? Of course not, says the Labor Party. Why? Because that was Labor Party business; that was Mr Keating’s business. Those are the standards of the ALP. It is part of the reason the ALP is in opposi-
It is part of the reason it will stay in opposition for a long period of time. As I said in question time, what the opposition is showing is that it is getting good at being in opposition. It is starting to like the idea of opposition. It sits there dredging the gutters to try to find something to attack people, personally and individually, on the other side and it has not had a constructive comment to offer in seven and a half years. 

(Time expired)

Senator SHERRY (Tasmania) (3.16 p.m.)—Today, together with my colleague Senator Conroy, I asked about aspects of the federal Liberal government’s First Home Owners Scheme. This scheme was introduced by the current federal Liberal government as a partial compensation mechanism in respect of the goods and services tax to provide a sum of $7,000 for first home owners. The scheme was established under rules and guidelines set out by the federal Liberal government—rules and guidelines set out by the Treasurer, Mr Costello. Indeed, that was confirmed today in the response by the finance minister, Senator Minchin, representing the Treasurer, when he was pressed on this issue. He acknowledged that the guidelines and the rules of operation of the $7,000 first home owners grant are clearly established and are clearly the responsibility of the federal government.

We need to look no further for additional evidence than at the requests made to the Treasurer to exclude millionaires who have been able to access the first home owners grant of $7,000 or to exclude people who buy, by very definition, very expensive properties—$1 million or more in value—from being beneficiaries of this scheme. The Treasurer, Mr Costello, has made it very clear that the first home owners grant was to be a universal scheme. It was not to be means tested. Those Australians who wanted to be first home owners would all receive the $7,000. The Treasurer, Mr Costello, has made this very clear time and time again.

Imagine my shock, and the shock of members of the Labor opposition, and I am sure residents of Victoria, when they picked up a copy of the Herald Sun today to discover that we have babies and children able to access the $7,000 first home owners grant in Victoria—three babies aged one, a two-year-old, six three-year-olds, nine toddlers aged four, four five-year-olds, 10 children aged between six and nine, and five 10-year-olds. If it was not so serious, the fact that toddlers—some of them not even able to walk or talk—have been able to access the $7,000 first home owners grant would be slightly amusing. It could have its amusing side, but it is very serious. We have here obviously parents who have been able to abuse access to the system by receiving the $7,000 first home owners grant in their children’s names. This represents many hundreds of thousands of dollars in the state of Victoria. At the same time as we have people who clearly would have a high income—probably using trust mechanisms to try to hide this sort of scandal and rorting—accessing this scheme for their babies and children, who in some cases cannot walk or talk or even read obviously or sign their name, as Senator Conroy highlighted in the Senate, we have literally hundreds of thousands of Australians—low-income, elderly Australians—struggling to find reasonable accommodation at a reasonable cost.

The minister, Senator Minchin, made it very clear that the guidelines for this $7,000 grant scheme for first home owners were set by the Commonwealth government. Mr Costello and the Liberal federal government set the rules and here we have clear examples of what anyone would acknowledge is an abuse of the scheme. Labor would like to know how many other minors, toddlers, babies and children have been accessing the
scheme throughout the country. If there are 40 children under the age of 10 in Victoria, there are probably hundreds around the country who have been doing the same thing.

(Time expired)

Senator BRANDIS (Queensland) (3.21 p.m.)—Yet again this afternoon we have seen Senator Faulkner practise that low political art at which he is so well practised—that is, on the basis of innuendo and smear, trying to damage the reputation of a respected colleague. I rise in defence of my colleague and friend Senator Richard Alston. I want to put before the Senate those things that Senator Faulkner studiously avoided referring to—that is, the facts.

The questions that came from the opposition during question time concerned Senator Alston’s alleged interest in two companies: Messen Pty Ltd and Balmoral Gardens Pty Ltd. The first point to be made is that Senator Alston has no interest in either of those companies. At no relevant time has he been a director of either of those companies and at no relevant time has he been a shareholder of either of those companies. Messen Pty Ltd is the trustee of a discretionary trust and, as Senator Faulkner perhaps would be unaware, the beneficiary of a discretionary trust has no specific or vested interest in any of the property of that trust whatsoever. Senator Alston has been a contingent beneficiary of the discretionary trust held by Messen Pty Ltd and that is the limit. That fact has at all times been disclosed by Senator Alston on the Register of Senators’ Interests—at all times disclosed. Senator Alston has not at any time held any vested interest in any company which has a specific interest in Telstra holdings. Messen Pty Ltd acquired a parcel of Telstra shares on 17 October 1999 and, as Senator Alston has said on the public record today—and as has been confirmed by his accountant—he was not at any time aware that that company had acquired that shareholding.

More than 14 months earlier than the first acquisition by Messen of Telstra shares, on 4 August 1998, Senator Alston realised his investment in his own family trust company, Marn Pty Ltd, and he sought professional advice as to how to invest those moneys. This is the professional advice he sought and these are the instructions he gave to his professional adviser, Mr John McCormack of McCormack and Partners, Chartered Accountants. Let me read onto the record what Mr McCormack has said:

In 1998 Senator Alston advised me that he desired to sell all shares owned by him directly or through his own family trust company, Marn Pty Ltd. None of these shares were in any companies relevant to his portfolio responsibilities. He wanted advice on the most appropriate means of investing at least part of the proceeds in such a way that he would have no knowledge or control over any subsequent investments other than that they were not to be in his area of responsibility.

Around that time Messen Pty Ltd made a distribution to all of the contingent beneficiaries and I advised him that any moneys that he desired to have invested on his behalf should be made available to Messen with strict instructions that no money should be invested in any companies in any way involved in the area of his portfolio responsibilities. We also agreed that any investments made on his behalf should be kept strictly separate from any other investments held by Messen. These arrangements have persisted to the present day. I confirm that none of Senator Alston’s investments are or have been in Telstra or any companies relevant to his former portfolio responsibilities.

Those are the facts. That is the truth. It cannot be denied that this was nothing other than a blind trust and that all relevant interests were fully disclosed by Senator Alston. Any suggestion of a conflict of interest—any suggestion that Senator Alston had control or knowledge inappropriately—is simply false.
Senator CONROY (Victoria) (3.26 p.m.)—I am glad Senator Brandis, an expert in trusts, made a contribution today. Let us go through the facts, and there are a few more facts than Senator Brandis was prepared to acknowledge. The facts are as follows: Senator Alston made two loans while serving as communications minister to Messen Pty Ltd. Messen Pty Ltd is a trustee of an Alston family trust, Robert Alston Discretionary Trust. It is not a blind trust, as Senator Brandis, who should know better, said. This is not a blind trust. Senator Alston is a contingent—that is, a future—beneficiary of Messen Pty Ltd.

Senator Hill—Not necessarily so.

Senator CONROY—Messen Pty Ltd owns 9,000 shares in Telstra. I am glad, Senator Hill, that you have stayed for the rest of the debate, because hopefully you will correct the record on Senator Brandis pretending that this is a blind trust. Senator Brandis says it is a blind trust and Senator Alston tries to imply it. To be fair to Senator Alston, he has not tried to claim that it is a blind trust, like Senator Brandis just did, because it is not. Senator Alston has not even taken that step. Senator Lightfoot is smiling there—he knows the difference between a family trust and a blind trust.

Senator Lightfoot—I’m going to check it out as soon as I finish here.

Senator CONROY—I am sure you will. So Messen Pty Ltd owns 9,000 shares in Telstra. Messen Pty Ltd owned Telstra shares when Senator Alston was communications minister. Those are the facts. Senator Alston is quoted as saying that loans made to Messen were provided with:

... strict instructions that no money should be invested in any companies in any way involved in the area of my portfolio responsibilities.

Senator Alston has stated that he made loans to Messen:

... entirely of my own will and not in response to any request by or on behalf of Messen.

He has also stated:

I was advised that in order to secure my entitlement to the funds it would be prudent to advance such monies by way of a loan, which I duly did.

At no time were any monies sought from me, by or on behalf of Messen Pty Ltd.

The ministerial code of conduct, as flimsy a document as that has become in the last 7½ years of this government—the joke that that document has become—states that a minister may transfer control of shares involved in the area of their portfolio responsibility:

providing the minister or immediate family—

I repeat: ‘immediate family’—

exercises no control on the operation of the nominee or trust.

However, with regard to Telstra shares, the Prime Minister banned those involved in the Telstra float from ever—ever—owning Telstra shares. He said:

It would not be acceptable for a minister to purchase shares in the name of a spouse or a nominee or a trust.

It is clear—this is the Prime Minister’s statement. I will read it again just for Senator Lightfoot: ‘It would not be acceptable for a minister to purchase shares in the name of a spouse or a nominee or a trust.’ A number of issues do require clarification, particularly those surrounding the loans provided to Messen Pty Ltd. Senator Alston is quoted as saying that Messen were given strict instructions that ‘no money should be invested in any company in any way involved in the area of my portfolio responsibilities’. I presume that such strict instructions would have been given in writing. It is difficult to comprehend that strict instructions would have been delivered by way of, say, a phone call or a casual conversation. Would Senator Alston table these ‘strict instructions’? Would the senator provide copies of any other investment
guidelines or restrictions imposed on Messen? Will trustees of Messen Pty Ltd be sacked, given that his strict instructions were ignored?

Senator Alston has stated that he made loans to Messen ‘entirely of my own will and not in response to any request by or on behalf of Messen’ and, ‘I was advised that in order to secure my entitlement to the funds, it would be prudent to advance such moneys to Messen by way of a loan,’ which he duly did. ‘At no time were moneys advanced by me by or on behalf of Messen Pty Ltd.’ Could the senator please explain who advised him to advance such moneys? What is or was the nature of the relationship between himself and the source of this advice? What is or was the nature of the relationship between the source of the advice and Messen Pty Ltd? Was the advice provided in a written form and, if so, will the senator table this advice? What access did those who provided the advice have to the financial reports of Messen Pty Ltd? Could the senator please explain what he meant by ‘secure his entitlements’? (Time expired)

Question agreed to.

Superannuation: Parliamentary Scheme

Senator CHERRY (Queensland) (3.32 p.m.)—I move:

That the Senate take note of the answer given by the Minister for Finance and Administration (Senator Minchin) to a question without notice asked by Senator Cherry today relating to superannuation entitlements of parliamentarians.

I was very surprised by the minister’s response, particularly his comment:

... the current arrangements are not unreasonable, given the lack of security of tenure in the life of parliamentarians.

I think parliamentarians might be surprised to discover that the average tenure of a parliamentarian is actually longer than that of a person in the general work force. In fact, the most recent figures that my office has been able to dig out show that, in July 2001, the average tenure of a parliamentarian was 8.4 years of service; the average tenure of the entire Australian work force was seven years of service. More than that, of the one million jobs created in the last seven years of the Howard government, half of them have been casual.

There has been a very significant change in community expectations as a result of the increasing casualisation of the work force and the increasing propensity of people to move from job to job. I say this because our scheme—the scheme which all of us are members of—is completely out of touch with community expectations. This was the conclusion of the Senate Select Committee on Superannuation headed by Senator Watson when it reported in 1997. The committee said:

The Committee considers that change to the Parliamentary Contributory Superannuation Scheme is desirable. The scheme is now out of step with superannuation practice in the wider community. There is convincing evidence that it is excessively generous to a small group of retiring parliamentarians.

It went on to talk about the issue of members of parliament retiring at the age of 55. The committee noted that parliamentarians in the USA, Canada and the UK are not paid their benefits until 50, 55 and 65 respectively. It went on to point out:

Preserving benefits to a later age could reduce the cost of the scheme to the taxpayer by a substantial margin. The Australian Government Actuary, Mr Craig Thorburn, estimated that the saving could be 20 per cent if the age of access to pensions was increased to 55 years.

Twenty per cent! Given that the actuary says that the cost of the scheme is the equivalent of 70 per cent of the salary of parliamentarians, that is a very significant saving.
More significantly when you look at it, the government, at about that time, did agree that access to pensions would be denied until age 55 for people elected from 2001 onwards. But what about the 192 MPs elected prior to 2001, including, I might add, myself? At what point are we going to ask that those people elected prior to that date should also be required to preserve their pensions to 55 years of age? It is not as if, when you are first elected to parliament, you are making a contract with the Australian people to be here forever. Every three years, or every six years in this place, you make a new contract with the Australian people, and at that point people should decide on the basis of the entitlements that are there whether it is reasonable to turn up for an election. There has not been any evidence that the parliamentary entitlements are denying people the opportunity to come into parliament. I notice there is a very wealthy merchant banker from Sydney spending an awful lot of time at the moment trying to get a seat in parliament, which would result in a very significant reduction in his income. But that, of course, is being resisted.

Senator Ludwig—He will put it in a trust!

Senator CHERRY—Yes, put it in a trust! What we really need to do is recognise that our scheme is out of kilter with and out of range of the expectations of the community as a whole. We have to recognise that the arguments being put up to defend this scheme, particularly those by Senator Minchin in question time, are completely inadequate. It is time that, as parliamentarians, we acknowledge that our scheme has to be changed. The subsidy has to be brought back to a more reasonable level, and access to benefits has to be brought back to a more reasonable age. Rather than having a new set of rules for the 34 MPs who have joined this place since 2001 and having a separate set of rules for the 192 who joined prior to that time, let us acknowledge that each election is a new contract with the Australian people. Let us also acknowledge that the subsidies in our scheme are unfair between parliamentarians in terms of the length of time they are here and, importantly, they are unfair in respect of the rest of the Australian population. It is time we reformed the scheme; it is time we fixed it. I think the report from the Remuneration Tribunal today on resettlement grants gives some indication of the sort of direction we should be taking in separating out the issue of retrenchment on one side from retirement on the other. At that stage we would be on our way to getting a much fairer, more equitable and more workable scheme.

Question agreed to.

CONDOLENCES

Cairns, Hon. James (Jim) Ford

The PRESIDENT (3.36 p.m.)—It is with deep regret that I inform the Senate of the death on 12 October 2003 of the Hon. James (Jim) Ford Cairns, Deputy Prime Minister during the Whitlam ministry, a member of the House of Representatives for the divisions of Yarra and Lalor, Victoria, during the period 1955 to 1977, and at various times in that period Minister for Overseas Trade, Minister for Secondary Industry and Minister for Environment.

Senator HILL (South Australia—Leader of the Government in the Senate) (3.37 p.m.)—by leave—I move:

That the Senate records its deep regret at the death on 12 October 2003 of the Hon. Dr James Ford Cairns, former federal minister and member for Yarra and Lalor, and places on record its appreciation of his long and meritorious public service and tenders its profound sympathy to his family in their bereavement.

Dr Cairns was born on 4 October 1914 at Carlton, Victoria. He was raised by his
grandparents and his mother. He was educated at Northcote High School, where he proved himself a gifted athlete, at the University of Melbourne, where he received his Master of Commerce degree, and at Oxford University, where he completed his PhD—interestingly, on the historical links between British and Australian labour movements. Dr Cairns married Gwendolyn Robb in 1939.

Before entering politics, Dr Cairns was in the Victorian police force from 1934 to 1944. He served in its debating team. He enlisted in the Australian Infantry Force in 1945, serving with the Australian Army Educational Service in Australia and Indonesia until his discharge in 1946. He was then a senior lecturer in economic history at the University of Melbourne until 1955.

Dr Cairns entered federal politics in 1955 after successfully standing as the ALP candidate in the electorate of Yarra, a seat he held until 1969, when he was elected to the seat of Lalor after the electoral redistribution of 1968. Dr Cairns held this seat until his retirement prior to the 1977 general election.

Dr Cairns was a member of the Miscellaneous Workers Union, a member of the University of Melbourne staff association and vice-president of the Victorian branch of the ALP. He later went on to be a member of the national executive of the Australian Labor Party from June 1974 to July 1975. Dr Cairns served as Minister for Secondary Industry from 1972 to 1973, Minister for Overseas Trade from 1972 to 1974, Minister for the Environment in 1975 and Deputy Prime Minister and Treasurer from 1974 to 1975.

During his time in parliament, Dr Cairns was a member of the House of Representatives Standing Committee of Privileges, the House of Representatives Standing Committee on Standing Orders and the Joint Statutory Committee of Public Accounts.

Dr Cairns took a strong and public stand on issues he believed in. He denounced the war in Vietnam and led huge protest marches in a movement which culminated in Labor’s decision to oppose conscription and the war. He, together with Gough Whitlam, was also a strong opponent of the White Australia Policy. He was held in high regard for the leadership he showed in the Cyclone Tracy disaster of 1974, when then Prime Minister Whitlam was overseas, and again at the time of the destruction of the Derwent bridge.

Before and during his political career and after his retirement Dr Cairns was a prolific author on topics such as economic history and social conditions and change. On behalf of the government, I extend to his son Barry and to other family members and friends our most sincere sympathy in their bereavement.

Senator FAULKNER (New South Wales—Leader of the Opposition in the Senate) (3.41 p.m.)—On behalf of the opposition, I support the condolence motion moved by the Leader of the Government in the Senate on the death of the former member for Yarra, former member for Lalor, former Deputy Prime Minister and former Treasurer James Ford Cairns.

In the Australian Labor Party there are two great traditions in constant and precarious balance. They have gone by many names over the years: idealists and pragmatists, Left and Right, and quite a few less complimentary. Jim Cairns was a fearless and influential advocate of idealism, socialism and revolutionary social change. He was a hero to the Left and, in the time of Gough Whitlam—champion of party and platform reform and attacker of impotent purity—Cairns’s defence of principle before politics provided the symmetry that is essential to Labor’s stability. Gough himself acknowledged as much when he said on Sunday:
Jim Cairns brought a nobility to the Labor cause which has never been surpassed. It is a great thing for me that throughout our political careers I had such a colleague, a friend, sometimes a rival, but always a benchmark, in doing the great and good things in the cause of Australia and the Australian Labor Party.

From his political awakening in the 1940s until his death two days ago, Jim Cairns was passionately and unreservedly committed to a single cause. I do not think it will surprise anyone if I say that, despite his 22 years as a Labor parliamentarian, that cause was not the Australian Labor Party. Important as his time in the Federal Parliamentary Labor Party was to us, and important as his influence on Labor was, Cairns’s ambition was greater than parliamentary democracy. He fought, and never stopped fighting, for a radical and complete remaking of society. Party politics was merely one of the ways he tried to achieve that. Cairns once said:

I wear my heart too easily on my sleeve.

His passionate idealism would come to be regarded as a weakness, but his wholehearted commitment to the struggle for social change was also his greatest strength. He was a man of many paradoxes, convinced that he was both obliged and able to save humanity from itself, yet plagued by self-doubt and reluctant to seek power. Fervent in his convictions, he was on friendly terms with many ideological enemies. Cairns could forge a connection with 100,000 people in a crowd, but he had few intimate friends. Cairns had great faith in human nature, yet seemed to have utterly rejected his own. This coldness and kindness was his profound and central contradiction.

For 30 years, he accepted that parliamentary democracy was the only road to substantial social change in Australia and he devoted himself to change through and change within the Australian Labor Party. Yet he was a continued opponent of political compromise. After the 1966 federal election, in which Labor was trashed, he wrote in the Melbourne Sun:

It would be wrong for us to believe that compromise is the road to power ... Unlike football, winning is not all.

And in the strategy paper for the 1975 budget that he never did deliver, he declared:

It is far better to be defeated while attempting to implement Labor policies than to be defeated after surrendering them. I do not believe we can win by surrendering these or, if by any chance we did win, that winning would be worthwhile.

Cairns’s commitment to principle and ideals was rooted in his belief that reform of the existing social order was ultimately pointless: capitalism was fundamentally destructive of human virtues and no project of civilising it could succeed.

Born in 1914, Cairns’s early life had a strong influence on both his nature and his politics. His father never returned from World War I. As a child, Cairns was told his father had died. It was not until he was middle-aged that he learnt the truth: James Cairns had abandoned his wife and his son, travelling to Africa at the end of the war and never returning to his family. Cairns’s mother, Letty, kept this secret until she died in 1964. The truth came as a shock.

Gough Whitlam told me this morning about the day Cairns found out about his father. Gough was in question time and Cairns slipped into the chair beside him to say that he had just had a call from Paul Ormonde who, of course, was writing his biography on Cairns, A Foolish Passionate Man. Ormonde had discovered the truth about James Cairns surviving World War I. Cairns said to Whitlam, ‘It makes me understand a lot of things I didn’t know.’ It explained a visit from a vicar who had offered to assist Cairns’s mother receive a war widow’s pension. The vicar said, ‘So you have a war widow’s pension, Mrs Cairns?’ Letty Cairns responded,
'No, I don’t.’ Cairns’s mother said later that afternoon to her son, ‘I wish people would mind their own business.’ It is noteworthy that Cairns told Whitlam this story during question time in the House of Representatives before he mentioned it to another soul. Surely, this says more about the relationship of Whitlam and Cairns than the claims made, some even today, that they were barely on speaking terms during the period of the Whitlam government.

The other family secret was another legacy of James Cairns. In the early 1920s, Letty discovered that her husband had given her syphilis. Fearful of passing the disease to her son, Letty literally kept the young Jim at arm’s length from then on: the only physical contact she would have with him was shaking hands. Not knowing the real reason, Cairns accepted his mother’s explanation that this was how ‘little men’ behaved. Her parents, with whom she and Cairns lived, were not demonstrative and so Cairns’s upbringing was emotionally restrained and physically distant.

In 1931, when Cairns was in his final year of school, the bank foreclosed on his grandparents’ dairy farm. He endured several demoralising months of unemployment after leaving school until getting work as a junior clerk. In 1935, when Cairns was 20, his mother became too ill to work and the burden of providing for her fell to Cairns. Offered the opportunity to join the police force, he jumped at the chance to leave the ledger books and to earn more money.

Although he received several commendations and was regarded by superiors as a diligent officer with great potential, Cairns grew disillusioned. He disliked being sent to shadow Japanese and German ‘enemy aliens’ during the early years of World War II and he disliked even more being sent to raid the homes of suspected communists and impound ‘subversive literature’. As he said in his first speech to the House of Representatives in 1956:

I think that the nature of the society in which people live has a good deal to do with their quality and the way they behave, and a society in which there is considerable injustice, inequality and oppression ... cannot be a society in which the citizens exhibit all the qualities that please democrats and liberals. And if this is so, it is because of these conditions and not because of any moral fault that some may be able to find in these people.

This was not a view, of course, that fitted well with the police force of the time.

Always intellectually curious and always capable of a tremendous amount of work, Cairns undertook studies in economics at Melbourne University part time, impressing his lecturers and tutors. His growing disenchantment with police work erupted in 1944 when he was falsely accused of corruption. Outraged that his integrity could be suspect—a character trait, of course, that persisted throughout his life—Cairns resigned from the police. After a brief time in the Australian Imperial Force, he was invited to apply for a position in the economics department at Melbourne University at the close of the war.

On campus, Cairns became involved with left-wing causes. Although he would later be accused of communism, in reality Cairns was suspicious of the doctrinaire nature of the CPA and they were suspicious of an ex-copper. Nonetheless, Cairns acquired the radical’s badge of honour in this period: his very own ASIO file. Cairns criticised the Labor Party for not being socialist enough. He doubted the ALP’s parliamentary and reforming approach could truly change society. These doubts would never leave him. However, he could see no other way to bring about the radical social change he was committed to. He was also attracted to the possi-
bility that parliament might provide him with the opportunity to educate on a larger scale than the lecture hall provided.

Cairns joined the Labor Party in 1947. Regarded by the Groupers with suspicion as possibly a ‘fellow traveller’, if not an outright communist, he was soon embroiled in the Victorian ALP’s bitter internal politics, despite his own distaste for factional brawling. When the split in 1955 brought those tensions into the open and shattered the party, Cairns was preselected to contest the seat of Yarra for Labor, taking on the Grouper candidate Stan Keon. Cairns won after a campaign marked by occasional violent skirmishes. A former prominent diminutive senator assisted the Cairns campaign by hurling the DLP how-to-vote cards into the Yarra River. I am pleased to say they sank.

In the Federal Parliamentary Labor Party, Cairns was noted for his generous personal attitude towards his ideological opponents. He was able to maintain friendly relations with hardline right wingers, even as he opposed much they believed in. Partly this was due to his passionate commitment to freedom of opinion and open debate. In a 1947 article for the Melbourne University Magazine titled ‘A Road to Full Employment’, Cairns had written that a truly socialist society would have ‘a general willingness to freely inquire into any and all subjects’.

Partly it was just the way Cairns was. As Tom Uren, his closest friend in the Federal Parliamentary Labor Party, would later say, Cairns was no good at internal politics because he was ‘always too nice to the other person’. Cairns himself said only last year: ‘If you look for the best in people, you will never be disappointed. If you are aware of the worst, you will never think of anything else.

Cairns was always looking for the best in people. His commitment to the Vietnam Moratorium Campaign was in part because he saw it as a way to unlock a grassroots empowerment of democratic citizenship that would lead to broader social change. The Moratorium Campaign legitimised public protest in Australia, drawing unprecedented numbers to the streets and proving that mass gatherings could be responsible, peaceful and influential.

Cairns had been campaigning publicly against the war since the early 1960s, much of the time without support within the party and under attack in the parliament. He addressed hundreds of meetings a year. As the anti-war movement grew, Cairns was its natural leader and his leadership, which has been called both courageous and statesmanlike, was pivotal. Cairns managed to keep protests largely peaceful when both militants on the Left and provocateurs on the Right would have preferred a bloodier outcome. Although the Moratorium Campaign did not evolve into a force for radical social change, as Cairns hoped, its success paved the way for a new view of democratic citizenship in Australia, one where rights and duties extended beyond the ballot box to constant vigilance and activism. This is one of his legacies.

Another legacy lies in Australia’s engagement with Asia. From his early days in parliament, Cairns was an advocate of closer ties with Asia: ‘We have been willing to put on the clothes of Europe,’ he told the House of Representatives in September 1961, ‘without seeing, first of all, whether they would fit.’ Unlike many in the federal parliament in the 1950s and 1960s, Cairns could see past the bogeyman of the ‘yellow peril’ to a region of many different countries and cultures struggling with decolonisation, nationalism and profound economic and social change. He believed it was in Australia’s interests, as well as part of our fundamental human duty, to help our neighbours in those struggles rather than recoil in imagined fear.
Cairns’ energy, his commitment and his ability made him one of the dominant figures in the Australian Labor Party in the 1960s. Indeed, he was the only credible alternative leader to Gough Whitlam. When Whitlam resigned the leadership on 19 April 1968 in a dramatic protest against obstruction of his plans to reform the Victorian ALP, Cairns stood against him, despite his dislike of political in-fighting. Cairns distrusted Whitlam’s pragmatism and so Cairns, the man who wrote that ‘winning is not all’, took on Gough, the man who said that ‘only the impotent are pure’. Cairns ran on the slogan ‘Whose party is this—ours or his?’ and received 32 votes to Whitlam’s 38—a close result that did much to chasten Whitlam’s crash or crash through mentality. It is a measure of Cairns’s stature and charisma that he was a serious contender for the leadership of the Federal Parliamentary Labor Party against such a formidable opponent as Whitlam and despite factional disadvantage.

In 1969 Cairns, his wife Gwen, his son and his daughter-in-law and four guests were brutally bashed by gatecrashers of an ALP fundraiser at his home. There have been many theories about that attack in August 1969, one of the most popular being that it was motivated by Cairns’s opposition to the White Australia policy. Cairns and his family, however, have always held that there were no political motivations. ‘It was nothing more than four or five thugs showing off to their girlfriends,’ Cairns later said. Some said, including some of his parliamentary colleagues, that Cairns was never the same after that bashing—a claim hotly denied by Cairns himself, and denied by his friends and family. Undeniably, his recovery took months and he was plagued with savage headaches for years afterwards.

By the time Labor came to power in 1972, Cairns had lost his faith in parliamentary democratic reform. With such low expectations, he was pleasantly surprised by how much the Whitlam government achieved. The simplistic summary of Cairns is to say that his radicalism suited him more to opposition than to government. This judgment is not justified by his performance as Minister for Overseas Trade or Minister for Secondary Industry, where he showed great capacity for compromise and moderation. It is perhaps justified by his performance as Treasurer. Like many others whose families had suffered dreadfully in the Great Depression, Cairns was deeply and emotionally committed to full employment. Embroiled in a personal crisis over his employment of, and involvement with, Junie Morosi, he was not able to master the new demands of an economy in stagflation.

Perhaps Cairns never really did understand that other people were not as eager to see only the best in him as he was to ignore the worst in them. Perhaps he was simply and unforgivably politically naive. He was certainly surprised and hurt by the media firestorm that erupted over Junie Morosi and over the loans affair. As John Hurst wrote in the Australian at the time:

He desperately wants to believe that other people are or can be as thoughtful, as charitable as he has tried to be ...

These scandals and the perception that the Treasurer had lost his grasp on the economy were more than the staggering Whitlam government could sustain. Whitlam sacked his Treasurer and soon after axed Cairns from the ministry altogether.

Although Cairns stayed in parliament after the defeat of 1975, he was more and more preoccupied with his research into psychological and personal development as the key to social change and played little role in either the party or the parliament. His interest in the alternative lifestyle made it easy for enemies to mock him. Disillusioned with the
possibility of creating a new social order through parliamentary means, Cairns was seeking other tools for social transformation. However, he became disheartened by the lack of interest most adherents to the counter-culture showed in general and genuine social change by the mid-1980s.

Cairns became a familiar figure around the Melbourne markets, selling his many books from a streetside table and taking the opportunity to engage passers-by in conversation and debate. This too was easy to mock, but Cairns saw it as a final—although he was aware that it was probably also futile—effort to change people’s minds and move Australia perhaps a little closer to the utopian society he had first dimly envisaged as a teenager in the Depression years.

Gough Whitlam on Sunday spoke of Cairns’s nobility. I think there is perhaps something a little noble in a former Deputy Prime Minister, a man in his eighties and increasingly frail, braving public indifference and occasional scorn for the chance of changing just one mind, for the chance of striking just one more blow in his lifelong battle. Jim Cairns was amply equipped with moral courage and he was almost immune to criticism. Though subjected to many fierce and vitriolic attacks in his career from without—and sometimes within—the Labor Party, he did not flinch.

Cairns’s wife of more than 60 years, Gwen, died in 2000, the same year Cairns was made a life member of the Victorian ALP. He was deeply bereaved by her loss. Their son Philip predeceased them both. Cairns is survived by his son Barry. We extend our sympathy to Barry, his family and of course Jim’s friends. Jim Cairns had the courage of his convictions, and we are diminished by his loss.

Senator Boswell (Queensland—Leader of the National Party of Australia in the Senate) (4.03 p.m.)—I support the motion by the Leader of the Government in the Senate relating to the passing of Dr Jim Cairns. I listened very carefully to Senator Faulkner’s speech, which was a wonderful eulogy on a Labor Party icon. I was very interested because I remember the days when people whom I was associated with marched in those Vietnam marches around Queensland. It might surprise Senator Faulkner that some of those people actually became parliamentary members of the National Party and served in the Queensland parliament—so Dr Cairns must have appealed right across the board to many people.

He was elected in 1968 and served for 22 years in parliament. One of the things that may be said about him is that he certainly left an indelible mark—he was one of those people whom many people of my vintage can always remember from those turbulent years in the 1970s when the Whitlam government was in power. As I observed last week, those turbulent years were what opened my eyes to politics. There was a division that went right through the parliamentary system of Australia and people either went to the Left or to the Right but, as I said a couple of days ago, it renewed the parliamentary system and got a great many more people involved.

Dr Cairns certainly was a controversial person. He was a crusader. He was a man who put his principles way ahead of anything else: an idealist and a person whose like I have never seen in parliament since—someone who would put everything on the line for his ideals. His political career in the ministry was reduced and he was sacked, becoming the only Treasurer who never produced a budget. But today it is time to deliver our sympathies to his family, to his remaining son. We say to him: your father was a Labor Party icon. He was a colourful and controversial person but he put his beliefs in
front of everything else. The Nationals pass
on our condolences to his remaining family.

Senator BARTLETT (Queensland—
Leader of the Australian Democrats) (4.07
p.m.)—I rise to speak on behalf of the Aus-
tralian Democrats to pay tribute to Dr Jim
Cairns, his life and his contribution both in-
side and outside the Australian parliament,
and to offer our condolences to his family
and loved ones on his passing. Jim Cairns
lived a life that, as is quite clear from Sena-
tor Faulkner’s contribution, was quite ex-
traordinary. To many people it was an inspi-
rational life. It spanned a range of careers. As
Senator Faulkner outlined, Jim Cairns had
been employed as a clerk and a police offi-
cer, had served in the military and had been
an economics professor. He was a long-term
member of parliament, a minister and, at
stages, an acting Prime Minister of this coun-
try. As well, he was a self-described peacenik
from the Vietnam War until his death. It is
worth pondering occasionally what Aus-
tralian history would have been today had three
or four members of the Labor caucus voted
differently in the late sixties on who the fed-
eral ALP parliamentary leader would be. I
am not sure that any of us can predict what it
would have been, but I think we can be sure
it would have been different.

Jim Cairns was raised as the only child of
a sole parent and, from a relatively young
age, he cared for an invalid mother. His wife,
Gwen, who I understand was also known as
Katie, was also a sole parent when he met
her at the 1938 Empire Games in Sydney.
She passed away a few years ago after a mar-
rriage of six decades in which she worked
beside him, campaigned for him and
marched with him. In paying tribute to Jim
Cairns’s life, I think that, with an association
and a union like that over so many years, and
with such support on those issues, in many
ways these are also tributes to his wife’s con-
tribution to Australian society.

Dr Cairns’s son Barry has described his
father’s greatest contributions to Australia as
his ’vitality’ in the Whitlam government, his
organisation and leadership of the anti-
Vietnam War moratoriums and his respect
for people from all walks of life. As part of
that I would like to associate the Australian
Democrats’ initial leader, Don Chipp, with
our comments today and link that to the fact
that Jim Cairns did have respect for people
across all walks of life. I am a bit young to
remember much about Jim Cairns. The Whit-
lam government was terminated when I was
only 13 and I really have only the vaguest
recollections of the Vietnam War moratori-
ums. Therefore, virtually all of my under-
standing of Dr Jim Cairns's involvement is
based on other people’s perceptions and
viewpoints of history.

When I asked Don Chipp if he had any
views that he wanted to contribute to this
speech, he said he did want himself associ-
ated with the Democrats’ condolences. He
has also spoken to the media himself in re-
cent days paying tribute to Jim Cairns. They
did serve in parliament at around the same
time for close on 20 years but, of course, on
different sides of the chamber. Indeed, Don
Chipp had also been taught economics by
Jim Cairns at Melbourne University in the
1950s, which may confirm some of the Lib-
erals’ suspicions about some of the Democ-
rats’ views on economics and where we got
them from.

Senator Brandis—Or where you didn’t.

Senator BARTLETT—That it is very
harsh. Jim Cairns retired from parliament
after 22 years, in 1977, which was the year
the Democrats were founded and were first
voted into parliament. After Dr Cairns left
parliament, over 25 years ago now, he re-
mained an activist for a further full quarter of
a century, writing, talking, protesting and
organising on many social issues. Don Chipp
spoke of often seeing Dr Cairns at the Melbourne markets, where he sold copies of his many books and was always available to have a hearty political debate with the public.

Jim Cairns was a strong critic of the Liberal government’s support of the Vietnam War in the 1960s. Don Chipp realised he had been wrong in his support for the war as part of the Liberal government at that time, and later admitted as much. Of course, few Liberal politicians of the time were prepared to do so, although, according to Don Chipp, in private many had quite strong concerns. I fear that that is probably not too dissimilar to the situation we have witnessed recently, when the entire coalition stood silent while the Prime Minister took us to war.

Jim Cairns argued that the reasons given at the time for the US and Australia’s involvement in the Vietnam War were completely false and were based on misleading information, inaccurate details and misrepresentations to the Australian people, which, unfortunately, has had a bit of a familiar ring in recent times as well. He pointed to the tremendous human and long-term costs and cruelty of that war. His lifelong commitment to the peace movement included not just a commitment to the struggle against the Vietnam War but also speaking out against future wars as well.

In his early days as a politician, in the mid-1950s, in a newspaper interview Jim Cairns said:
The peaceful must be heard against the nationalist and the militarist.

For much of the 1960s, defiance of the National Service Act was confined to a small number of conscientious objectors who were routinely dismissed as ratbags. By the decade’s end the situation was different. There were sit-ins, draft card burnings and large campaigns to encourage young men not to register for the draft—although I am sure that some people still insisted on dismissing them as ratbags. This civil dissent was defended and indeed promoted by Jim Cairns, who argued that the conventional expectation that people should ‘accept what governments do and should not much object’ was an emasculated version of democracy. In arguing for the freedom to break the law according to an individual’s informed moral conscience, he did put forward caveats that there must be no claim for the use of violence, that those who broke the law must be prepared to accept the consequences of their acts and that defiance ought not be specious or reckless.

In many ways Jim Cairns was well ahead of his time in examining the meaning of democratic participation and how it could be more effective. That is an ongoing challenge still facing many of us. He gave numerous speeches at universities, and there is little doubt that he was and will forever be seen as a leader of a protest movement that contributed significantly to building public opposition to the Vietnam War and to the success of the campaign that finally brought Labor and Gough Whitlam to power in 1972.

From 1970, Cairns led major protests against Australia’s involvement in the Vietnam War, clogging capital city streets with hundreds of thousands of demonstrators. He led 100,000 protesters against the Vietnam War down Melbourne’s Bourke Street, finishing with a 12-minute sit-in. He was very much a peaceful peace activist—something that the peace movement today very much needs to continually remind itself of the importance of. He described being very concerned about the possibility of violence on the day of the first rally in 1970. He said:

... and suddenly as I walked out into Bourke St, I saw the whole city was open to us and it was just a complete transformation of everything. People exuded peace and good nature. There was no violence there at all.
Again, I think it is a great tribute in many ways that the even larger marches that occurred earlier this year prior to the war on Iraq had a similar atmosphere of peace, of good nature and of goodwill, despite the strong concerns that people had about what the country was about to get involved in.

The Vietnam marches were the largest marches Australia had seen and the lack of violence was in part attributed to Cairns’s unique cooperation with the Victorian police force. Of course, he himself had experience as a police person earlier in his career. He effectively forged new ground by winning the right—and I suggest the respectability—to hold mass demonstrations, despite vehement opposition and vitriol from opponents in the community and in the parliament. This was not, of course, the end of his commitment to the peace movement. In the early 1990s he was active in opposing the Gulf War and, when an even greater number of Melburnians marched in February this year, this time against the war in Iraq, Jim Cairns was there again in his wheelchair. As I understand it, it was his last public appearance.

He was a man who was, and will remain, part of Australian history and, in paying tribute to him, we can and should learn a lot from that history. As others have said, he was admired for his actions as Acting Prime Minister when Cyclone Tracey struck Darwin in December 1974. Many spoke of him at times as an alternative Prime Minister and, as has been mentioned, he came very close to becoming at least opposition leader in 1968.

In 1995 the Australian newspaper revealed documents about former US President Richard Nixon ordering a review 20 years earlier—in 1975—of the US-Australian alliance because of what the US administration saw as anti-US sentiment in the Whitlam government, particularly by the Deputy Prime Minister, Dr Cairns. Twenty years later, Jim Cairns wrote in the Australian of the events of that period. He said:

There was nothing unusual or unexpected in the apparently secret report of President Richard Nixon involving the US and the CIA in Australian affairs. Countries that consider themselves to be great powers always involve themselves in the affairs of other countries.

Cairns indeed stated that he believed differences of views on security were one of the main reasons for Whitlam’s dismissal. When Cairns was Acting Prime Minister, according to what he wrote in the Australian in 1995, he said that the then Governor-General, John Kerr, had visited him at Kirribilli and, in what he described as a long, rambling conversation, told him that the Whitlam government could not last at least in part because of security reasons—something that Jim Cairns said he then passed on to Whitlam.

In what might be seen as a prescient comment, even for 1995, Cairns went on to note:

US and other security concerns have lessened with the end of the Vietnam and Cold Wars, but they are always there and will come back again...

Aside from his peace activism, Jim Cairns pursued other causes. He was an early opponent of the White Australia Policy and a supporter of closer ties with Asia. As a minister from 1972, his initial portfolios were Industry and Overseas Trade, where he championed opening links with China. He dismissed the idea of the level playing field as nonsense, always pointing to the gap between rich and poor and the power of the rich. He argued against economic rationalism and condemned economics that had no room for human values. He became increasingly interested in the effects that unbridled materialism was having on social connectedness, particularly on young people, suggesting that the next frontier of social progress depended on how we as a society nurtured our chil-
dren. Given his own experience as a child, which Senator Faulkner outlined, no doubt he felt some special insights into that.

In his life post parliament he did many things, not least, of course—as has been mentioned—writing many books and seeking to sell them at markets in Melbourne. Being a supporter of peaceful protests, he was surprised to be thrown out of a Pauline Hanson One Nation meeting in 1997 for handing out leaflets arguing against racism. He is quoted as saying:

It was the first time in 50 years that I had been handled physically by a member of the police force.

In 1998, he lent his support to the Maritime Union of Australia’s campaign against the introduction of non-union labour on the docks, and last year he supported a newspaper advertisement criticising the government’s proposed new antiterrorist laws. He always felt Australia was more in danger of democratic lassitude than of a descent into lawlessness. As I mentioned, it is probably fitting that his last major public appearance was in a peaceful, popular and extremely well-attended protest against the Iraq war. As the Prime Minister, Mr Howard, has acknowledged, he was a great warrior for genuinely left-wing causes. His biographer described him as ‘the conscience of the nation’ and a ‘keeper of the faith’.

He was indeed an extraordinary man who lived an extraordinary life—a contradictory person, as Senator Faulkner said. He was once asked by a journalist if he was spiritual, an atheist or an agnostic, and he replied: ‘No, I don’t want any labels, none at all.’ Whilst he might not have wanted labels, I do not think he was ever able to avoid them. I am sure that now, on his death more than ever, he will be given lots of labels—some that have been mentioned, such as naive and idealistic. I have spoken myself a number of times about a little bit of naivety probably being an essential, if occasionally unhelpful, component of life in politics. Idealism, again, is one of those things that people continually try to balance with the desirability of achieving results. Maybe some of his naivety was because of the characteristic that has been mentioned, of his always looking for the best in people rather than expecting the worst. I think the labels that are most likely to be widely used in relation to Jim Cairns, even from people who are of very different political persuasions to him, are passionate, genuine and committed throughout his life to making social progress wherever possible. I think those are the sorts of labels that all of us would be keen and pleased to have attached to us and the work we have done when our time has finished.

Senator COOK (Western Australia) (4.23 p.m.)—I, too, rise to pay tribute to Dr James Ford Cairns. Pierre Elliot Trudeau, a former Prime Minister of Canada, claimed that his chief recreation was reading the reasonings of senior judicial decisions of his own country, from the American high court, from the Privy Council and from the high courts of other countries. He relaxed when he read the logic. If that was true of Pierre Elliot Trudeau then it could be said that the life of Jim Cairns, who was not a lawyer but an economic historian, would suggest that he, too, found a sense of joy and pleasure in reading history, in understanding economic history, in reading social commentary, in understanding what makes societies tick, in coming to grips with the role of citizens in a society and in a parliamentary democracy, in reading political thought—modern, at the time, particularly socialist political thought—and in trying to make a political contribution, as a citizen, to his country.

He was, I believe, a fascinating individual. Cairns, at the time I first met him—and only then briefly and not since—was the towering
political figure of his time. He did articulate the issues of the age. He inspired a generation of Australians and I believe remains the benchmark for many of us now. In embodying his time and his era, he was a mild but compelling figure. He was someone who understood, I believe, the importance of reaching a fundamental analysis of what the problems in society were, trying to lay them out comprehensively yet lucidly. In the era that he was a dominant political figure in Australia he made a massive contribution. It was a tumultuous time for Australia and for the world. It was a time of war—of the Vietnam War. It was a time of a massive protest movement, not only here but in the United States—the movement in the United States gathering on the back of a civil rights movement led by Martin Luther King Jr. It was a time of sexual liberation and of new generations finding new relationships with one another. It was the time of rock-and-roll and the youth culture. At that time, Cairns stood as a towering figure. Later in life he became a sadder—at least from my perspective—and somewhat more flawed person. But it does not detract in the slightest from the impact he made on Australia in the period of the Vietnam War and the protest movement that he led. It is not necessary to agree with all of Dr Jim Cairns’s views to hold those opinions that I have just uttered. I do not agree with all that he articulated, but I do think that the contribution he made to this country cannot be denied, and his significance as a symbol for his era cannot be gainsaid.

Cairns left school at a young age. He left school in difficult circumstances. He got educated by joining the police force and by taking some of the rewards of his athletic ability. He is an example of an educated person from the working class who ordinarily would not have had an opportunity to obtain higher education but achieved it through his own diligence and through his own efforts. It is not surprising, therefore, that he saw education as a way of liberating many people from the drudgeries of what would otherwise have been their lot, and to encourage people to realise their full potential by having an equal opportunity to educational access.

He became, as has been said in the fine speeches that have commemorated him here this afternoon, an Acting Prime Minister, a Deputy Prime Minister, and a Treasurer of this country, and a minister for trade. As a former minister for trade, might I acknowledge the role he played in opening up new markets for Australia, markets that are now among our most important. He led the inaugural trade mission to China, and China now is one of our biggest export destinations, continues to grow apace, and is responsible for the jobs of about five to 10 per cent of all Australians, given the demand for the products and the commodities that that market has. Cairns was the one that from a trade point of view, following on the heels of Whitlam from a political point of view, opened that market and laid the foundations for us to achieve that type of economic growth.

I freely and fondly admit that he, more than any other figure at the time, influenced my interest in politics. I remember the occasion that I met him. It was in the seventies, at a teach-in at Adelaide University on the war in Vietnam. It was, of course, the question of the time. He presented to that teach-in a rather long but always fascinating exposition of the issues in Vietnam—the historic development of the country, the occupancy by the French, the war of national liberation to throw off the yoke of French colonialism and how the Communist movement had taken over the national liberation movement. But he was always careful to make the point—which is the fundamental analytical truth, I think, of the Vietnam War—that it was not a
war of dominoes ever descending in an expansionist Communist push throughout South-East Asia; it was, in its essence, a war of national liberation and a war in which the people of Vietnam backed those who fought hardest for their liberation.

He painstakingly stumped the country, relying on logic, relying on history, relying on reasoned argument and relying not only on a recognition of the correct points in the opposing argument but also on presenting the whole point of the case. As a consequence—he provided the intellectual basis for opposition to the war in Vietnam, which ultimately led to the election of the Labor government in 1972. When he started on that process it was not a popular thing within the Labor Party to do. But, in the duumvirate of the first few days of the new Labor government, it was the popular thing for the Whitlam government to bring home the troops and end conscription. He was not a man for slogans; he was a man for reasoned argument. He was a man who believed in listening to the point of view of others and then dealing logically with their case.

One wonders what Cairns, if he were a member of the parliament of Australia today, would make of issues like the children overboard case and the question of where the weapons of mass destruction are. One wonders what contribution he would make to the debate about unilateral military force as opposed to multilateralism. One does not have to wonder too much, because his earlier life is a template for how he would have dealt with those issues. I think it is fair to say that, while he was an intellectual, he was an intellectual who above everything else respected and venerated the rights of individual Australians. He was a man of the parliamentary system, but one who believed that the people were, in fact, the true rulers of the country. He encouraged argument, to invite the people to participate in the political debate, thus making the democracy stronger. He believed in protest if, at the end of the debate, there was still outrage unanswered that needed to be protested against. It was from that point of view that he gained prominence. He led millions of Australians in the Vietnam moratorium.

Early in his political career he was attacked in a parliamentary speech. Being the sort of person he was, he went away and sat up all night reading the report that was the subject of the attack and all the other documents, and came into the parliament the next day and demolished the arguments that were used against him. The gallery at the time was amazed that someone had the diligence and the capacity to so thoroughly research an issue and then deal with it so effectively and politically the following day. It is the sort of parliamentary contribution that this chamber and this parliament should encourage. That is the Jim Cairns I remember and that is the Jim Cairns I pay tribute to. I pay tribute to him and to his surviving family. I pay tribute to his wife and to his son, who is also deceased.

In his later life, he ventured on a journey of discovering his inner self and faded from public view. He was derided over his relationship with Junie Morosi and his statement of ‘a kind of love’. I think this was a sadder era of Cairns’s life, but one in which he obviously achieved much greater personal fulfilment than he may have achieved in his political activism. However, taken as a whole, while flawed, this was and remains a magnificent Australian life, and I am happy to join others in this chamber who have paid tribute to it.

**Senator BRANDIS (Queensland) (4.35 p.m.)—** Dr Jim Cairns was one of the giant figures of post-war Australian politics. He was a bigger figure than many who served as Leader of the Opposition. He was a bigger
figure than some who served as Prime Minister. He published more books, I think, than any other Australian political figure—even more than Sir Paul Hasluck—and he had more biographies written of him in his life than any other Australian political leader. He was that rare thing in Australian politics: an intellectual. At the same time he was that even rarer thing, albeit very briefly in the late 1960s: a politician who was a popular hero.

I have read a lot of what Dr Jim Cairns wrote and I can think of hardly a single word he wrote or uttered that I did not disagree with. And yet I admired him. I actually met Dr Cairns once, in Canberra in January 1973. I was a schoolboy, and one of my relatives had just been sworn in as a minister in the Whitlam government. My mother and I went to visit him in his office and, lo and behold, Dr Cairns—then the minister for overseas trade—arrived unannounced. I remember being presented to him by my cousin and being impressed by his modesty and his gentlemanliness. When Harold Macmillan went to Washington in April 1961 to visit the newly elected President Kennedy, he was asked on his return to Britain by one of his friends what Washington was like under the new Kennedy administration. He replied, ‘Rather like a pleasant northern Italian city shortly after it has been taken over by the Borgias.’ That is what I suspect Canberra was somewhat like in January 1973 with the arrival of the Whitlam government.

Why is it that the news of the death of this man—this fearless advocate of ideas which increasingly through his life were shown to be patently absurd; this apostle for some of the bloodthirstiest dictatorships that mankind has ever seen; this person who, as a minister, showed an appalling lack of judgment rarely equalled in the annals of Australian politics; this man who, as other senators have said, in his later years became rather a sad figure, retreating into mysticism and benign eccentricity—was greeted this week with sadness from I think all sides of politics? It cannot have been anything to do with the ideas that he held. Perhaps it was to do with the way in which he conducted himself as a public man.

I believe Jim Cairns was one of the great romantic figures—one of the few romantic figures—of Australian political history. As a romantic figure, he could have walked straight off the pages of Rousseau. He was the Australian equivalent of the sort of politician whom in the United Kingdom we recognise in Michael Foot and Tony Benn. In the United States he bears comparison with Henry Wallace and perhaps with Eugene McCarthy. He was a man who, although as I say in my view was wrong about almost everything he said, nevertheless had many very fine qualities which lent his political career dignity and, with the news of his death, have vested his memory with respect. He was, as others have said, a conviction politician—and that is a quality which in these days of synthetic, dispassionate and managerialist politics looks more and more attractive, if more and more antique. He was a person who had integrity. He was a person who, as others have said, conducted his public life with moral courage. As I have noted before, he was a person graced with a civility and decency in the way in which he conducted himself as a public man—albeit saying the most absurd things—which many of us today would do well to emulate.

When I think about Dr Cairns, the remark that comes most readily to mind is the famous one of President Theodore Roosevelt about the man in the arena. No doubt, Mr Acting Deputy President, you have heard many times President Roosevelt’s celebration of the man in the arena. He said: It is not the critic who counts, not the man who shows how the strong man stumbled or how the doer of deeds could have done better. The credit belongs to the man who is actually in the arena;
whose face is marred by the dust and sweat and blood ... who knows the great enthusiasms, the great devotions and spends himself in a worthy cause; who if he succeeds knows the triumph of high achievement, and who ... if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory or defeat.

That was the character of politician I think Dr Jim Cairns was.

But, in celebrating his life and paying tribute to his public conduct, we should never make the mistake of confusing sincerity and integrity of purpose with wise policy and good outcomes. Sincerity is never its own justification, and the conviction with which beliefs are held is no guarantee of their rightness. Indeed, if it were otherwise, all the great fanatics in history would be validated. I think it can be said in defence of Dr Cairns that he never crossed the boundaries of fanaticism; he was merely a man who was wrong. Yet although he was wrong, he erred while daring greatly on behalf of beliefs which he sincerely held. So today, as we celebrate his life, a life which I believe demonstrated a certain nobility of purpose in pursuing the career we as members of parliament all share, we can celebrate a noble spirit while giving thanks that the ideas on which he spent his life never came to pass.

Senator BROWN (Tasmania) (4.43 p.m.)—I rise to support the motion moved by the Leader of the Government in the Senate. Let me say from the outset that I am not here in the sort of sadness that Senator Brandis just spoke about; I am here to celebrate and be happy for the life of somebody who dared to be different and who dared to wear his heart on his sleeve. Politics is unfortunately about getting up the ladder and treading on the fingers of other people, and those who are least sensitive about that and most able to do it tend to get to the top. This is the great dilemma for politics: we have to end that. We have to get people who do have heart, who do have sensitivity, and we have to have a humanness and a recognition that this little planet we live on—this earth—is the only one we have. These were concepts that Jim Cairns had but that are far too rare in those on the other side and, I suspect, in the last speaker.

Senator Brandis said that the problem with Jim Cairns was to do with the way that he conducted himself as a man. I suppose it is a problem if you are open. I suppose it is a problem if you have affairs of the heart and everybody is prying to know the details and you decide not to give in to that—in other words, the hypocrisy of society does not do you in. I suppose it is also a problem for Senator Brandis that Jim Cairns went for mysticism and benign eccentricity. Yet he would be the first to get on his feet if I were to move again to do away with the benign eccentricity of the performance that we have at the start of every Senate sitting where we pray to God—and a Christian one at that, excluding all other faiths, let alone agnosticism and atheism—to save us from being awful to other people and then immediately get into it in the way that we have just heard from Senator Brandis. I would celebrate the mysticism and benign eccentricity of Jim Cairns rather than some of the other forms of mysticism and malign eccentricity that we sometimes come across in life, and that includes in parliament.

Yes, Jim Cairns was a turbulent character because he was open to the world as it happened not only outside his own personal domain but also within his own life. Life is a struggle. Life is complicated. Life is an infinitely complex process of dealing with not only the battle between good and evil but also the reason why we are here, where we are going to and what we can do best while we are here. Jim Cairns struggled with that. He made mistakes and he knew that. But the
spectre of this man as an old man never losing faith in humanity, selling his books at the markets, speaks of an optimism in the goodness that there is in humanity. As Senator Faulkner said, the wish just to convert one other person, to give them courage to be themselves and to let their own complicated but inherent design of how the world should be a better place come out, bespeaks an optimism in humanity that is too often missing in the short-term, myopic and malign point of view that we hear put forward in the halls of power everywhere.

I bless Jim Cairns for his role in advocating through the Vietnam War not only against violence and invasion but also for the peoples of the world to recognise our brothers and sisters around this planet as living human beings just like us and never allow distance or the tyranny of political debate to let us forget that. In fact, Jim Cairns was a holistic globaliser because he understood that we have to live together as a community in peace and live with this planet as if we valued it. If only in this world of market fundamentalism that sort of spirit could prevail.

It is because of Jim Cairns that many people hold their spirit in our great democracy for a better world in the future. His influence is on the whole of our society, in its own small way, and on many individuals like me who might not be here if were not for his sort of example—flawed, but uplifting—way back, decades ago, when people like me were struggling with our own concept of wanting the world to be a good place but seeing it overwhelmed by the powers that be, taking it in a direction which is not sustainable into the future.

When I think of Jim Cairns, I think of Thoreau, Tolstoy, Gandhi and Martin Luther King. None of those people lived perfect lives—personal lives, sexual lives—but all of them have left a great legacy beyond themselves for the whole of humanity. Thank God for Jim Cairns and his life.

**Senator CARR (Victoria) (4.49 p.m.)**—I would like to begin by paying tribute to some of the very fine speeches that have been delivered this afternoon. I think Senator Faulkner’s speech stands out. I commend Senator Brown for the generosity of his remarks and I agree with the thrust of what he has said. It strikes me that it is never an easy business to be considered the conscience of any political party, but that was the difficult role that Jim Cairns filled, in Victoria especially and for Labor more generally, in those defining years before the election of the Whitlam government in 1972. He represented the wing of the labour movement that highlighted the politics of principle, the politics of compassion and the politics of commitment to the socialist objective. He was part of the great balancing force in the party which, at the time, was criticised by many for its plain preoccupation with pragmatism and opportunism.

It is an irony that a man who was often said to be uninterested in electoral politics was so influential in building a huge constituency for Labor during the late sixties by winning to Labor’s banner hundreds of thousands of people who were interested in social reform, which saw tremendous growth in Labor’s vote in 1969 and of course ultimate victory in 1972. It was a remarkable achievement that Jim Cairns was able to be a consummate parliamentarian and, more especially, such an effective organiser throughout the political arena on a broader level.

Anyone who reads the history of the Victorian ALP following the split will acknowledge the role Jim Cairns played in rebuilding the Labor Party in those difficult years. He made a contribution to the labour movement and to the ALP during the 1950s and the 1960s which, in many ways, has been ob-
secured by the public discussion of his work in the period after 1975. Take for example the federal seat of Yarra, which was based in the inner east, particularly in the suburb of Richmond. It was one of the great prizes in the bitter fight between the ALP and the anti-communist Labor Party, the DLP, following the split in 1955. Held by the grouper Stan Keon, Yarra was a seat the ALP had to regain if it were to avoid another dent in its electoral credibility.

Jim Cairns was preselected from a field of 10. He won a bitter campaign. The campaign was assisted by many activists from the Victorian branch of the ALP who would later gain political prominence in their own right, including Clyde Holding and John Button, both later federal Labor ministers. It is also interesting to note that those three men came to represent the three streams that made up the post-1970 ALP in Victoria: the SL, Labor Unity and the independents. My reading of the history at the time suggests to me that Jim Cairns’s preselection was not without its detractors. Pat Kenneally, a noted operator himself, observed that it was remarkable the Richmond branch of the ALP accepted Cairns, remarking:

... strangely well, when you consider it was someone who didn’t live in the electorate, an ex-policeman, academic—it could hardly have been worse.

He won because he was such a clean skin, a good organiser and so committed to honesty in politics, which were very strong assets in Richmond at a time when politics were characterised by all the opposite attributes. He succeeded where many expected him to fail only because he was able to articulate a vision of the Labor Party which was more in keeping with the ideals and traditions on which the Labor Party was founded. Through the seat of Yarra he was able to build a springboard for party renewal. It was a testament to his skills, both as an advocate for political ideals and as an organiser.

Jim Cairns was born in Drummond Street in Carlton in October 1914, a stone’s throw from the Melbourne Trades Hall, the scene of many of his political battles in later years. When he was nine years old he moved with his mother to a dairy farm purchased by his grandparents outside Sunbury, which was then a village on the road to Bendigo. Jim Cairns grew up in a household that supported the Labor Party. His family were particular admirers of the radical MP Reg Pollard, who had won a seat in the Victorian Legislative Assembly a little earlier and who went on to have a distinguished career in the federal parliament. Shortly before leaving Sunbury state school in 1928 he was presented by the school principal, somewhat prophetically, with a copy of William Morris’s utopian socialist novel News From Nowhere, with the advice:

I was already a socialist. I had no choice but to continue to be one, and therefore I had better be a competent one.

Works like those from William Morris proved highly appropriate because Jim Cairns lived his political life in that same spirit. While he was never completely convinced by Marxism—he was never a communist, whatever his detractors argued—Jim Cairns was an ethical socialist to whom compassion for humanity and its betterment was a more convincing argument for socialism than the rigours of economic determinism. His socialism drew on an instinctive belief in human equality and social justice and a passionate belief in the innate goodness of humanity. As a consequence, in so many matters of international affairs and social justice he was a politician well ahead of his time. He was often derided for the opinions he held, but I think he has been vindicated in so many ways by history. It is a pity that Senator Brandis is not able to ap-
preciate some of that. I note in today’s press that Malcolm Fraser acknowledges that Jim Cairns was right on the Vietnam War.

Jim Cairns was not a politician in the conventional sense because he was able to acknowledge that politics extends way beyond the parliamentary process itself. He was not afraid to stand up for views which he knew to be unpopular or to be in a distinct minority. This was characteristic of his entire political life. He drew upon his experience of the Depression as a source for his social radicalism. His first employment as a child was chopping wood. He later worked unpaid in an unsuccessful radio shop in Preston and then as a policeman, a job he obtained in the depths of the Depression after the intervention of Sir Thomas Blamey. It was not a job that I think suited him well; however, it was one he held until 1944 when he enlisted in the AIF although, as the war ended, he was not shipped overseas.

Jim Cairns’s activities at the University of Melbourne, like so many ex-servicemen, led to a reawakening in him and a reopening of opportunities. He had a distinguished academic career and later attended Oxford, where he studied under G.D.H. Cole. He returned to the University of Melbourne as a lecturer in economic history. His radicalism dates particularly from these postwar years. At the University of Melbourne he became a prominent member of the Labor club, a flourishing socialist society that produced many of the figures of great public and intellectual significance to this nation. Jim Cairns is to be numbered amongst the best of them. Although critical of the conservatism of the Labor Party, he joined in 1947, seeing it as the most effective vehicle for political action in this country. At the same time he became a member of the re-established Victorian Fabian Society.

It was shortly before his departure for Oxford in 1951 that he became active within the party, immobilising opposition to Menzies’ plan to ban the Communist Party. Although a critic of the Communist Party, he defended its right to exist. It was a principled position, vindicated by history and by the Australian electorate when Menzies’ final attempt to suppress that organisation was rejected.

That in itself has lessons for us all. It precipitated quite a serious divide within the Labor Party. Members were ranged against each other. It was a campaign that some felt was useless, was fraught with danger and would ultimately lead to failure. It was a view challenged by those that said there was overwhelming public support for Menzies’ position. It was during a time of cold war and, in fact, a time of hot war—that is, the Korean War. It was a time when many felt keeping true to principles was very difficult. Jim Cairns did that. It was a time when keeping true to principles in fact preserved one of the great principles of our society—that is, the right to dissent. It was quite clearly an example which Jim Cairns learned from in his political life. The lessons learned during that campaign were to be applied in equal effect in that generation during the Vietnam War, because a similar pattern emerged about people’s perception of the prospect of failure in that campaign.

Jim Cairns was a man who, during the fifties, was able to front up to the great dangers facing the Labor Party. It was a period when the Labor Party was exiled from federal office, as it was in many of the states. It was during these years that he demonstrated a mastery of a wide range of interests and, unlike so many other politicians, he was willing to put principles to the test. He was never uncritical of the ALP. He appreciated its complexities and its foibles, but my reading of the situation was that he had an innate
understanding of its potential as a vehicle for social change.

His policy interests and contributions were wide, including many fields of economics as well as trade and human rights. His commitment also found expression in heartfelt and sustained campaigns against racism, the White Australia Policy and anti-colonialism. In terms of our perceptions today, he was demonstrated to be correct in all of these beliefs. They led to his involvement in the anti-Vietnam campaign and the moratorium movement, which will be forever linked to Jim Cairns. He emerged as a national figure. He stepped up his campaign for a more radical agenda within the Labor Party. It has to be remembered that, in 1968, he came within a few votes of defeating that great Labor figure, Gough Whitlam, for the leadership of the federal Labor Party.

Jim Cairns was an inspiration for people such as me. I can recall that, as a student in Victoria at the time, it was his public presentation of the issues around Vietnam that led to my direct political involvement through the moratorium movement. He encouraged many people like me to see the value of the Labor Party as a vehicle for social transformation. Throughout these years, his primary powers as an advocate and organiser were used to great effect and were of great benefit to this nation. It was during these years that Jim Cairns was at the height of his political powers and was a major mobiliser of Labor’s 1972 victory. He was the heartbeat of the nation’s ambition and idealism.

The federal intervention in the Victorian branch in 1970 presents another side of Jim Cairns’s politics and demonstrates one of his erratic positions. He was never convinced of the validity of intervention. Nevertheless, he served briefly on the transitional advisory council in the interests of party unity. When the Socialist Left was formed in Victoria in the wake of intervention, it was Jim Cairns who was a founding member. In fact, I am advised by a person who was actually at the meeting—a member who is employed in my office at the moment, Andrew Reeves, whose father was one of the co-convenors at the time—

Senator Forshaw—He was actually at the meeting?

Senator CARR—He was actually at the meeting—that Jim Cairns was the first name on the list of signatories in support of the formation of the Socialist Left in Victoria. He remains one of the great Labor leaders of the past half century. Jim Cairns has left an indelible impression on Australian society. His record of achievement ought to be acknowledged, even though it is derided in some quarters. His work in the Whitlam government has been much underrepresented. His work as trade minister and as Deputy Prime Minister, particularly during the period following Cyclone Tracy, has not been properly acknowledged. His work in the Treasury has been a matter of some public discussion, and I think it led to his final disillusionment with the political process through the parliamentary system. Jim Cairns’s contribution to Australia ought to be acknowledged. I support this resolution because I think that Jim Cairns was one of the truly great Australians of the last 50 years.

Senator FORSHAW (New South Wales) (5.05 p.m.)—I rise to make a few brief comments to recognise the passing of former Deputy Prime Minister Jim Cairns. Senator Cook spoke earlier in this motion of condolence and referred to the fact that Jim Cairns was a leader of the youth generation of the sixties and seventies. I was a member of that generation. I think Senator Faulkner and Senator Hutchins certainly were—

Senator Faulkner—It’s hard to believe we were young.
Senator FORSHA—It is hard to believe, yes. We were there, whether we remember most of it or not. I certainly recall that, when I joined the ALP in 1967 at the age of 15—when I was old enough to join and my father took me along to the Cronulla branch meeting—the ALP was in some degree of turmoil following the landslide defeat in 1966 in the famous election on the Vietnam War. Labor lost that election but was ultimately proved to be correct. At that time, Jim Cairns was the leader of the Left nationally and, for many of us on the Right, he was regarded as the enemy.

Indeed, during the leadership challenge in 1968 I vividly recall attending meetings of the Cronulla branch where we were passing resolutions supporting Gough Whitlam and condemning Jim Cairns and, only three miles up the road in the Caringbah branch, Senator Arthur Gietzelt’s branch, they were passing resolutions condemning Whitlam—somebody who probably should have been expelled—and actively supporting Jim Cairns’s challenge. We all know the result of the ballot, but that is how intensely these issues were fought out in the party at that time.

Events moved on. Whitlam was elected. Those of us who participated in the moratorium marches recognised that Jim Cairns was the leader of that movement. I can recall, when I first joined in 1967, being taken along to meetings in some rather drab halls in the shire—to attend, on one occasion, a meeting addressed by Jim Cairns about the Vietnam War and to watch some pretty grainy black and white film of the struggle of the Vietnamese people. Many of us were rather sceptical about Jim’s position at the time. There were people in the Labor Party who still thought that the Vietnam commitment may have been right. But Jim Cairns increasingly convinced those in the party and then those in the nation that our commitment was wrong. I was proud to march, as a student, in the moratoriums.

In 1974, I had become the President of the Young Labor association in the Cronulla-Sutherland area, and we thought we would try and do something to assist the election campaign for the double dissolution in 1974. So we thought, ‘Let’s invite a speaker out to a campaign meeting,’ since the Young Labor association was getting involved, particularly to support the then member for Cook, Ray Thorburn. We approached a few people and eventually Jim Cairns agreed to speak at a public meeting. I have to tell you, that sent a bit of a shiver through some people, because they were a bit concerned that something provocative might be said. Jim came out, addressed the meeting—I think there were well over 200 people—and was well received. We regarded it as a great contribution that we had made to get Jim out to the shire to speak to the faithful.

A lot has been said about Jim Cairns and what happened in his later life. I can recall, in 1974, when Cyclone Tracy hit—I think Gough was overseas and Jim was Acting Prime Minister. If, at that time, there had been a poll of the Australian people as to who should be the Prime Minister, Jim probably would have won it. At that very difficult time for the people of Darwin, he led the nation with great skill and we saw Jim Cairns come to the fore as a politician and as a political leader. Whatever else is said, his leadership during that huge natural disaster was fantastic.

In conclusion, the ALP has a great capacity to recognise and honour its leaders, whatever their failings. Certainly, we should do that. Both in this parliament and, I know, in our party, we will continue to honour the contribution made by Jim Cairns.
The PRESIDENT—I ask honourable senators to stand in silence to signify their assent to the motion.

Question agreed to, honourable senators standing in their places.

The PRESIDENT—I thank the Senate.

INSURANCE: MEDICAL INDEMNITY
Return to Order

Senator COONAN (New South Wales—Minister for Revenue and Assistant Treasurer) (5.12 p.m.)—by leave—I wish to respond to a return to order made yesterday, following a motion moved by Senator Evans, that, as the Minister for Revenue and Assistant Treasurer, I table certain documents by 5 p.m. today. The documents requested by the Senate are documents held by the Australian Government Actuary relating to its calculations of the incurred but not reported—IBNR—levy, following the collapse of the medical defence organisation United Medical Protection, including the formula used to calculate the estimated unfunded liabilities for IBNR claims.

I would like to make a brief comment about the breadth of the order and the context in which it has been made. Recent press reports have suggested that the Australian Government Actuary, in providing advice about the IBNR levy of UMP to the Minister for Health and Ageing in accordance with the Medical Indemnity Act 2002, failed to take account of state and territory tort law reforms. The Australian Government Actuary assures me, and Mr David Lombe, provisional liquidator of UMP/AMIL, also assures me that the figures provided by UMP and calculated by its actuary incorporated allowance for tort law reforms and included the New South Wales legislation that had been enacted at that date—that is, the Health Care Liability Act 2001 and the Civil Liability Act 2002—and the New South Wales visiting medical officers initiative, whereby the New South Wales state government indemnified doctors for public work in public hospitals.

Next, the wording of the order wrongly implies that the Australian Government Actuary was responsible for calculating the IBNR levy. There have been claims that the IBNR levy was based on dodgy maths and involved flawed calculations. In fact, it was not and is not the role of the Australian Government Actuary to calculate the levy. Under the Medical Indemnity (IBNR Indemnity) Contribution Act 2002, the IBNR levy is based on a percentage of the annual membership subscription for each doctor. For the year commencing 2000-01 the basic percentage, set in the act and agreed to by parliament, was 50 per cent. That was what was used. The Medical Indemnity (IBNR Indemnity) Contribution Act 2002 provides for the levy rate to be varied by regulation as appropriate from time to time. This feature of the act was included because it was clearly understood that, over time, the actual experience of the IBNR scheme could be different from the assumed experience of the scheme; therefore, over time, flexibility in the levy rate might be needed to ensure that the exact amount of IBNR levy would be collected.

As for the breadth of the Senate order, it requires a search by the Australian Government Actuary of his files and his contacts with third parties who may have provided information to or have had an interest in the information held by the Australian Government Actuary. As you will appreciate, Mr Acting Deputy President Hutchins, some of the information contained on the Australian Government Actuary’s files that fits the description of documents requested could be—and is likely to be—highly sensitive commercial data. There may also be other valid reasons that might go against the production of it.

CHAMBER
The Australian Government Actuary is reviewing his files and is contacting third parties as quickly as possible, but all this cannot be done by today. It is hard to believe that the notice is pressed, given the suspension of the levy and the review into medical indemnity recently announced. I have already received a letter from Mr Lombe, the provisional liquidator for UMP/AMIL, indicating that information of the kind that may fall into the Senate’s order is strictly commercial-in-confidence and the release of the documents could irrevocably damage recapitalisation of UMP/AMIL.

UMP/AMIL is the largest provider of medical indemnity insurance in Australia and, as Senator Evans would know, the company has been in provisional liquidation since it encountered serious financial difficulties last year. For the past 18 months, the company, with the assistance of a guarantee from the government, has been working to recapitalise and to get itself back onto a commercial footing so it can continue to provide medical indemnity insurance to its approximately 20,000-strong doctor membership. When the Australian Government Actuary has had a reasonable opportunity to review his files and to seek comments about relevant material from third parties, I will be in a position to consider the material and to respond as may be appropriate to the Senate’s order.

Senator SHERRY (Tasmania) (5.17 p.m.)—by leave—The response we have had today from the Minister for Revenue and Assistant Treasurer, Senator Coonan, is totally unsatisfactory. In summary, she said: ‘No, we’re not going to give you the information from the Government Actuary.’ That is effectively what she has said, and that is totally unsatisfactory for a number of reasons. UMP, the private insurance company that was responsible for public liability for medical practitioners—mainly in the state of New South Wales, although not exclusively—collapsed, and the federal government responded with an attempted bail-out to cover the difficulties of medical practitioners who were supposedly insured by UMP. That involved a taxpayer funded initiative of some tens of millions of dollars or more over a number of years—‘a guarantee from the government’, as Senator Coonan admitted.

One of the central issues in the current dispute between the government and some medical practitioners and their organisation, the AMA, is the levy that the government proposes to charge medical practitioners for public liability insurance. To ensure that the levy is struck correctly, the government has to have received advice from the Australian Government Actuary on the amount of the levy. The minister seeks to rely on UMP, the private insurance public liability company, which is a bit like arguing that we should rely on HIH for accurate information with respect to insurance in this country. The estimates of UMP, whether they were accurate or not, would need to have been checked by the Australian Government Actuary for the government’s levy to have been struck. Through my colleague Senator Evans, Labor has sought the calculations that were carried out by the Australian Government Actuary. If the government wants to give us UMP’s calculations, that is fine, but the Labor Party wants the calculations of the Australian Government Actuary. The Australian Government Actuary, through the minister, is responsible to parliament—to the Senate. It is quite a reasonable request to seek the file information from the Australian Government Actuary.

Unfortunately the Australian Government Actuary is not an independent statutory authority in this country, which it is in the United Kingdom, where this sort of information would be publicly available. It is not good enough for the minister to come in here
and claim that the checking of the information and the documentation that the Australian Government Actuary has carried out is commercial-in-confidence. That is not good enough, because the issue of the levy to be applied to medical practitioners is central to this government’s mishandling of so many aspects of our Australian health system. No one could deny that the dispute about the levy to be struck on medical practitioners is based on verification by the Australian Government Actuary, yet this government is covering up and will not produce the documentation from the Australian Government Actuary.

This is yet another example of this government’s total mishandling of the health system in this country. The files are available, and the minister has confirmed that the Australian Government Actuary has carried out verification checks of the figures provided by UMP. It involves a significant public dispute—some would say a strike by some medical practitioners—because of the levy. It involves significant funding from the government—at least tens of millions of dollars by way of public subsidy—and therefore the minister should have to come in here and produce the appropriate documentation, removing all the wrapping and the verbiage. This minister, very arrogantly, is saying to the Senate: ‘We will not produce it. No, you can’t have the figures from the Australian Government Actuary because they’re commercial-in-confidence.’

Senator Mackay—That is rubbish!

Senator SHERRY—That is right: it is just rubbish to claim that when there is such a significant issue of public policy affecting thousands of doctors in this country and their patients. The minister, Senator Coonan, was keen to release information about doctors’ incomes some weeks ago; we did not seek that information. It is not good enough. The Labor Party will continue to press this issue because we want to see what the Australian Government Actuary concluded in terms of the basis of the figures that needed to be calculated. We want to see it. It is another cover-up by this government, on the run, trying to hold together a failing public health system in this country and, I would certainly contend, trying to deliberately wreck the health system in this country. This information should be provided for the Senate and for the parliament, and for the public in order for it to make an informed judgment about how these figures have been calculated. We will continue to pursue this issue because it is an important matter of public policy and an important issue of the expenditure of public funds.

Senator BARTLETT (Queensland—Leader of the Australian Democrats) (5.23 p.m.)—by leave—I do not want to go into the detail of the specifics of the order and the minister’s reasons for not complying with it. I think Senator Sherry has already done that relatively well. Suffice it to say that the Democrats do not fully accept the minister’s rationale. I think the use of commercial-in-confidence is becoming one of the cheapest and flimsiest excuses for secrecy across a range of areas of public importance and public interest. It is another example of why the Senate and the parliament really need to do more to prevent such a feeble excuse being used to prevent information being made publicly available. The Democrats have made some efforts in that regard and have had some initial successes but clearly, as this latest refusal by the minister shows, there is plenty more to be done.

I would like to comment a little more broadly on this being the latest in what is becoming a very long line of government refusals to comply with orders of the Senate. This government’s record of secrecy and of covering up information would have to be
unparalleled, I would suggest, in Australian political history. The number of non-compliances with returns to order undoubtedly is the largest number of any government in Australian political history. My understanding is that the current tally is now at 30—it may be one or two either side—returns to order that have not been complied with. They have been either fully ignored or only partially complied with. That is well over half the number of orders that have been made by the Senate for the production of documents. Again, that failure rate of over 50 per cent would easily be the highest in Australian political history. It shows that despite all the government’s attempts in recent months to portray the Senate as being obstructionist what we have here is a government that is being obstructionist. It is obstructing the Senate from doing significant aspects of its business by preventing it from getting access to information to enable it to make informed decisions and preventing it from ensuring that important information is in the public arena so we have more informed public debate. It is something that really needs to be addressed.

I have said this a number of times before. Perhaps the greater the number of times I say we are going to do something about it and we do not, the more likely the government is to not take us seriously. I do again suggest to the Senate that we need to look at ways to more effectively ensure that the government complies with returns to order that the Senate puts forward. There are some possible hints in the standing orders, which I am not necessarily recommending but using to highlight that the Senate itself, when it framed its standing orders more than 100 years ago, clearly had the view that an order of the Senate is a significant resolution. It is not just something that we toss aside and say, ‘We might like to have a look at this; maybe we can have a look at that.’ It is a formal resolution of the Senate ordering the production and tabling of documents. It is not an insignificant thing. That is why 30 refusals to comply is a major problem and a major slap in the face to the Senate's authority. That is why a failure rate of over 50 per cent is so significant.

If you look at some examples in standing orders, you can see that under standing order 203 if a senator wilfully and persistently obstructs the business of the Senate the President may report to the Senate that the senator has committed an offence and the senator can then be removed from the chamber. I am not quite sure how we would do that with the entire government if all the frontbench are persistently and wilfully obstructing the business of the Senate, but it does raise the question of that standing order perhaps being inadequate. My attention is drawn, occasionally wistfully but I assure people not seriously, to standing order 206, which says:

If a senator wilfully disobeys an order of the Senate, that senator may be ordered to attend the Senate and may be taken into custody.

I hasten to add that I am not seriously suggesting that but I read it out to emphasise that the Senate clearly has in the past thought that complying with orders of the Senate is fairly significant and should not be taken lightly—otherwise I presume it would not have agreed to adopt standing orders that had the potential to have senators taken into custody. It may be a bit difficult to operate the Senate effectively if we have every minister taken into custody. I know Senator Coonan seems to get sent in a lot of the time to provide these explanations for other ministers, so perhaps they are trying to make us focus on her and get her taken away. Certainly we could not take all of the ministerial frontbench of the Senate away and continue to have things operating effectively, and I would not for a second seriously suggest that.
Not complying with returns to order is a serious matter and that is the point I make. We do need to look at ways to address that issue that are not so draconian as one might infer from the standing orders but do none-the-less prevent what I would suggest is becoming an epidemic of cover-up, secrecy and lack of respect for the institution of the Senate. I am sure all senators across all sides would not like to see it become a habit.

PETITIONS
The Clerk—A petition has been lodged for presentation as follows:

Trade: Free Trade Agreements
To the Honourable the President of the Senate in Parliament assembled:
As a citizen of Australia I question the government’s right to sign this agreement without a full and open discussion and vote in our Australian Parliament. I would ask you to ensure that:
(1) no trade negotiations which could endanger important social policies;
(2) comprehensive independent research into both the social and economic impact of all proposed trade agreements should be published for public debate before negotiations begin;
(3) cultural and audio-visual services should be excluded from trade negotiations; and
(4) all trade agreements be debated and decided by parliament, not just by cabinet.

by the President (from two citizens).
Petition received.

NOTICES
Withdrawal
Senator TCHEN (Victoria) (5.30 p.m.)—Pursuant to notice given at the last day of sitting on behalf of the Regulations and Ordinances Committee, I now withdraw the following: Business of the Senate notice of motion No. 1 standing in my name for eight sitting days after today; Business of the Senate notice of motion No. 1 standing in my name for nine sitting days after today; and Business of the Senate notices of motion Nos 1, 3, 4, 5 and 6 standing in my name for 10 sitting days after today.

Presentation
Senator Bolkus to move on the next day of sitting:
That the following matters be referred to the Legal and Constitutional References Committee for inquiry and report by 1 September 2004:
(a) the extent of the Australian diaspora;
(b) the variety of factors driving more Australians to live overseas;
(c) the costs, benefits and opportunities presented by the phenomenon;
(d) the needs and concerns of overseas Australians;
(e) the measures taken by other comparable countries to respond to the needs of their expatriates; and
(f) ways in which Australia could better use its expatriates to promote our economic, social and cultural interests.

Senator Brandis to move on the next day of sitting:
That the time for the presentation of the report of the Economics Legislation Committee on the Late Payment of Commercial Debts (Interest) Bill 2003 be extended to 29 October 2003.

Senator Bartlett to move on Thursday, 16 October 2003:
That the Senate—
(a) notes that:
(i) on 19 October 2001, a boat known as the SIEV X, bound for Australia and carrying 421 passengers and crew, sank with the tragic loss of 353 lives, including 146 children,
(ii) a number of those who lost their lives had close family members in Australia who are on temporary protection visas, which prevents them from fully rebuilding their lives, and
(iii) the Commonwealth Government has not responded to the report of the Select Committee on a Certain Maritime Incident, which included an examination of the SIEV X sinking;

(b) asks the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) to grant those refugees in Australia, whether they are awaiting a decision of their review or are on temporary protection visas, who suffered a personal loss through the sinking of SIEV X, permanent visas on humanitarian grounds;

calls on the Commonwealth Government to immediately establish a comprehensive, independent judicial inquiry into all aspects of the People Smuggling Disruption Program operated by the Commonwealth Government and agencies from 2000 to date, including Suspected Illegal Entry Vessels, and in particular the boat known as SIEV X; and

d) expresses its regret and sympathy at the tragic loss of so many innocent lives.

Senator Payne to move on the next day of sitting:

That the Legal and Constitutional Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Monday, 27 October 2003, from 7.30 pm, to take evidence for the committee’s inquiry into the provisions of the Migration Legislation Amendment (Migration Agents Integrity Measures) Bill 2003 and the Migration Agents Registration Application Charge Amendment Bill 2003.

Senator Bartlett to move on the next day of sitting:

That the Senate—

(a) expresses concern about the growing risks posed by the proliferation of nuclear weapons, the potential for further proliferation, plans for the research, development, testing and deployment of new types of nuclear weapons by the nuclear weapons states, and the broadening role being given to nuclear weapons in security strategies;

(b) notes the New Agenda Coalition resolution introduced in the 58th United Nations (UN) General Assembly First Committee entitled ‘Towards a nuclear-weapon-free world: the need for a new agenda’ and:

(i) notes that this resolution is similar to resolution A/RES/57/59 which was adopted by the UN General Assembly in 2002 by a vote of 125 to 6 with 36 abstentions, and

(ii) commends the New Agenda Coalition for:

(A) setting out a series of practical and necessary steps to curb nuclear proliferation and achieve nuclear disarmament, based on the thirteen disarmament steps agreed by all state parties to the Non-Proliferation Treaty (NPT) in 2000, and

(b) making changes to the draft resolution at the current session of the UN General Assembly in order to meet the concerns of states such as Australia which abstained on the vote in 2002, in particular to highlight the dangers of nuclear proliferation and call on all states, including North Korea, Israel, Pakistan, Iran and India, to subscribe to the NPT and accept full-scope safeguards on their nuclear facilities;

(c) also notes the New Agenda Coalition resolution introduced in the 58th UN General Assembly First Committee entitled ‘Reduction of non-strategic nuclear weapons’ and:

(i) notes that this resolution is similar to resolution A/RES/57/58 which was adopted by the UN General Assembly in 2002 by a vote of 120 to 3 with 42 abstentions, and

(ii) commends the New Agenda Coalition for:
(A) drawing attention to the need to deal with this class of nuclear weapons, of which there are more than 4,000 in the stockpiles of the nuclear weapons states;

(b) making changes to the draft resolution at the current session of the UN General Assembly in order to meet the concerns of states such as Australia which abstained on the vote in 2002, in particular changes to address the particular concerns surrounding the tactical nuclear weapons possessed by Russia, and

(iii) expresses concern about the threat posed by non-strategic weapons due to their portability, proximity to areas of conflict and probability of pre-delegation in case of military conflict, and thus about the risk of proliferation and of early, pre-emptive, unauthorised or accidental use; and

(d) calls on the Government to support the New Agenda Coalition resolutions in the 58th UN General Assembly First Committee ‘Towards a nuclear-weapon-free world: the need for a new agenda’ (item A/C.1/58/L.73d) and ‘Reduction of non-strategic nuclear weapons’ (A/C.1/58/L.73c) and consequential votes in the UN General Assembly.

Senator Stott Despoja to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the annual ‘Science Meets Parliament’ event in Canberra is being held on 14 and 15 October 2003, and

(ii) this event provides a valuable opportunity for Members of Parliament to meet scientists from their electorates;

(b) congratulates the Federation of Australian Scientific and Technological Societies for organising this event; and

(c) urges all political parties to recognise the importance of science to this nation’s future, economically, socially, culturally and environmentally, and to adopt policies which reflect this fact.

Senator Murray to move on the next day of sitting:

(1) That the Senate notes the Government’s release of the draft Building and Construction Industry Improvement Bill 2003, the recommendations and findings from the Cole Royal Commission into the building and construction industry in Australia, and other relevant and related matters pertinent to equity, effectiveness, efficiency and productivity in the building and construction industry.

(2) That the following matters be referred to the Employment, Workplace Relations and Education References Committee for inquiry and report by the second sitting week of 2004:

(a) the provisions of the draft Building and Construction Industry Improvement Bill 2003;

(b) whether the draft bill is consistent with Australia’s obligations under international labour law;

(c) the findings and recommendations of the Cole Royal Commission into the Building and Construction Commission, including an assessment of:

(i) whether the building and construction industry is so unique that it requires industry-specific legislation, processes and procedures,

(ii) the adequacy of the Government’s response to the Cole Royal Commission, particularly with respect to occupational health and safety and the National Industry Building Code of Practice, and

(iii) other relevant and related matters, including measures that would address:

(A) the use of sham corporate structures to avoid legal obligations,
(b) underpayment or non-payment of workers’ entitlements, including superannuation,
(c) security of payments issues, particularly for subcontractors,
(d) evasion or underpayment of workers’ compensation premiums, and
(e) the evasion or underpayment of taxation;
(d) regulatory needs in workplace relations in Australia, including:
(i) whether there is regulatory failure and is therefore a need for a new regulatory body, either industry-specific such as the proposed Australian Building and Construction Commissioner, or covering all industries,
(ii) whether the function of any regulator could be added as a division to the Australian Industrial Relations Commission (AIRC), or should be a separate independent regulator along the lines of the Australian Competition and Consumer Commission or Australian Securities and Investments Commission, and
(iii) whether workplace relations regulatory needs should be supported by additional AIRC conciliation and arbitration powers;
(e) the potential consequences and influence of political donations from registered organisations, corporations and individuals within the building and construction industry;
(f) mechanisms to address any organised or individual lawlessness or criminality in the building and construction industry, including any need for public disclosure (whistle blowing) provisions and enhanced criminal conspiracy provisions; and
(g) employment-related matters in the building and construction industry, including:
(i) skill shortages and the adequacy of support for the apprenticeship system,
(ii) the relevance, if any, of differences between wages and conditions of awards, individual agreements, and enterprise bargaining agreements and their impact on labour practices, bargaining, and labour relations in the industry, and
(iii) the nature of independent contractors and labour hire in the industry and whether the definition of employee in workplace relations legislation is adequate to address reported illegal labour practices.

Senator Hutchins to move on the next day of sitting:
That the Senate—
(a) recognises the important role of the Commonwealth in funding and encouraging junior and school sport programs;
(b) notes the importance of such programs for the citizens and children of western Sydney, especially those involved in the sport of rugby league;
(c) congratulates the Penrith Panthers Rugby League team for their victory in the National Rugby League Grand Final held on Sunday, 5 October 2003, making the Panthers Premiers for 2003;
(d) recognises the role that Commonwealth support plays in the facilitation of the sport of rugby league;
(e) notes the importance and significance of this victory for the people of western Sydney; and
(f) congratulates those true believer Panther’s fans who have, through difficult times, kept the faith and finally been rewarded with a Premiership victory for their team.
Senator Brown to move on the next day of sitting:

That the Senate—

(a) notes:

(i) the Government’s failure to respond to the two Senate orders of 10 December and 11 December 2002 concerning the People Smuggling Disruption Program and the ineffectual pursuit by Australian justice authorities of the alleged people smuggler Abu Quassey,

(ii) that it is 2 years since 142 women, 65 men and 146 children perished after their boat, referred to as SIEV X, sank 100 kilometres south of Indonesia in international waters that were being closely monitored by Australian air and naval forces, but a list of the names of the dead still has not been released, and

(iii) that the Minister for Justice and Customs (Senator Ellison) has revealed that a list was provided to the Australian Federal Police from a confidential source, but that it is unlikely that a full list of those who boarded SIEV X or those who drowned will ever be available; and

(b) calls for the Australian Federal Police list and the identity of its source to be released immediately.

Senator Brown to move on the next day of sitting:

That the Senate condemns this Government for its inhumane decision not to allow the children, Haries (age 8) and Sarah (age 4), of Bali bombing victim Endang Sammaki into Australia to visit their father Ebrahim Samaki at the Baxter detention centre.

BUSINESS

Postponement

Items of business were postponed as follows:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Democrats (Senator Bartlett) for today, relating to the disallowance of clause 4(3) of the Housing Assistance (Form of Agreement) Determination 2003, postponed till 15 October 2003.

General business notice of motion no. 626 standing in the name of Senator Brown for today, relating to Australia’s Chief Scientist, Dr Robin Batterham, postponed till 15 October 2003.

General business notice of motion no. 632 standing in the name of Senator Harradine for today, relating to the Council of Australian Governments, postponed till 25 November 2003.

General business notice of motion no. 640 standing in the name of the Leader of the Australian Democrats (Senator Bartlett) for today, relating to nuclear disarmament, postponed till 15 October 2003.

General business notice of motion no. 641 standing in the name of Senator Stott Despoja for today, relating to the People’s Republic of China and Falun Gong practitioners, postponed till 15 October 2003.

General business notice of motion no. 642 standing in the name of Senator Stott Despoja for today, relating to detainees at Guantanamo Bay, postponed till 15 October 2003.

General business notice of motion no. 646 standing in the name of Senator Allison for today, relating to a resolution of the National Party’s Federal Conference on the ethanol industry, postponed till 15 October 2003.

General business notice of motion no. 646 standing in the name of Senator O’Brien for today, relating to the disallowance of clause 4(3) of the Housing Assistance (Form of Agreement) Determination 2003, postponed till 15 October 2003.

TRADE: LIVE ANIMAL EXPORTS

Return to Order

Senator O’BRIEN (Tasmania) (5.34 p.m.)—I move:

That there be laid on the table, no later than 2 pm on Wednesday, 15 October 2003, the following documents concerning the voyage of the MV Cormo Express:

(a) the import risk analysis report concerning the return of the sheep stranded aboard the vessel to Australia; and

(b) the latest Master’s report revealing mortality aboard the vessel.
Senator Brown—Mr Acting Deputy President, I wonder if Senator O’Brien might let us know whether this is commercial-in-confidence information so we can gauge what the government is going to say about it.

Senator O’BRIEN (Tasmania) (5.35 p.m.)—by leave—As far as I am aware, none of the information that I am seeking is commercial-in-confidence. Indeed, the government has from time to time revealed the mortality figures relating to the Cormo Express fiasco. In relation to the release of an import risk analysis, I do not believe that in any way that could be said to be commercial-in-confidence, given that it is a document produced by the government relating to the risk to this nation of the return of the sheep to Australia.

Question agreed to.

B’NAI B’RITH

Senator FORSHA W (New South Wales) (5.34 p.m.)—I move:

That the Senate—

(a) notes that:

(i) Monday, 13 October 2003, is the 160th anniversary of the founding of B’nai B’rith,

(ii) B’nai B’rith is the largest Jewish community service organisation in the world today, with branches in 51 countries including Australia, and holds non-government organisation consultative status at the United Nations (UN), UNESCO and the UN Commission on Human Rights,

(iii) for 160 years B’nai B’rith has provided continuing support and assistance to both Jewish and non-Jewish people in Australia and throughout the world, particularly those in need or sick, the aged and people suffering persecution, and

(iv) that B’nai B’rith continues to promote the ideals and principles of peace, philanthropy, support for science and the arts, relief from suffering and the advancement of humankind; and

(b) congratulates B’nai B’rith on its 160th anniversary.

Question agreed to.

EBADI, MS SHIRIN: NOBEL PEACE PRIZE

Senator ALLISON (Victoria) (5.35 p.m.)—At the request of Senator Ridgeway, I move:

That the Senate—

(a) congratulates the winner of the 2003 Nobel Peace Prize, Ms Shirin Ebadi, who is the first Muslim woman and the first Iranian, to receive the prize;

(b) notes that Ms Ebadi, a lawyer, judge, lecturer, writer and activist is a dedicated fighter for the human rights of women, refugees and children and holds the view that human rights are compatible with Islam;

(c) also notes that the Nobel Committee highlighted this approach to her religion as one element in their choice, saying Ms Ebadi promotes an interpretation of Islamic law that recognises the harmony between human rights, democracy and equality before the law;

(d) acknowledges the work of Ms Ebadi and others fighting for human rights in Muslim countries who promote respect for human rights within Islam; and

(e) also acknowledges the work done by the Australian Council for Islamic Education, the umbrella organisation for 20 Muslim colleges nationwide, in its landmark Muslim Schools’ Charter, which condemns violence and hatred in the name of any religion, including Islam, and which promotes tolerance and understanding in the broader Australian community.

Question agreed to.
COMMITTEES
Foreign Affairs, Defence and Trade References Committee

Extension of Time

Senator MACKAY (Tasmania) (5.35 p.m.)—At the request of Senator Cook, I move:

That the time for the presentation of report of the Foreign Affairs, Defence and Trade References Committee on an examination of the Government’s foreign and trade policy strategy be extended to the last sitting day in 2003.

Question agreed to.

Extension of Time

Senator MACKAY (Tasmania) (5.35 p.m.)—At the request of Senator Cook, I move:

That the time for the presentation of report of the Foreign Affairs, Defence and Trade References Committee on the performance of government agencies in the assessment and dissemination of security threats in South East Asia in the period 11 September 2001 to 12 October 2002 be extended to the last sitting day in March 2004.

Question agreed to.

SBS INSIGHT PROGRAM

Senator BROWN (Tasmania) (5.36 p.m.)—I move this motion, although I understand that the program has not been cancelled:

That the Senate—

(a) condemns the effective axing of the SBS Insight program, one of only a handful of investigative reporting programs on Australian television; and
(b) calls on SBS management to immediately reverse its decision.

Question negatived.

Senator BARTLETT (Queensland—Leader of the Australian Democrats) (5.36 p.m.)—by leave—I would like to make a brief statement on the rationale for the vote of the Democrats on that issue. I would like it on the record the opposition by the Democrats to that motion. I am not sure of the accuracy of whether or not Insight is being axed. I certainly agree it is a good program but, leaving that to one side, the Democrats do not think it is appropriate for the Senate to be telling an independent broadcaster—publicly funded as they may be—how to do their programming.

HUMAN RIGHTS: COLOMBIA

Senator STOTT DESPOJA (South Australia) (5.38 p.m.)—I move:

That the Senate—

(a) notes:

(i) the extensive history of violence directed towards human rights defenders in Colombia,

(ii) that Article 3 of the Geneva Conventions prohibits violence against civilians in the context of armed conflict that occurs within the borders of a sovereign state and is not of an international character, and

(iii) recognises the importance of human rights work and views with regret any implication that human rights is connected with terrorism;

(b) welcomes:

(i) the Colombian Ministry of Defense Directive 09 of 8 July 2003, obliging the State Security Forces to protect the work of human rights organisations, and

(ii) the Presidential Directive 07 of 9 September 1999, requiring all government officials to refrain from questioning the legitimacy of human rights organisations or making statements that discredit, persecute, or incite persecution of such organizations;

(c) expresses its concern for the safety of human rights defenders in Colombia following recent statements by members of the Colombian Government, who have
in the past equated human rights organisations with agents of terrorism; (d) notes the important role performed by international human rights organisations in Colombia and the positive contribution made by international observers, including the United Nations Human Rights Commission, the Inter-American Commission on Human Rights, Peace Brigades International, Amnesty International and Human Rights Watch; and (e) expresses its hope that the Colombian Government will take steps to make clear its commitment to human rights, and to reduce the harassment suffered by human rights defenders and organisations in Colombia.

Question agreed to.

POVERTY

Senator NETTLE (New South Wales) (5.38 p.m.)—I move the motion as amended:

That the Senate—

(a) notes that 12 October to 17 October 2003 marks Australia’s first national Anti-Poverty Week;
(b) affirms that poverty is an abuse of the right of all people to live with dignity;
(c) condemns the Howard Government’s attack on public services including housing, education, and health, and its complacency about unemployment, underemployment, and insecure employment;
(d) supports the call by the heads of eight churches in Australia to the Prime Minister (Mr Howard), premiers and chief ministers to convene a national forum with the purpose of developing a national strategy to eliminate poverty in Australia;
(e) urges all Australian governments to make poverty eradication a priority; and (f) recalling the goals of the 2000 Millennium Declaration, calls on the Commonwealth Government to increase its commitment to international poverty eradication by meeting the United Nations official development assistance target of 0.7 per cent of gross domestic product.

Question put.

The Senate divided. [5.43 p.m.]

(The Acting Deputy President—Senator S.P. Hutchins)

Ayes ………… 8
Noes ………… 37
Majority ……… 29

AYES

Allison, L.F. * Bartlett, A.J.J.
Brown, B.J. Cherry, J.C.
Greig, B. Murray, A.J.M.
Nettle, K. Stott Despoja, N.

NOES

Bishop, T.M. Brandis, G.H.
Brown, G. Campbell, G.
Carr, K.J. Chapman, H.G.P.
Colbeck, R. Collins, J.M.A.
Cook, P.F.S. Denman, K.J.
Evans, C.V. Ferris, J.M. *
Forshaw, M.G. Hogg, J.J.
Humphries, G. Hutchins, S.P.
Kirk, L. Ludwig, J.W.
Mackay, S.M. Marshall, G.
McGauran, J.J.J. McLucas, J.E.
Moore, C. Murphy, S.M.
Patterson, K.C. Payne, M.A.
Ray, R.F. Scullion, N.G.
Sherry, N.J. Stephens, U.
Tchen, T. Tierney, J.W.
Troeth, J.M. Vanstone, A.E.
Watson, J.O.W. Webber, R.
Wong, P.

* denotes teller

Question negatived.

COMMITTEES

ASIO, ASIS and DSD Committee Meeting

Senator McGAURAN (Victoria) (5.46 p.m.)—At the request of Senator Ferguson, I move:

That the Parliamentary Joint Committee on ASIO, ASIS and DSD be authorised to hold a private meeting otherwise than in accordance
with standing order 33(1) during the sitting of the Senate on Thursday, 16 October 2003, from 4.30 pm to 7.30 pm, in relation to its inquiry into the accuracy of intelligence prior to the war in Iraq.

Question agreed to.

MATTERS OF URGENCY

Environment: Alternative Fuels

The ACTING DEPUTY PRESIDENT (Senator Hutchins)—I inform the Senate that the President has received the following letter, dated 14 October, from Senator Alli-son:

Dear Mr President

Pursuant to standing order 75, I give notice that today I propose to move:

“That in the opinion of the Senate the following is a matter of urgency:

“The need for the Government to honour its promise of excise exemption for alternative fuels for at least 10 years, noting:

(a) that the Government’s May Budget decision to impose a tax on alternative fuels such as LPG, compressed natural gas, liquefied natural gas and biofuels from 2008 has already threatened the viability and development of the alternative fuels industry in Australia and,

(b) the significant benefits derived from alternative fuels to public health, air quality, regional development and resource security.”

Yours sincerely

Senator Lyn Allison
Democrats Whip

Is the proposal supported?

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

The ACTING DEPUTY PRESIDENT—
I understand that informal arrangements have been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator ALLISON (Victoria) (5.48 p.m.)—I move:

The need for the Government to honour its promise of excise exemption for alternative fuels for at least 10 years, noting:

(a) that the Government’s May Budget decision to impose a tax on alternative fuels such as LPG, compressed natural gas, liquefied natural gas and biofuels from 2008 has already threatened the viability and development of the alternative fuels industry in Australia and,

(b) the significant benefits derived from alternative fuels to public health, air quality, regional development and resource security.

This debate has become necessary today because the government has performed a very serious and industry-threatening policy backflip on alternative fuels. The budget announcement in May was that excise would be introduced for alternative fuels starting in 2008 and that industry would pay the same amount as for petrol and diesel based on the equivalence of their calorific value. This came as something of a surprise to the Democrats, as it did to the alternative fuels industry—a surprise because the Prime Minister and Minister Truss, to name just two in the ministry, gave ironclad guarantees that this would not happen. Prior to the last election, Minister Truss wrote a letter to the biofuels industry groups saying that the industry would not incur excise for 10 years. He said:

… I can confirm on behalf of the government that, as stated in the ‘Biofuels for Cleaner Transport’ policy, the current exemption of fuel ethanol from the $0.38 per litre excise on petroleum products will be maintained and a capital grants scheme will be in place by July 2002.

That letter was in fact presented to the Senate Economics Legislation Committee in-
quiry into the Energy Credits (Cleaner Fuels) Scheme bills last week. Either that decision to impose the excise was made in ignorance—certainly in arrogance—or it was a wilful move to get rid of alternative fuels in this country, because that is precisely what will happen. An excise of between 23c and 25c per litre will make alternative fuels uncompetitive. Liquefied petroleum gas, LPG, would be in the strongest position, having built up $3.2 billion worth of infrastructure and a strong market over 20 years, and it could perhaps wear a small excise of around 8c per litre, but an excise of 20c, 23c or 25c would close the sector for business entirely.

Already, the largest manufacturer of alternative fuel components in the country has been put under administration because orders dropped by 50 per cent post budget. The government has absolutely no modelling to show us that the industry would be able to survive after 2008 or 2012, when the full rate of excise kicks in. We in this place are supposed to have a blind faith in the market that this will happen. The proposal takes absolutely no account of the investment or the time frame required to develop an alternative transport fuel sector. The petrol industry has economies of scale and infrastructure that have been built up over 100 years, during which time there was of course no competition with other players.

Despite its great advantages, consumers will not take up alternative fuels while the infrastructure is not in place and without price incentives in place to do so. If you want an LPG car, you have to pay more for it, so the payback matters absolutely. At present, you need three years of high use before it is a paying proposition. Shove an excise on LPG and there is no payback—there is also no industry. Currently, we have 16,000 taxis on the road using LPG and over half a million vehicles altogether on that fuel and they will change to petrol. There will be no remote area LPG use for home heating, cooking or for rural industry. It will be prohibitively expensive, if it is available at all. If you do not have the transport system in place, then you do not have home heating on LPG.

If you want to drive a compressed natural gas car, as I did until recently, you will find there is little or no access to refuelling. The federal government’s program for infrastructure is totally inadequate at $7 million, and no-one is interested in taking it up. We have over 500 or so years of natural gas reserves. We could be more self-sufficient in transport fuel if CNG and LNG were serious players in our transport mix. CNG and ethanol are likely to be the forerunners to the hydrogen infrastructure that will be coming further down the track.

This decision went against the Prime Minister’s much-vaunted target of 350 megalitres of ethanol production in 2010, which would have provided, by his own account, an estimated 1,100 new permanent jobs in rural areas. But it will not happen. Some $7 million has been invested by Dalby, CSR and Multiplex in projects that, since the budget decision, are on hold. They will never proceed if the excise is put on ethanol as planned. Gunnedah and Manildra will not develop their ethanol production and distribution. The decision went against the Energy Grants (Credits) Scheme that was supposed to provide price incentives and funding for conversion of the dirtiest fuels to the most appropriate and cleaner fuels. (Time expired)

Senator COLBECK (Tasmania) (5.53 p.m.)—I rise today to clarify the government’s position in the matter of urgency raised by Senator Allison. In 1996 the government announced a five-year rolling exemption on natural gas and LPG as part of its resources and energy policy. During the 2001 election this commitment was renewed and
the *Biofuels for cleaner transport* document was released by the government. This document confirmed the government’s commitment to this industry by stating:

- The level of support currently provided through the fuel excise exemption regime to fuel ethanol will be maintained.

It went on to say:

The Coalition’s commitment on excise gives assurance to industry that Government support will not be removed at short notice and that investment in the industry is secure.

In line with the government’s commitment to the 2003-04 budget, long-term measures were announced which relate to excise treatment for alternative fuels. These are to be introduced from 1 July 2008. Through this decision the government has maintained its rolling five-year exemption commitment to the LPG industry. The measures announced in the budget provide certainty for the market and, importantly, provide the industry with time to adjust.

Fuels for the purpose of powering internal combustion engines, including liquefied petroleum gas, LPG, will be liable for excise; however, the use of LPG for non-automotive purposes will not be taxed. Later this year the government will make a final decision on the excise rate for LPG. However, this will not take effect until 1 July 2012, providing nearly nine years notice on excise treatment. I note that no rate has yet been set, and I question the figures that Senator Allison has provided. The generous transition period provided for currently untaxed fuels which will enter the excise system allows users such as taxi and fleet operators to consider the long-term commercial attractiveness of LPG while still benefiting from the preferential excise treatment for an extended nine-year period.

As Senator Allison has indicated, statistics on LPG usage indicate that LPG makes up 7.2 per cent of the total Australian transport fuel usage, and this is used by about four per cent of vehicles. About 550,000 vehicles in Australia use LPG. Of vehicles using LPG, the primary users are cars at 69 per cent and light commercial vehicles at 29 per cent. Of cars using LPG, about 330,000 are private vehicles and 22,000 are taxis—that is about 90 per cent of the taxi fleet. Non-automotive LPG, which will not be taxed in Australia, accounts for 34 per cent of use, including industrial, commercial and household users generally where natural gas is not available. Around $3.2 billion has been invested in LPG terminals, tankers and dispensing facilities at 3,500 service stations. Around 40 per cent of them supply LPG. A further $1.1 billion has been invested in vehicles themselves.

In determining the final excise rate the government is taking a very responsible approach to alternative fuels. It has established an energy task force to make recommendations to government on policy issues, and the government continues to consult with industry. The government has also given a commitment to making decisions on excise in the context of the energy content of the resource. The government’s position is that it is not appropriate to deal with the longer term management of environmental and greenhouse issues associated with alternative fuels through large and growing tax exemptions. The government is keen to expand the production of biofuels by promoting an effective and commercially sustainable industry. During the 2001 election the government’s objective, as Senator Allison mentioned, was to have Australian produced ethanol and biodiesel contribute at least 350 million litres to the fuel supply by 2010—two per cent of total transport fuel supply—an objective which I understand the industry also agrees with.
In support of this objective the government has taken active steps to achieve this goal. It has committed government resources to report on the viability and benefits of biofuels and is working cooperatively with industry to convey the positive outcomes possible through the use of biofuels. The government has provided a great deal of assistance to support biofuels through the following measures. In particular I refer to those for the ethanol industry. The government announced in May a $5 million two-year study to address market barriers to the increased use of biofuels in transport. The study funded from the Greenhouse Gas Abatement Program involves the strategy to increase biofuel production to 350 million litres by 2010. With $500,000 from an $8.8 million Australian Greenhouse Office grant, BP commenced trial marketing an E10 fuel from six Brisbane service stations. The trial was a technical success; however, following loss of consumer confidence in ethanol blended petrol nationwide, BP ended the trial.

In September 2002 the government introduced a 12-month fuel ethanol production grant program. The grant is paid for the production of ethanol in Australia from biomass feedstock to be blended into, or used as, transport fuel in Australia. Between October 2002 and the end of May 2003, a total of $17.9 million was paid to two fuel producers under the ethanol production grant program—$17.1 million to Manildra Energy and $758,000 to CSR Distilleries.

On 11 April 2003 Minister Kemp announced that a 10 per cent limit on ethanol content in petrol would be implemented to come into force from 1 July and that labelling of ethanol products at the pump would become mandatory. In the 2003-04 budget, the government announced that it will continue to provide grants for fuel ethanol from 18 September 2002 for five years until 30 June 2008. These grants will be reduced in five equal annual steps from 1 July 2008 to 1 July 2012. Imported ethanol will also become eligible for grants from 1 July 2008, at which time grants will be paid on the blended fuel.

On 15 May 2003 the Deputy Prime Minister held a meeting of a broad range of stakeholders, including petroleum companies, ethanol producers, automobile manufacturers, motoring organisations and service station organisations, to focus on restoring consumer confidence in fuel ethanol. A task force of stakeholders was formed to plan measures to restore confidence in ethanol— the list goes on.

The benefits to rural and regional Australia through the use of biofuels are great. Many areas have suffered—and continue to suffer—extreme conditions, given the severity of the recent drought. Biofuels provide an opportunity for the development of industries and, importantly, jobs in regional areas. The government acknowledges that there are benefits in the use of alternative fuels, with recent achievements including the enactment on 1 January 2002 of the Fuel Quality Standards Act, which aims to provide cleaner fuel and cleaner engines. This ensures that quality fuel is available to the public, improving vehicle performance and public confidence in the product. It also provides air quality and cuts pollutants associated with respiratory and cardiovascular diseases.

For the very first time the Howard government has introduced the monitoring of fuel quality on a national basis through a fuel sampling and testing program. There has been a phase-out of leaded petrol, with a complete ban effected on 1 January last year. In-service diesel vehicles now have tighter emission controls, and the requirement for low-sulfur diesel has been introduced, which provides further opportunity for the integration of biofuels into the transport sector and
delivers on a commitment made during the negotiation of the GST.

Diesel fuels account for approximately 60 to 80 per cent of particle emissions and 40 per cent of nitrous oxide from the road transport sector. Given that they represent less than 10 per cent of vehicles on the road, the introduction of tighter emission controls is an important policy decision. Two million dollars has been committed to reduce public transport emissions, and $75 million has been invested by the government through the Alternative Fuels Conversion Program to convert bus and fleet vehicles. (Time expired)

Senator O’BRIEN (Tasmania) (6.03 p.m.)—On behalf of the opposition, I would like to address this motion of urgency brought by Senator Allison on behalf of the Australian Democrats today regarding alternative fuels and the imposition by the Howard government in this year’s budget of an excise on ethanol. This is a decision which absolutely breaks the Howard government’s 2001 election commitment, which was:

The once great National Party held their national conference in Canberra on the weekend. At that conference they dealt with weighty issues such as changing their name and logo in the face of their worst election result in 50 years. The Nationals, as they now wish to be known, think that this window-dressing may reverse their flagging fortunes—I think not. The only way they will do that is to stand up for their constituency, as they claim it—John Howard’s forgotten people of rural and regional Australia—who have been left behind by the city-centric Liberal dominated government. But, of course, to stand up for your constituency you must have strength and direction, something the National Party—or the Nationals, as they call themselves—lack in this government, at least at the cabinet table. Nothing more potently demonstrates this than the confused position adopted by the National Party last weekend on ethanol.

It is my understanding that at last weekend’s National Party conference a motion was carried that deserves some examination. It is my understanding that the first part of the motion was an endorsement of what the National Party describes as the strong: Federal Coalition policy on Development incentives for the ethanol industry as taken to the last Federal Election …

I suppose this is understandable from the minnow of the coalition. However, the great confusion within the National Party becomes immediately evident when you get to what I am advised was the next part of the resolution adopted by the conference, which indicated that the National Party ‘supports a 10-year excise exemption for … ethanol’.

When I look back at the coalition’s ethanol policy I note that, far from maintaining an excise exemption on ethanol, the Treasurer in a statement on 13 May this year announced that he would maintain excise duty on ethanol and introduce excise duty on biodiesel ‘at the current rate of excise duty on diesel fuel’—that is, an excise of around 38.1c per litre. This year the Treasurer merely maintained the excise on ethanol. It was effectively the Prime Minister who introduced the excise, when he announced on 12 September last year that the government would remove the then current fuel tax exemption on ethanol.

What a confused lot this new-look—but still only once-great—National Party are. They support the Howard government’s policy on ethanol and then call for the cornerstone of that policy, the newly imposed excise arrangements, to be removed for 10 years. This new-look party have at their
weekend conference also shown their hypocrisy. I am led to believe that they incorrectly noted that the ALP was somehow opposed to ethanol.

*Senator McGauran interjecting—*

**Senator O’BRIEN**—Can I remind those opposite, particularly Senator McGauran, that it was Labor in government who for many years supported the development of a truly diverse and competitive ethanol industry through the bounty system. May I also remind those opposite that it was a Howard government minister, the then Senator Warwick Parer, who on 21 August 1996 took the decision not to fund the final year of the three-year bounty scheme, leading to massive investment uncertainty. So it is, I am told, that the National Party last weekend claimed to endorse:

... a mandate of 10% Australian-produced ethanol content for fuel sold in Australia.

This endorsement, in the face of what the Howard government has done to the reputation of ethanol in the eyes of the public, is an act of either extreme naivety or political suicide. Can I remind those opposite that it was the Prime Minister, through his denials and obfuscation about his secret meeting with Mr Honan on 1 August last year, who has done more to damage the future prospects of ethanol than any other individual or organisation. Can I remind those opposite that on 26 September 2002 Labor announced two policies to protect motorists and other users of petrol and thereby restore confidence in ethanol. Our policy for more than a year now has been a limit of 10 per cent on ethanol blending in petrol and mandatory labelling of ethanol in petrol where the ethanol content is five per cent or more.

How long did it take the Howard government to act to protect the future of the industry by protecting customers? In December 2002, Minister Kemp tried to pass the buck to the states for labelling fuel blends. On 1 February this year, Minister Kemp announced that uniform labelling would be introduced by the Howard government and in place by March 2003 if the states did not shoulder what is a federal responsibility. Not until 11 April 2003 did Minister Kemp finally announce a 10 per cent cap on ethanol and reannounce a mandatory national labelling system. Then, on 26 June—a full nine months after Labor’s policy was released—he finally introduced legislation for a labelling regime.

Labor has expedited the consideration of the enabling legislation by the Senate Environment, Communications, Information Technology and the Arts Legislation Committee. Interestingly, the Minister for the Environment and Heritage, Dr Kemp, after his delays in adopting a cap and introducing the Fuel Quality Standards Amendment Bill 2003, now blames Labor for his delays in establishing a labelling regime that we are told will protect consumers, restore their confidence in ethanol and give ethanol a fighting chance of survival by protecting and building its market. Clearly, from the performance of the minister for the environment, it is obvious that hypocrisy is the preserve of not just the National Party but this entire government.

The National Party’s support—if you can call it that—for the Howard government’s ethanol policy, a policy under which one producer, the Manildra Group, receives around 96 per cent of the benefits, shows just how far they are from their obligation to represent rural and regional Australia. Clearly some in the National Party have forgotten that the feedlot industry is a significant contributor to the Australian economy and that this industry provides significant employment in regional Australia. They have clearly forgotten the enormous contribution also made to the national economy and regional
employment by the pork, poultry and other intensive livestock industries. They have clearly forgotten that in some of these industries up to 70 per cent of business input costs are represented by feed grains. And they have clearly forgotten that feed grain prices have recently reached all-time highs due to the worst drought in 100 years and that those feed grain price rises threaten the viability of hundreds of intensive businesses and the future of potentially thousands of regional jobs.

The Howard government’s subsidy plan for Manildra gives that company a significant taxpayer funded advantage over intensive rural industries in the feed grain market. The Manildra Group produces approximately 90 per cent of Australia’s ethanol, and the vast majority of that production is derived from wheat. This places Manildra in the feed grain market and in direct competition with the lot-fed poultry and pork and other intensive industries. The subsidy of approximately 38c per litre provided to Manildra by the Howard government amounts to a benefit of over $150 per tonne of grains. The government funded increased demand for ethanol feedstock is likely to distort an already difficult domestic feed grain market that is still suffering—as I said earlier—from the worst drought in 100 years.

Despite the false promises held out to the sugar industry last year, the existing subsidy regime has not resulted in any benefit for sugar growers and millers. Labor is not anti ethanol as the bunkum of the Howard government would have the Australian people believe. Labor is simply not convinced the latest extension to the ethanol arrangements designed by the government to help its mates will provide any additional benefit to the sugar industry. Labor is also concerned, as the National Party should be, that any artificial inflation in feed grain prices will drive some intensive producers away from primary production and will cost regional jobs. Labor supports the development of a sustainable alternative fuels industry but not if that damages established and efficient intensive agricultural industries and the thousands of jobs they sustain.

I will now turn briefly to some of the other fuels noted in this urgency motion. The government announcement in May to tax LPG came only a year after it rejected the Trebeck fuel tax inquiry’s recommendation to do just that. In fact, the Treasurer said then:

The proposal to tax all fuels based on their relative energy content would impose tax on previously unexcised fuels such as ethanol and LPG. This would have implications for the LPG retail fuel industry and LPG conversion businesses, and is also contrary to the Government’s election commitment to maintain excise exemptions for fuel ethanol and biodiesel. For these reasons the Government will not be implementing this recommendation.

Those are the words of the Treasurer, Mr Costello. Already officially the highest taxing Treasurer in Australia’s history, Mr Costello now proposes to raise at least $660 million as a result of this proposal. Under the former Labor government, gas transport fuels like LPG attracted no tax whatsoever. They now attract a 10 per cent GST and, under the Howard government’s current proposal, they will be hit with an excise from 2008. It is a double whammy for LPG consumers.

Yet no recognition was given in the budget of the impact of the decision on the LPG industry, the potential environmental benefits of LPG and other gas fuels, or the price impact on consumers. Also missing was an alternative energy transport sector plan to address pressing environmental concerns. I note here that Australia’s transport sector is responsible for 14 per cent of Australia’s greenhouse gas emissions.
The government acknowledged that there would be implications for the LPG retail fuel industry and LPG conversion businesses, but it has done nothing to address these or to compensate those directly affected by the change. Meanwhile, as I said earlier, the government has made sure that its mates at Manildra will be looked after with special arrangements to apply for domestic ethanol producers.

The LPG industry, however, faced an immediate and dramatic downturn in business upon the Treasurer’s announcement of the excise imposition. In fact, since November 2000, the industry has suffered a significant downturn resulting from the introduction of the GST followed soon after by erratic pricing policies pursued by the major oil companies. To now impose an excise on LPG, even if it is not effective until 2008, will decimate the industry.

Contrary to the government’s statement that the phasing in of excise provides an extended transition path for industry and consumers, the reality is that vehicle manufacturers have a three-year development cycle with major fleet vehicles averaging three years usage. The challenge is that in 2008-09 the resale value of a dedicated LPG vehicle will be substantially less than the petrol equivalent because of the impending excise. This effectively makes the current life cycle cost of owning an LPG vehicle more expensive than the petrol equivalent. Therefore, fleet vehicle purchases are likely to be cut back almost immediately. Because of the fleet life cycle costs explained above and the requirement for long lead times with significant capital investments in research and technology, the vehicle manufacturers are currently assessing the viability of further developing the LPG vehicles already in the development process. The excise could halt the introduction of OEM LPG vehicles as early as next year.

The automotive LPG industry has developed into a world-class alternative fuel industry with over 2,000 small to medium enterprises employing tens of thousands of people. The introduction of excise on automotive LPG has an immediate and a dramatic effect on these families. The industry, the people employed in it and their families continue to live with uncertainty with no final excise rates as yet announced.

There could also be a large amount of capital investment lost, not the least of which would be $200 million invested in the Sydney LPG cavern. Losses of this magnitude cannot be sustained by small to medium enterprises without some serious repercussions. Labor will not consider the government’s proposal in isolation but will strive to provide a broader proposal within its energy policy which addresses the transport sector’s impact on the environment and our growing oil import dependency.

I say again that Australia’s transport sector is responsible for 14 per cent of Australia’s greenhouse gas emissions. Labor recognise the importance of an alternative fuels policy. We will not be stampeded into falling behind the government’s policy. We reject suggestions that Labor have been doing anything other than acting responsibly in drawing to the attention of consumers the pitfalls of using ethanol fuel blends where the quantity of ethanol exceeds 10 per cent. In fact, the reality is that the government has now fallen into line with Labor’s policy in that regard, albeit nine months after the event.
all. She was full of criticisms of the government, but had no alternative policy. This is the highest forum for the debate of policy in the land. You are expected to come in here, have some ideas and put them forward. What is more, she made utterly false claims about the government’s position with regard to the tax on this industry, saying that it would be equivalent to the existing petrol excise. That is utterly incorrect.

Senator O’Brien—he is now leaving the chamber—is a well-experienced debater for the other side. He has been a long-time shadow minister in the primary industries portfolio—and I predict he will remain being a long-time shadow minister of that portfolio—but he has come in here with his usual mixed-up contradictory contribution. I am flattered that he took notice of the National Party conference on the weekend. It was indeed a very successful conference. Yes, we debate issues such as ethanol; we debate all sorts of issues.

I can tell Senator O’Brien the difference between a National Party conference and a Labor Party conference is that the motions moved at a National Party conference, while highly influential and studied by the parliamentarians—because they come from our members and from the grassroots, and it is a debate that brings together people from all around Australia—are not binding upon the parliamentarians. They are influential, as I say, but not binding. That is the way it ought to be. Whereas, when you go to a Labor Party conference, 50-plus per cent made up of unionists, any motion moved at that conference—usually at the Hobart convention centre—is utterly binding upon the parliamentarian or you face the consequences. Those listening on broadcast may ask the difference between the two: is not the elected parliamentarian first responsible to his electorate? His first responsibility is to listen to the voice of his electorate and not to be bound solely and wholly by his party— influenced of course, but not bound solely and wholly.

Senator O’Brien comes in as usual with his mixed up messages, which are always tainted with an attack on the National Party. He cannot have it both ways. He launched an attack on the government’s policy of subsidy and support to the ethanol industry. The Manildra Group is a sizeable part of that industry; therefore, it gets a sizeable advantage of that policy, although not solely and wholly. On the other hand, in the same breath he condemns us for not supporting the ethanol industry—that shows just how much gall the shadow minister has. What a mixed up contribution that was. It really leaves me to say that this motion is not urgent at all; it is just opportunistic.

We have been debating in the parliament this week the ability of the Senate to block and frustrate the mandate of a government, which has brought about the government’s tabling of the paper on the options for resolving deadlocks. I have to say that there are many ways of frustrating and blocking a government’s legislative program, and wasting the time of the Senate on such trivial urgency motions is one. I have been in the parliament now for some time; in fact, I came in with my colleague here, Senator Patterson, way back in the old parliament.

Senator Patterson—It was a very good year.

Senator McGauran—It was a good year. Senator Patterson would agree with me that, when an urgency motion was put on the table in the past, it really meant there was an urgent matter and it was debated with seriousness by both sides of the parliament. But this urgency motion sinks to the lowest possible level of what an urgency motion should mean in this parliament. The Senate’s time is being wasted. I cannot think of a more trivial
urgency motion being brought to parliament than the one we have before us. I am not just making that claim as a cliche. I invite senators to read the urgency motion before us. It cannot even muster the feigned anger of condemning the government, as most MPIs and urgency motions would; it just ‘notes’ the government’s comments. It cannot even muster a condemnation of the government and it is riddled with errors, which were highlighted throughout Senator Allison’s speech. She will have an opportunity to correct those in the seven minutes she gets to sum up.

This government has given a 10-year lead in regard to its pending tax upon alternative fuels. The final level and stage of that taxation will not be introduced until 2012. On my estimate, that policy was set in 2002; that sounds like 10 years to me. This urgency motion is utterly full of errors and the government reject the whole tenor of it that we are not supporting the alternative fuels industry. The opposite is the truth. Point (b) of this so-called urgency motion is something we do agree with when it mentions:

... the significant benefits derived from alternative fuels to public health, air quality, regional development and resource security.

We are in utter agreement with that specific within the urgency motion. The government have a record of supporting this industry. We have subsidies, support programs and grants that all support the ethanol industry and the LPG industry. So we do support point (b) of the so-called urgency motion.

In conclusion, one thing this industry knows is that the Labor Party’s form when in government is to increase taxes on everything, most of all on fuels. It knows that when the Labor Party were in government, to cover their deficit they used to ratchet up every excise they could get their hands on, and they will do the same if they are returned to government. The Democrats will do the same. (Time expired).

Senator Santoro (Queensland) (6.27 p.m.)—The potential benefit to the Queensland economy, especially to growers of fuel crops, of an efficient and cost-effective ethanol policy is substantial. It goes beyond the mere monetary value too. As the case in the mid-western states of the USA has shown, a viable fuel cropping industry can be a lifesaver for rural communities. My interest as a senator for Queensland is therefore patent and clear. The role and place of ethanol in the automotive fuel picture of a future Australia should also be patent and clear. That it is not patent and clear at present is down to Labor Party hypocrisy and the ALP’s politics of desperation. It would serve Australia’s interest well if the Democrats, who have moved this urgency motion today, were to give some indication that they at least understand this. They should also understand that there is no natural justice in an excise policy that exempts one type of fuel that is competing in and contributing to market choice in fuel.

That is not to say that bringing new fuels—at least, novel ones to most consumers—into the marketplace should not be attended by some phase-in arrangement that is designed to encourage consumer take-up arrangements, assist market penetration in the public good and provide some small measure of bridging subsidy for what is in effect new technology. Contrary to the position apparently adopted by the Democrats, it is not clear that, as its motion today states:

(a) the Government’s May Budget decision to impose a tax on alternative fuels such as LPG, compressed natural gas, liquefied natural gas and biofuels from 2008 has already threatened the viability and development of the alternative fuels industry in Australia; and
(b) the significant benefits derived from alternative fuels to public health, air quality, regional development and resource security.

What is clear is that the hopes of regional Australia that a viable national ethanol industry can be built have been dealt a severe blow by the Labor Party’s extraordinary attacks on this biofuel.

Speaking as a Queenslander, I find the unethical and profoundly dumb assault on ethanol by the ALP both astonishing and painful. It is astonishing how short-sighted the Labor Party can be when it thinks it sees a faint gleam of light on top of some handy hill. It is painful that a party that aspires to government can deliberately set out to damage an important and emerging industry. Especially so is this the case when it is an industry that offers environmental as well as social benefits—in other words, cleaner air and a greater number of sustainable rural communities—just so it can pursue its vanity by pretending it can wound the Prime Minister.

It cannot wound the Prime Minister. It proves that fact of modern political life daily. On ethanol, all the Labor Party has proved—or re-proved—is that it is good for shooting itself in the foot. Sometimes it gets the help of the Democrats in these endeavours, and that is really unfortunate. Sometimes the Democrats allow themselves, by misadventure, to become collateral damage in the Labor Party’s latest exercise in self-destruction. I respectfully suggest to honourable senators opposite that this is one of those times.

In fact, the record of the Howard government on cleaner fuels and alternative fuels is very good. I will list a few of those benefits in just a moment. But, first, I want to say that no-one can genuinely think that an expanded fuel range can be built on a differential approach that, on more than a transitional basis, creates privileges for one fuel against another in terms of excise. It makes sense to apply the excise on the basis of energy output. That indeed seems a sensible approach—not unlike that for income taxes—and that is in fact what the government proposes to do. It is not going to do it straightaway. Basically, nothing happens in terms of alternative fuels until 2008 anyway—and that is five years away.

Before listing some of the important factors that the Democrats appear to have overlooked and that the Labor Party, as usual, fails to see because as always it is an ostrich to fortune and has its head buried in the sand, I want to say a few more words about ethanol, which could be the saviour of sugar growers in my state of Queensland. It is crucial that we act to restore consumer confidence in ethanol. In other parts of the world, ethanol is strongly promoted by oil companies for its environmental, health and fuel extension benefits. We need to move to a sensible policy position in this country, which must be supported by the Labor Party to establish and then sustain a biofuel sector. This will not come to pass while the Labor Party engages in dodgy deals and fictitious news stories that destroy consumer confidence in ethanol. It will not come to pass while the Labor Party continues to insist on not seeing the point, where ethanol is concerned, in terms of the relatively small market that this country represents and the historic circumstances that have created, up to now, a producer system that is heavily skewed towards just one provider.

But the argument is much broader than that. The government supports the use of LPG and other alternative fuels. This can be seen by the extensive financial assistance provided for these fuels. It can be seen in the existing excise exemptions through increased eligibility for grants under the Energy Grants Credit Scheme and through mechanisms
such as the Alternative Fuels Conversion Program. The government recognises the need for greater efficiencies in the production of alternative fuels so that they become commercially viable in their own right. The nine-year transitional period, with partial excise in 2008 and a gradual increase to full excise in 2012, will provide the alternative fuel industries with certainty over the long term.

The government is aware of the environmental gap between alternative and conventional fuels. It is also aware that the gap between them is reducing as the Howard government tightens fuel standards. The final excise rates for all fuels, including LPG, will be announced later this year. LPG in a vehicle using optimised technology may produce greenhouse and air quality emission benefits, but most LPG vehicles produce less than the maximum possible benefits and some poor quality conversions have higher levels of emissions than petrol vehicles. In the area of ethanol—which is, of course, the area of most interest to someone who represents Australia’s premier sugar producing state—Howard government assistance to the ethanol industry has been extensive. It can still be highly productive in terms of sustainable long-term industry. It is an industry, a concept and a fuel embraced by the Queensland Labor government, incidentally—something that the Queensland caucus might like to impress on the present federal leadership of the ALP.

In May 2002 the Howard government announced a $5 million two-year study to address market barriers to increase use of biofuels in transport. Also in May 2002 the BP ethanol trial commenced with an $8.8 million Australian Greenhouse Office grant, with BP marketing an E10 blend from six Brisbane service stations. Regrettably, while a technical success, loss of consumer confidence in the ethanol blended petrol nation-wide led BP to end its ethanol trial. However, support for a potential ethanol industry is still very much at the heart of Howard government policy. It is just a pity that tonight we are debating a motion such as this, which clearly should not have the support of the Labor Party—the Labor Party which pretends to be the alternative government in this country—and is supported by the economic vandals that the Democrats are.

Senator ALLISON (Victoria) (6.35 p.m.)—In the interests of time and in the knowledge that the government has 10 minutes of government business and there is a requirement to table a report, I will not sum up at this point. I will take the opportunity to do that during adjournment. At this point, I ask that the motion be put.

Question agreed to.

DOUCMENTS

Joint House Department

The ACTING DEPUTY PRESIDENT (Senator Watson)—I present the annual report of the Joint House Department for 2002-03.

COMMITTEES

Environment, Communications, Information Technology and the Arts References Committee

Senator CHERRY (Queensland) (6.36 p.m.)—I present the report of the Environment, Communications, Information Technology and the Arts References Committee entitled Regulating the Ranger, Jabiluka, Beverley and Honeymoon uranium mines, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

Senator CHERRY—I seek leave to move a motion in relation to the report.
Leave granted.

Senator CHERRY—I move:

That the Senate take note of the report.
I seek leave to continue my remarks later.
Leave granted; debate adjourned.

PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL 2003
OFFSHORE PETROLEUM (SAFETY LEVIES) BILL 2003

First Reading
Bills received from the House of Representatives.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (6.37 p.m.)—I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading
Senator ELLISON (Western Australia—Minister for Justice and Customs) (6.37 p.m.)—I move:

That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in Hansard.
Leave granted.

The speeches read as follows—
PETROLEUM (SUBMERGED LANDS) AMENDMENT BILL 2003

The Petroleum (Submerged Lands) Amendment Bill 2003 is a bill to amend the Petroleum (Submerged Lands) Act 1967, which is the legislation through which the Commonwealth regulates development of its offshore petroleum reserves.

This bill gives effect to the Government’s election commitment to establish a single safety regulator for the offshore petroleum industry in Commonwealth, State and Northern Territory coastal waters. The bill will also bring about improved and nationally consistent occupational health and safety arrangements for the offshore petroleum industry.

The bill also makes minor amendments to the Petroleum (Submerged Lands) Act unconnected to offshore safety.

One is to address an anomaly whereby the Commonwealth is currently required to remit to the States and Northern Territory an equivalent of the GST component of annual fees collected in respect of titles issued under the Act. The second is to make amendments that will remove the mechanics of petroleum data submission from the Act and place them in new objective based regulations.

The offshore petroleum industry is an important contributor to the Australian economy. The industry supports thousands of jobs; supplies a large proportion of our domestic liquid fuel and natural gas requirements; and is a major export industry. It also attracts billions of dollars in foreign investment for exploration, development of new oil and gas fields, and construction of gas pipelines and downstream gas processing plants.

In August 2001, the Commonwealth Department of Industry, Science and Resources prepared a report on offshore safety titled “Future Arrangements for the Regulation of Offshore Petroleum Safety”. It found that the current system was inadequate.

In particular, it was noted that there are too many acts and regulations regulating offshore petroleum activities, with unclear boundaries and inconsistent application. Different sets of legal documents apply to the areas adjacent to each State and the Northern Territory. And there are overlaps in the applicable legislation.

In response to this report, and the wishes of industry and the workforce, the Government committed $6.1 million dollars in the 2002-2003 budget to establish the Authority as a single national safety regulator. It will cover offshore petroleum activities in Commonwealth, State and Northern Territory coastal waters from 1 January 2005.

The Authority will be established as a Commonwealth statutory authority which will regulate safety on offshore petroleum facilities on behalf
of the Commonwealth, the States and the Northern Territory.

When it is undertaking its regulatory activities in Commonwealth waters the authority will use the powers conferred by the Commonwealth Petroleum (Submerged Lands) Act.

When regulating in the coastal waters of the States or Northern Territory it will use “mirror” powers conferred under State or Northern Territory Petroleum (Submerged Lands) Acts.

There is also provision in this legislation for the Authority to undertake regulatory activities requested by a State or the Northern Territory in inland waters or onshore. If such a request was made, the Authority would draw its powers from the relevant State or Northern Territory legislation.

If the States or Northern Territory seek the safety regulation of offshore petroleum operations in their internal waters, it will be undertaken by the Authority. This is the situation for Western Australia.

The Authority may also be invited to regulate associated onshore petroleum operations. Decisions about this will be taken on a case by case basis.

The Authority’s key functions will be to promote the health and safety of persons engaged in offshore petroleum operations. It will effectively monitor and enforce the health and safety obligations in Commonwealth, State and Northern Territory legislation.

The Authority will have the power to investigate accidents or circumstances that could have increased the risk of accidents. It will report on these investigations to the Commonwealth, State and Northern Territory Ministers.

The Authority will continue to apply the safety case approach to regulation which is currently used in the offshore petroleum industry in Australia and other jurisdictions such as the United Kingdom and Norway.

Under the safety case approach, operators of offshore facilities assess all the risks to the facility, undertake formal hazard and risk studies, and describe the management systems for safe running of the facility. Once accepted, the safety case is “in force” and provides the basis for safe facility operations.

I turn now to the structure and governance of the Authority.

An important aspect of the governance arrangements for the Authority is that it will have an advisory Board. The independence and expertise of the Board members will be an invaluable resource for the Chief Executive Officer of the Authority.

The Board will provide advice and give recommendations directly to Commonwealth, State and Northern Territory Ministers on offshore safety policy and strategic matters, and the performance of the Authority.

The legislation requires the CEO to seek the Board’s advice on strategic matters relating to the Authority’s functions, and to have regard to the advice provided. The CEO must keep the Board informed of the Authority’s operations, and provide any information requested. It is intended that this Board will be influential and effective in the activities of the Authority.

As the Authority is a national regulator, the CEO and members of the Board will be nominated for appointment by the Ministerial Council on Mineral and Petroleum Resources, and will be appointed by the Commonwealth Minister.

The Commonwealth Minister will be responsible for issuing policy principles or directions but, before doing so, will consult with State and Northern Territory Ministers. Should the principles or directions relate wholly or mostly to operations in State or Northern Territory coastal waters, the Commonwealth Minister will first need to obtain the agreement of each responsible Minister.

Directions will not relate to operations at a particular facility, although the Minister will be able to direct the Authority to investigate a particular act or dangerous occurrence at a facility.

There are emergency powers that allow the Minister to issue directions without first obtaining the agreement of the relevant State or Northern Territory Minister, but they only apply for a short period. There is also provision for the State and Northern Territory Ministers to request the Commonwealth Minister to issue a direction to apply in their coastal waters.
I turn now to staffing arrangements for the Authority.

The safety case approach gives the operator greater freedom to choose how it runs its facility but places increased demands on the regulator. The regulator has to be in a position to assess and, if necessary, challenge the operator’s safety case.

Difficult decisions will fall upon the regulatory staff of the Authority. For example, they may have to decide whether a safety issue is of such concern that oil or gas production should cease until it is rectified. It is an immense responsibility which must be exercised judiciously. The people with this responsibility need to possess a unique blend of technical competence, interpersonal skills and judgement. Above all they need the respect of industry, the workforce and Governments.

The staff of the Authority will be employed under the Public Service Act but the Authority will need to be able to specify essential qualifications and experience for offshore safety regulators.

It will need to be able to advertise for Offshore Safety Regulators, or Offshore Safety Team Leaders, without reference to more widely used Australian Public Service classifications. It will need to be able to offer salary ranges which are competitive in the international market and which are well outside the normal levels of public service pay and conditions.

For the regulatory staff of the Authority, all of these requirements can be provided through the flexibilities provided by Australian Workplace Agreements available under the Australian Public Service Act.

I now turn to how the Authority will be funded.

Regulation of industry activities is essential for three reasons. To provide a safe working environment for the offshore petroleum workforce. To provide the greatest possible confidence that there will be no environmental damage arising from any catastrophic explosions. And to ensure continuity of important energy supplies such as gas.

Governments will not allow the industry to operate without regulation. The regulation is like any other essential input into the industry’s offshore petroleum operations. This is a case with clear beneficiaries of a service being provided by the Government and the industry must pay for it.

The offshore petroleum industry will receive an obvious benefit in the form of a greater level of confidence that their safety systems are robust. They will be less exposed to failures which could result in injury, death and interruptions to business operations.

This bill, and the related Offshore Petroleum (Safety Levies) Bill, will provide the Authority with the ability to fully recover the costs of its operations and activities through industry fees and levies.

Where an operator requests the Authority to perform a service, the Authority will have the ability, under this bill, to charge fees for the supply of its services. These services may include the assessment of safety cases, assessment of pipeline safety management plans, and provision of advisory and other services as may be requested by industry from time-to-time.

The majority of the Authority’s resources will be employed in activities associated with monitoring compliance with approved safety cases. These include conducting audits of facilities, reviewing and assessing updates to existing safety cases.

Under the Offshore Petroleum (Safety Levies) Bill 2003, the cost of these ongoing activities will be recovered through a safety case levy which will be payable by all exploration, production and support facility operators on an annual basis whilst there is a safety case in force for that facility.

The Authority will also have the ability to recover the costs of monitoring the safety of offshore pipelines through an annual pipeline safety management plan levy. However, it is expected that this levy will recover only a small proportion of the Authority’s operating costs.

The Offshore Petroleum (Safety Levies) Bill 2003, will also authorise the Authority to charge a safety investigation levy. This will be payable by an individual operator in the event of a serious accident or dangerous occurrence which requires the Authority to conduct an investigation. The levy will only be charged if the resources required to conduct the investigation exceed a level which will be set by the regulations.
The final level and structure of the fees and levies will be set by regulations before the Authority commences operation in 2005. The fees and levies will be designed in accordance with the Government’s cost recovery policy. And there will be consultation with industry, through the preparation of a cost recovery impact statement.

The fundamental purpose of this bill is to improve offshore safety outcomes by simplifying regulatory arrangements under a single national regulator.

The decision to create the Authority, and the development of the legislation, has involved the Ministerial Council on Mineral and Petroleum Resources, a steering committee of Commonwealth and State and Northern Territory officials, industry participants, and workforce representatives. The role of the working groups comprising members of governments, industry, and the workforce has been invaluable.

The offshore petroleum industry and workforce have been strong advocates for the creation of a national safety authority. An important reason for this support is an acknowledgement that a strong and effective regulator will enjoy the confidence of industry participants. It will also be influential in ensuring that safety is considered the highest concern from the drilling rig to the boardroom.

The amendments contained in this bill should give the public greater confidence that the regulation of safety in the offshore petroleum industry will be performed efficiently and effectively. It will lead to greater protection of the livelihood of the offshore petroleum workforce and the Commonwealth’s interests.

I commend this bill to the Senate.

OFFSHORE PETROLEUM (SAFETY LEVIES) BILL 2003

The Offshore Petroleum (Safety Levies) Bill 2003 is a bill for an Act to give effect to the decision of the Commonwealth and the States and Northern Territory to fully recover the costs of operating the National Offshore Petroleum Safety Authority from industry.

This bill, once enacted, will provide the National Offshore Petroleum Safety Authority with the ability to recover the costs of its regulatory activities through industry levies. A separate bill, the Petroleum (Submerged Lands) Amendment bill, establishes the Authority as the single regulator of safety in Commonwealth, State, and Northern Territory waters.

The majority of the Authority’s resources are to be employed in activities associated with monitoring compliance with approved safety cases, conducting audits of facilities, reviewing and assessing updates to existing safety cases. The cost of these ongoing activities will be recovered through a Safety Case levy.

This will be payable by all operators of exploration, production, and support facilities on an annual basis whilst there is a safety case in force for that facility. It is intended that the Safety Case levy, which will recover the majority of the Authority’s annual operating costs, will be calculated according to the type of facility. It will be done in such a way as to ensure that any one operator’s contribution is in proportion to their level of activity within the offshore petroleum industry.

The costs of monitoring the safety of offshore pipelines will be recovered through an annual pipeline safety management plan levy. It is intended that the pipeline safety management plan levy will be calculated according to the type of pipeline. This levy is expected to recover only a small proportion of the Authority’s operating costs.

This bill will also authorise the Authority to charge a safety investigation levy. This will be payable by an operator in the event of a serious accident or dangerous occurrence which requires the Authority to conduct an investigation.

The levy will only be charged if the resources required to conduct the investigation exceed a level which will be set by the regulations. Having a separate safety investigation levy will avoid a situation where all operators must subsidise the cost of investigations involving just one or two of the industry’s operators.

The bill also makes provision for a penalty to be imposed if a levy payment is significantly late. Finally if the company requests the Authority to undertake a service for it, for example to assess a safety case, the Authority will charge the com-
pany for doing that work. This fee will be recovered under the Petroleum (Submerged Lands) Act. The final level and structure of the fees and levies will be set by regulations before the Authority commences operation in 2005. The fees and levies will be designed in accordance with the Government’s cost recovery policy. There will be consultation with industry, through the preparation of a cost recovery impact statement.

I commend the bill to the Senate.

Debate (on motion by Senator Mackay) adjourned.

FARM HOUSEHOLD SUPPORT AMENDMENT BILL 2003
First Reading

Bill received from the House of Representatives.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (6.38 p.m.)—I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator ELLISON (Western Australia—Minister for Justice and Customs) (6.38 p.m.)—I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

FARM HOUSEHOLD SUPPORT AMENDMENT BILL 2003

The purpose of this bill is to extend the Australian Government’s $800 million Agriculture—Advancing Australia (AAA) program and it is the key program for supporting farm families in severe financial difficulties. Under Farm Help, assistance is available to low-income farm families, who cannot borrow further against their assets, while they consider their future in the farm sector. The program encourages these farmers to work towards improving their family’s financial situation, whether it is by improving the farm’s financial performance or by obtaining off-farm income, or to re-establish themselves outside of farming.

The assistance provided through Farm Help is flexible and can be tailored to meet the needs of each farm family. Key program elements include up to twelve months of income support at the same rate as the Newstart Allowance; financial assistance for farmers to seek professional advice such as financial, legal and business planning; and a re-establishment grant of up to $45,000 for farmers who decide to leave farming and sell the farm. Farmers who receive the re-establishment grant can also receive a retraining grant to assist with the costs associated with re-skilling for employment off the farm.

Since the program commenced in December 1997, as the Farm Family Re-start scheme, until 30 June 2003, over 8,100 farmers have received Farm Help income support and nearly 1,000 farmers have received re-establishment grants. The program has funded over 9,100 professional advice sessions for some 7,000 farmers.

The Farm Household Support Amendment Bill 2003 will give effect to the Government’s 2003 Budget commitment to extend the application date for the Farm Help program until 30 June 2004. The closing date for applications for income support is to be extended from 30 November 2003 to 30 June 2004 with income support payments being made up until 30 June 2005. Amendments to the Farm Help Re-establishment Grant Scheme 1997 Instrument, which is established under the Act, will extend the closing date for applications for the Re-establishment Grant to 30 June 2004.

The extension will allow farmers to have continued access to the Farm Help program while the
Government considers any new arrangements in the context of the 2004 Budget.

The Farm Household Support Amendment Bill 2003 also introduces a number of administrative changes to the Farm Help program that will enable it to operate more effectively in supporting Australia’s farmers. These changes have emanated from the on-going monitoring of the program’s performance, a mid-term evaluation of Farm Help and the Performance Audit of Key AAA Programs undertaken by the Australian National Audit Office earlier this year.

As Farm Help aims to assist low-income farmers who are no longer able to borrow against their assets, farmers are required to obtain a “certificate of inability to obtain finance” from a bank or other financial institution. It is proposed to streamline the administrative arrangements for these certificates by removing the requirement for farmers to obtain a new certificate every six months to remain on the program. Under the proposed amendments, a certificate will remain valid for 13 months as long as a farmer’s application is lodged with Centrelink within one month of receiving the Certificate, effectively covering the full twelve months that income assistance is available under the program.

Under the proposed amendments, farmers will be required to obtain a certificate from the finance institution that is the farmer’s primary lender. This amendment is directed at maintaining the integrity of the program by requiring the certificate to be issued by the finance institution that provides the bulk of the farmer’s borrowings. It should ensure the certificate is issued on the basis of the farmer’s current financial circumstances.

One of the key aims of the Farm Help program is to assist farmers to be better informed when making decisions about their future in farming. All farmers who join the program are required to arrange a viability assessment of their farm business within three months. This assessment allows a farmer to get an independent appraisal of their farm’s financial situation.

Currently, if a farm business is assessed as being non-viable the farmer is required to develop an Activity Plan. This Plan is customised to suit each farm family’s particular situation and helps to identify options that will best position the farm family for the future. It sets out the necessary actions required to improve the financial viability of the farm, to obtain income from alternative sources or to assist the family to re-establish off the farm. The cost of the initial viability assessment and Activity Plan are met through the program.

The Activity Plan is currently optional for farm businesses assessed as viable. With the passage of the Farm Household Support Amendment Bill 2003, the Activity Plan process will be broadened to apply to all farmers who join the program. As noted in the mid-term evaluation of the Farm Help program, the Activity Plan highlights the need for participating farmers to take action on their own behalf. All farmers on the program can benefit from undertaking the Activity Plan process because it identifies those strategies or actions that farmers can implement now to improve their prospects and avert financial difficulty “down the track”. It ensures that farmers are better informed and better placed to consider their future options.

The completion of the Activity Plan will also open the door for all farmers on the Farm Help program to access the professional advice and training assistance. Farmers will be assisted, up to a maximum of $5,500, to obtain professional advice and/or undertake training that has been identified in the Activity Plan as being necessary to improve their financial prospects.

To facilitate farmers’ access to both professional advice and training under the Program, the Farm Household Support Amendment Bill 2003 provides for the amalgamation of the existing retraining and professional advice grants into a single “Advice and Training” grant.

Currently, the program only offers retraining assistance to farmers who have received the re-establishment grant. By combining the existing retraining and professional advice grants into a single grant, all farmers on the program will, for the first time, be able to access training assistance. Moreover, the training component of the grant will be broadened to include activities that upgrade practical farming skills and the purchase of computer software, up to $500. As with the current Professional Advice grant, farmers will be able to use the combined grant to obtain advice
on matters such as financial planning, business management, legal and personal issues.
The combined “Advice and Training” grant will provide greater flexibility in addressing the individual circumstances of each Farm Help recipient. The details of the combined grant will be specified in amendments to the Farm Help Advice Scheme 1997 Instrument, established under the Farm Household Support Act 1992.

I would also foreshadow that, apart from extending the Re-establishment Grant components of the program, the Farm Help Re-establishment Grant Scheme 1997 Instrument will be amended to clarify the eligibility criteria for the Re-establishment Grant so as to ensure that the grant is only available for its original target group. It has become increasingly apparent that the eligibility criteria for the Re-establishment Grant are allowing a broad range of people who consider themselves to be farmers to access the grant when the original intent of the grant was to support farmers who have been and continue to be dependent on the farm for their livelihood.

As a consequence, the eligibility criteria in the Instrument will be clarified through the specification of thresholds in relation to the contribution of capital to the farm, the ownership of land, the level of income earned from other jobs and the receipt of other Australian Government income support payments.

The Government remains committed to the development of self-reliant, competitive and sustainable rural industries. It also recognises that there are significant pressures on farmers to remain viable and that some farmers, often for reasons beyond their control, have been unable to keep up with the pace of change. Accordingly, Farm Help has been instrumental in providing farmers in difficulty with financial relief and the means to assess their prospects and make informed decisions about their farming future. The proposed amendments to the Farm Household Support Act 1992 will both extend the Farm Help program and further improve the operation of the program.

Ordered that further consideration of this bill be adjourned to the first day of the next period of sittings, in accordance with standing order 111.

SUPERANNUATION (GOVERNMENT CO-CONTRIBUTION FOR LOW INCOME EARNERS) BILL 2003

Consideration of House of Representatives Message

Message received from the House of Representatives returning the Superannuation (Government Co-contribution for Low Income Earners) Bill 2003, acquainting the Senate that the House has agreed to amendments (1) to (4), (8) to (11) and (13) to (15) made by the Senate, and disagreed to amendments (5) to (7) and (12) made by the Senate, and desiring the reconsideration of the amendments disagreed to by the House.

Ordered that consideration of the message No. 427 in Committee of the Whole be made an order of the day for the next day of sitting.

EDUCATION, SCIENCE AND TRAINING: ROAM CONSULTING

Return to Order

Senator ELLISON (Western Australia—Minister for Justice and Customs) (6.40 p.m.)—by leave—Following Senate discussion on 13 October 2003 in relation to a Senate order to produce documents, I wish to read a statement on behalf of the Hon. Peter McGauran MP, the Minister for Science. The order arises from a motion moved by Senator Brown, as agreed to by the Senate on 9 October 2003. It relates to Rio Tinto.

I wish to inform the Senate that I am making every effort to provide a final response to the Senate order. Given the short period of time that has elapsed since the order was made, it has not been able to be complied with. It is reasonable to give proper consideration to the tabling of documents. It is also reasonable to enable Rio Tinto to consider whether its interests might be prejudiced by the tabling of documents produced for them.
by Roam Consulting. The Department of Education, Science and Training wrote to Rio Tinto on this matter on 10 October 2003, immediately after the Senate order, and is awaiting a reply. I intend to provide a final response to the Senate order as soon as possible.

Senator Mackay—Do you have a time?

Senator Ellison—The statement says that we are awaiting a reply from Rio Tinto. They were written to on 10 October; today is 14 October. It says that the minister intends to make a response to the Senate order as soon as possible, but there is no time attached to that. One would certainly expect that a reasonable time should be allowed for a reply to be made to the letter written by the department.

DOCUMENTS

Australia-Indonesia Institute: Annual Report

Senator Sandy Macdonald (New South Wales) (6.46 p.m.)—I move:

That the Senate take note of the document.

I thank the Senate for giving me a few moments to make a comment about the Australia-Indonesia Institute. The relationship that we have with Indonesia is particularly important. This institute was established by the Australian government in 1989 to contribute to a more broadly based and enduring relationship between Australia and Indonesia and to project positive images about Australia and Indonesia in each country. I do not think there is a more important role than that of this particular organisation. Indonesia is a very large and important neighbour of Australia. It has 214 million people and is a mere 40 minutes flying time from Darwin. As one of our closest neighbours, the relationship between our two countries could not be more important.

The Australia-Indonesia Institute was established by the Australian government in 1989. A number of programs have been carried out by the institute to foster the economic, cultural, educational and social relationships between our two countries. The institute has quite a modest budget—in this annual report, the budget is just over $850,000. The work that the institute does is particularly important, certainly so since the Bali bombing on 12 October last year. This is one of a small number of bilateral institutes that operate under the auspices of the Department of Foreign Affairs and Trade. There are similar organisations for India and Japan, but no organisation could have a more important role to play at this time than the Australia-Indonesia Institute in fostering the relationship between Australia and Indonesia. I encourage the institute in its work. I also encourage the government to continue financing this very worthwhile organisation. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Consideration

The following government documents were considered:

Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2002-03. Motion to take note of document moved by Senator Crossin. Debate adjourned till Thursday at general business, Senator Crossin in continuation.


Torres Strait Regional Authority—Report for 2002-03. Motion to take note of document moved by Senator Crossin. Debate adjourned till Thursday at general business, Senator Crossin in continuation.

Department of the Prime Minister and Cabinet—Report for 2002-03. Motion to take note of document moved by Senator Crossin. Debate adjourned till Thursday at general business, Senator Crossin in continuation.

Australian National Training Authority—Report for 2002-03. Motion to take note of document moved by Senator George Campbell. Debate adjourned till Thursday at general business, Senator George Campbell in continuation.


**ADJOURNMENT**

The **ACTING DEPUTY PRESIDENT** (Senator Watson)—Order! There being no further consideration of government documents, I propose the question:

That the Senate do now adjourn.

**Queensland Department of Families**

**Senator SANTORO** (Queensland) (6.50 p.m.)—The Premier of Queensland evidently feels he is under pressure over the inquiry now under way by the state’s Crime and Misconduct Commission into the handling of at-risk children by the Queensland Department of Families. He is in denial mode. For those of us who know him well and are exposed almost daily to his remarkable Indian rubber man capacity to twist the truth, the fact that he is trying yet again to evade responsibility is no surprise. It is sickening, but it is no surprise.

In response to a statement by the Queensland opposition leader that he had no confidence in the inquiry, the Premier said, ‘I think the opposition want to play politics with the misery of children, and I think that is despicable.’ It is despicable to play politics with the misery of children—even to want to do so—but the man who is playing politics with the misery of children in Queensland is indeed the Premier. It is he who heads the government that has tried everything it can to avoid doing what everyone has known for a long time needs to be done: to clean up the shocking performance of the Queensland authorities with regard to children who are in its care. The Crime and Misconduct Com-
mission is today conducting an inquiry—an inquiry limited by time and by the resources the CMC can apply to the matter—only because, in the end, the Premier had nowhere to hide. The Queensland opposition leader says he has no confidence in the CMC inquiry.

I state frankly to the Senate tonight that I have no confidence either—no confidence in the CMC being able under the present arrangements to get to the bottom of the problem and to make the sorts of far-reaching inquiries that are obviously needed if the problem is to be fixed. It is not that confidence should be lacking in the officers of the CMC or in learned counsel assisting—that is very far from the truth. The issue is with the constricted nature of the reference made to the CMC and with the fact that the CMC, as I said in this place last week, already has its hands full inquiring into other defective parts of the Beattie empire. I said last week that what was needed was a royal commission, properly funded, with effective and far-reaching terms of reference and a capacity to concentrate on the matter without a deadline. The Queensland Premier says that the CMC has all the powers of a royal commission, properly funded, with effective and far-reaching terms of reference and a capacity to concentrate on the matter without a deadline. That is a cop-out and it is a sell-out, and the Premier of Queensland knows that is the case.

What emerged from the first day of the inquiry yesterday was a damming indictment of the inaction over the five years that the Beattie Labor government has been in power. Counsel assisting the CMC, Trevor Morgan, said this:

If the Government was considered to be the parent of the child, which in many cases it is, the Government would have its children taken from it.

That is a truly damming indictment of the political chicanery continuously practised by the Beattie Labor government and an indelible stain on the Premier and the two ministers who have held the portfolio of families in the past five years. For the record, they are the current minister, Judy Spence, who holds the seat of Mount Gravatt, and the former minister, Anna Bligh, who holds the seat of South Brisbane, who is now education minister and who is being protected by the Premier, who views her as his heir apparent.

For the record, as I have previously stated in this place, it was Ms Bligh who failed to act in 1999 on allegations made by two members of the state legislature, one of them a Labor member—one of her own, in other words. It was Ms Bligh whose dereliction of duty in failing to act effectively on that occasion ensured four more years of misery for children in the ‘care’—I say ‘care’ because they clearly were not in care—of a foster family now under investigation for years of suspected serial sexual abuse of children. That fact alone exposes the Premier as having played the political card in this sad and shocking affair. He pleads innocence—he always does; he would plead innocence beside a downed cherry tree if he were found still holding the axe—but his words are hollow. He has no credibility on this. He knows it. He is simply trying, as he always does, to evade responsibility for something that, as Premier, he knows he carries the ultimate responsibility. But it is not the defective Premier of Queensland who is the issue at this time in this context.

The issue is what must be done, not what might be done or what could be done, to remedy the appalling situation that exists in the state Department of Families and to give the children in its care or under its control some relief. This is not a problem that suddenly burst out of left field onto an unsuspecting government in the immediate past. It is something that has been a problem, and publicly identified as a problem, for all of the five years that the Beattie Labor government
has been in power. It was a problem before then. There is no denying that, and no-one should seek to deny it. But the present Queensland government has been in power for more than five years. Fixing the problem is its responsibility. And when I say ‘fixing the problem’, I do not mean that we need another Beattie political fix. This time the Premier has to actually do something, and it has to be more than just throwing dollars at it.

It certainly has to be more than his Minister for Families could manage in question time in the state legislature today. She would not—or could not—tell Queenslanders how many cases of suspected abuse of children in foster care had been reported to her department in the 2002-03 financial year. All she could—or would—tell the state legislature today was that the figures would be published in the Productivity Commission’s annual report in January 2004. As the Queensland opposition leader said when confronted with the fact that the responsible minister could not or would not answer the question, ‘So much for open and accountable government.’

Let me say that the funding the state government has found to pump into the business of taking proper care of the children under its protection since the state budget in May, when it failed to provide funds for even one additional child protection officer, is welcome. But it is starkly apparent that the department itself is wholly dysfunctional with regard to its primary duty of care. That is the real problem. That is what the Premier and his minister have got to get to grips with.

Today the Courier-Mail headlined ‘Chaos rules in Families Department’. That is what must be fixed, and it must be fixed now. As the Queensland opposition leader said in state parliament this morning, the children of Queensland cannot afford to wait five to seven years for the government to get the organisation right. They have already been waiting five years for the Beattie Labor government to get it right. The Forde inquiry long ago reported on how to get it right. If there are institutional problems—in the sense of the problems identified in evidence to the inquiry yesterday, in which it appears hearts are in the right place but brains are in neutral or off playing some away fixture—then they need to be sorted out now. That is a job for a director-general who has the required administrative authority, the required funding and the required political backing from the man at the top, the Premier.

I have now spoken four times in the Senate on the issue of the Queensland government failing the children for whom it is directly responsible. I first raised the matter directly on 25 June. I raised it again on 9 September. I raised it a third time last week in the matters of public interest discussion last Wednesday. I raise it again tonight in the context of evidence that is now being heard at the inquiry in Brisbane. I shall raise it again and again until there is a proper, full and comprehensive outcome, because if we fail to look after children then we fail ourselves as a society. It is as simple as that. Australians do not want to fail at this most crucial of all the public duties that confront them. No number of Goodwill Bridges over the Brisbane River can make up for a failure to provide the care that the young demand, deserve and have every right to expect. No amount of government promotion—and in Queensland there is an awful lot of government promotion—is worth a zack if children placed in care are in fact placed at risk.

The job the Premier and his government must do is a tough one. I recognise that in this place tonight. There will be political pain coming from the inquiry, which, however inadequate it actually is as a response to a
serial lack of attention by the government, is now at last under way and will inevitably produce some unpalatable outcomes. No-one can take any pleasure from that. This is not a game to be played for political advantage. It is something the Queensland government and in particular the Premier simply have to get right. The department is dysfunctional. There is an extremely high turnover of staff. It seems there is a negative internal culture of attributing blame and repeated lapses in six monthly reviews of foster care placements.

The Ombudsman’s report into the death of baby Kirra at 10 weeks, which resulted from a departmental failure to act decisively to intervene in her care arrangements, was a shocking indictment of the system. It was the clearest possible indication that the problem extends far further than simply protecting children from sexual predators. The limited inquiry that has been permitted by the Queensland government up to the present moment is, of course, good as far as it goes. In saying that, I underline that I make no reflection on the commitment and standing of the CMC or of counsel assisting. Indeed, the reverse is the case. But it does not go far enough. It has been designed by the state government not to go far enough. Nevertheless, the inquiry is now under way and must be supported because of that. It will be watched with intense interest, and the evidence it collects will be sifted with archaeological intensity. Its eventual recommendations will go under a lot of microscopes. Then I suggest—although no doubt the Queensland Premier will have been unable to change his spots and will seek, as he always does, to foreclose on embarrassing matters arising—we should have the real inquiry.

Nuclear Testing: South Australia

Senator WONG (South Australia) (7.00 p.m.)—I rise to speak tonight because tomorrow marks an important but tragic anniversary in this country. It is an anniversary that reminds us of the shameful aspects of our history of relations with our Indigenous people and also reminds us of the nuclear burden that has been imposed on South Australia, my home state, by previous governments and by the British government.

Tomorrow marks the 50th anniversary of the first atomic test by the British government in northern South Australia. This test was conducted at Emu Junction, where a full-scale atomic bomb codenamed Totem I was detonated on 15 October 1953. Emu Junction is a claypan 280 kilometres north-west of Coober Pedy. Totem I’s detonation sent a dense radioactive cloud—the black mist, as it is called by the Indigenous peoples—far beyond the testing range across north-west South Australia. It caused immediate long-term sickness and death amongst Aboriginal and non-Aboriginal communities. In fact, the 1984 royal commission into the atomic testing concluded that the test was carried out under wind conditions that the preparatory report had shown would produce unacceptable levels of fallout, a decision that failed to take into account the existence of people at Wallatinna and at Welbourn Hill. The result was that many Indigenous people were affected then and continue to be affected by this detonation and by subsequent detonations in the Maralinga Pitjantjatjara lands.

These experiences and these stories cannot simply be dismissed as being a black armband view of history. They are real events and events that continue to resonate particularly for many of the Indigenous communities within northern South Australia now. I want to particularly pay tribute to the work of Kupa Piti Kungka Tjuta—that is, the senior Aboriginal women of Coober Pedy. Can I say that all of these women were living in the country when the government used the
country for the bomb. One of them, Eileen Kampakuta Brown, was, somewhat ironically, awarded the Order of Australia by this government for her work in championing the cause of her people in seeking to have recorded the history and experience of her people and for her continued campaign, against the imposition of a nuclear waste dump on South Australia. I want to read briefly from one of her recollections of what happened when Totem 1 was detonated. At that stage Eileen Kampakuta Brown was working on an outback station. She said:

We got up in the morning from the tent. Everyone had red eyes. Right here the smoke caught us. It came over us.

Angelina Wonga, who was a teenager walking with her parents and their camels towards the outpost of Marla, also testified. She said:

Nobody got a warning—nobody. That was the finish of mother and father. They all passed away. I was the only one left. I lost everything. The smoke went right through the land. Everybody was sick.

I want to pay tribute to the work of Ms Brown and to the other members of the Kungka Tjuta for their continued work in this area and for the extraordinary dignity with which they discuss this tragic event and what it has meant for them and their families and people.

I had the opportunity to meet Ms Brown immediately prior to her presentation with her Australian honour, and I was struck by the absence of overt anger and hostility towards White Australia and by her quiet dignity and the dignity of her colleagues in the way they described what had happened to them. I recall thinking at the time that if I had been in their circumstances I probably would have been far more angry and hostile towards the members of parliament of both political parties who joined in the celebration than those women were. Instead of hostility and anger, what we saw was a very dignified and clear statement that this had happened and that they did not want any further nuclear waste imposed on their country. Fifty years after Totem 1 was detonated, we have seen a massive increase in radiation related illnesses and genetic birth defects in the Indigenous communities in far north South Australia. I emphasise again that these women are all survivors of the atomic testing program and to a great extent this does inform their opposition to the proposal for a nuclear waste dump.

These are the sorts of stories of our past that must be told and that we must continue to remember and recognise, not simply because we want to trawl through history and not because we have a black armband view of history but because it does inform the present. This history of shameful disregard for Indigenous communities over the last five decades, which is perhaps most starkly exemplified by the nuclear testing regime, stands as a stark reminder to this parliament as to what we must now do to heal those relationships and to ensure that the voice of Indigenous people is heard when considering many aspects of government policy. It is a sad irony that these women, who have lived through these tests and whose families have been affected by the subsequent radiation fallout, are those who are now struggling to ensure that this federal government does not impose yet more nuclear waste on the state of South Australia.

Environment: Alternative Fuels

Senator ALLISON (Victoria) (7.06 p.m.)—I would like to use the opportunity of the adjournment debate to summarise the debate earlier this afternoon on the matter of urgency. Senator Colbeck started the debate for the coalition by saying that alternative fuels had what he called a rolling five-year exemption and that that exemption was re-
newed in 2001. The problem with that statement is that the industry has for some time been pleading for certainty. They do not want rolling extensions of exemptions from the excise to be so short term. Investment decisions are made on time frames of much more than five years—10 years is the minimum. That is why a 10-year exemption from excise is an absolute minimum, which is presumably what the Nationals knew on the weekend when they moved the motion at their conference calling for a five-year extension and, therefore, a 10-year exemption for ethanol.

Senator Colbeck said that no decision had yet been made. I think that is a nonsense. The decision was made in the last budget to apply an excise using full calorific value of the fuel—that is, it would be taxed on the amount of energy in it and that it would be equivalent to petrol and diesel. We know what that means. Depending on the fuel type, it will be somewhere between 20c and 25c a litre. That was spelt out very clearly in government budget documents. Senator Colbeck is saying that no decision has yet been made. If we can interpret that to mean the decision may be reversed, then I would be the first to welcome that decision because this, as I said earlier, is a disaster for the alternative fuel industry. It is going to close down entirely. I sincerely hope that Senator Colbeck is right in saying that the decision to apply excise on the basis of calorific value is not a final decision and that it is currently under review.

Senator Colbeck says that we should not be providing environment measures through tax exemptions. I would be quite happy if the alternative fuels industry had an excise applied to it and a credit was applied based on the environmental and other benefits of using that fuel. That is a perfectly logical and appropriate mechanism. Of course, we have seen no sign of the government doing that, except for with ethanol in the short time—the transition between now and 2008—when there is a compensating credit to be provided for ethanol so that we are not immediately swamped by imports of ethanol from Brazil. When exactly are we going to factor in those environmental health and resource security benefits? If you do not take them into account, then you do not get the benefit.

Senator Colbeck says the government is already doing a lot for biofuels. He went on to mention many programs that are under way, but pretty much all of them were instigated by the Democrats. The greenhouse gas abatement program, fuel standards, in-service testing and the alternative fuels conversion program were all initiatives of the Democrats. The last one that I mentioned, the alternative fuels conversion program, is not being taken up at present, and that is because the payback period is going to be too long if an excise is imposed. People out there in the transport industry are not stupid. They can work out the figures and do the mathematics, and they say, ‘This is not worth my dollar or worth my while to proceed with.’ Either there is uncertainty on the part of the government or now we have certainty and that means excise. Whatever way you look it, it does not stack up.

Senator Colbeck mentions the AGO grant to BP for the E10 fuel trial which was, he says, ‘a technical success’—that is right—but has been dropped because of lack of consumer confidence. I blame both major parties for that: the ALP for its purely politically driven attacks and the government for not coming to the rescue of the industry and insisting that confidence be built in it and defending it. Instead of that, they sat back and did nothing. So if the E10 fuel trial was not a success then both major parties have to answer to that.

Senator McGauran said that this was a trivial motion, it was not urgent and there was no gravity associated with it. Senator
McGauran, I ask you to tell that to the LPG, CNG and biofuel industries. Tell that to Dalby, CSR and Multiplex, who have sunk $7 million already into ethanol production at Dalby that stopped precisely when the excise announcement was made. Tell that to APA, the biggest component manufacturer of alternative fuel parts in this country. They have just gone broke because their orders have dropped by 50 per cent, and that drop is likely to continue.

Senator McGauran’s piece de resistance was that the Democrats have no policies. Senator McGauran, what I would really like to do is give you a cabinet submission that the Minister for Transport and Regional Services invited me to make based on a meeting I had with him on 15 September. It is approximately 12 pages long and sets out a number of things: the effects of applying excise based on calorific content; why Australia’s transport fuels policies should include alternative fuels; why Australia’s transport policy needs to foster all of these alternative fuels in the mix—for instance, alternative fuels are still cleaner than even ultra-low sulphur diesel and petrol; energy security; fuel policy in other countries that provides them with a competitive advantage; capitalising on Australia’s natural resources; and rural and regional opportunities. I would have thought you would be interested in that, Senator McGauran. It goes on to talk about government promises on measures for a better environment, the Energy Grants (Credit) Scheme, biofuels and cleaner transport—all of which have been ignored in this decision—the approach that would deliver a diverse fuel mix in Australia, confidence building in alternative fuels, particularly ethanol, and overcoming the short-term political mess that both major parties have ended up causing.

In our view, we do need a diverse fuel mix. It needs to have in it LPG, CNG, biofuels and, eventually, hydrogen. There is a range of very good reasons for taking this approach. You start with a target, you decide where you want to go and then you work backwards from that. LPG may be able to take an excise earlier than other fuels, because it has been around for 20 years, but CNG will not and biofuels will not. They need extra assistance to get economies of scale, to get their infrastructure in place, to get the networks going and, most importantly, to get the consumers confident about their fuel. We have said that you should take into account resource availability.

We have 500 years of natural gas that is available into the future, including feedstock. There are a lot of waste products, particularly from agricultural processes, that could be turned into ethanol and other products. We have economies of scale that need to be taken into account and realistic payback periods for viability. We need relative environmental effects. As I have said, all of these alternative fuels have different benefits with regard to the environment and clean air—which is what we should all be interested in—so you need to take those into account. You need to look at the economic benefits, particularly for country areas, and at jobs. We need to look at national energy security.

The government may not think this is important, but we are running out of our locally produced oil and we are becoming more and more dependent on the Middle East, as is the rest of the world. Excise rates based on calorific values, as proposed, are a nonsense. Let us look at ethanol. It may have a lower energy content per volume, but what does it do for improving fuels by virtue of the fact that it is an oxygenate? It can be a substitute for the many, often toxic, materials that need to go into petrol to boost its oxygen qualities.

Our policy is for rebates or credits against the excise which are phased out as target
milestones are met. You start with the target and then you work out milestones, you work out how to get there and then you put in place the measures to do that. We need OEM assistance packages. That is, vehicles that come off the production line cost a lot more money to produce for alternative fuels, and we need to assist those. We need to extend current grants for alternative fuels to light and medium vehicles. We need to establish an alternative fuels commission within the Department of Industry, Tourism and Resources to provide advice and policy direction. At the present time, there are at least four departments of government that are dabbling in this question, not least of which is the Prime Minister’s own department. We need to sort this matter out. We need to have a direction to go in and we need to seriously put in place the measures that would achieve that. Senator McGauran, I encourage you to be involved in such a policy debate within your party. (Time expired)

**Indonesia: Terrorist Attacks**

*Senator JOHNSTON (Western Australia)*

(7.16 p.m.)—This week in both chambers much has been said about the victims and families affected by the Bali bombings and how their lives changed forever on 12 October last year. For me, the constituent calls commenced at approximately 4 a.m. Perth time on 13 October. I want to take this opportunity today to make mention of some of the people in Western Australia who worked behind the scenes as part of a massive team effort from all kinds of support organisations to help in their own small way to ease the burden of tragic loss and injury bestowed on so many people in my home state.

Their efforts were particularly noticed by the Kingsley Football Club community after losing seven members in Bali. Kingsley was the most affected community in terms of the single greatest loss of life in Australia. I think it is beyond the comprehension of most of us as to how that event in Bali has affected so many people involved with that football club. Just to give you an idea, many players from Kingsley who died in the bombings took a very long time to be identified and to be brought home to their loved ones. After 12 October last year, nearly every week for seven to eight weeks there was a boy’s remains flown back to Perth and a funeral for the club members and families to attend. It was nearly Christmas by the time they had buried their last mate, the oldest player being 30 years of age and the youngest being 18.

It is something you never want to have to comprehend in a country such as ours, but Bali has forced us to do just that. Most people who helped those affected by Bali that I came across through my office would say that they were just doing their job and would never seek to gain recognition. They were not just doing their jobs. It is important to recognise exactly how they did go above and beyond the call of their duty. This included the staff from the state based Department of Community Development, who were charged with the task of going out to the airport to meet those families who had come back from Bali without a loved one. They wanted to ensure that these people knew they were there to help and that they were not alone.

Often, when one flight was coming in late at night, the staff would then sleep on the couches at the airport so as not to miss another flight coming in very early the next morning. I know that other counselling based staff from DCD, as well as volunteer counsellors who in particular became part of the Kingsley Football Club, would provide a calm presence and a shoulder to lean on in those first few weeks when there was a lot of well-meaning people trying to make sense of what had happened and what to do next. They would open avenues where before they
had appeared closed. They often offered referrals to help with everyday things, such as money to pay rent and other mundane domestic tasks. They could call to arrange professional counselling or sometimes they were there to listen.

There was also a group of Federal Police officers who had heard about a young German man evacuated to Perth with very severe burns who was going to be celebrating his 21st birthday before his family had a chance to make the long journey from Germany to Perth to see him. These officers made a special visit to his hospital bed with a present of an Akubra hat and a bit of birthday cheer to lift his spirits, and I am sure the thoughts of these total strangers did just that.

Then there were the Centrelink staff who were on call in Perth for 24 hours a day and who were happy to help my staff when they would ring on a Saturday afternoon to arrange a flight for a family member to visit a burns victim who had been evacuated to Adelaide or some other far-flung capital in Australia instead of Perth. It was no problem for them to make the link between people and bureaucracy so smooth that people affected by the Bali atrocity could go and get on with what they had to without the additional worry and without the worry of red tape.

There was also the local state member for Kingsley, the Hon. Cheryl Edwardes, who showed time and time again that there are still some local parliamentary members out there who completely defy public cynicism about politicians. She was a rock for the Kingsley Football Club. She was there for every grieving parent, for club officials, for players who returned after surviving the blast, for every constituent, no matter how they were affected by the Bali tragedy. Any day of the week, any time of the night, they knew they could rely on Cheryl to open her door to them and to help them through what was a completely unprecedented time of grief and confusion. It was Cheryl who suggested and then facilitated a relief fund committee to assist in disseminating the donations that poured into the club after the Bali tragedy. She ensured that it was a legally formed and aboveboard fund so that the club would not end up in any auditing trouble while they handled these donations—and we are talking about quite large sums, in excess of $100,000.

She rallied local organisations and charities to donate money, as well as donations in kind, and I know that there are very few people who can refuse a dynamo like Cheryl. For weeks after Bali, donations were coming into her office from the local clothing boutique to the neighbouring retirement village, which did a whip-round to help Kingsley victims and their families. This showed that a compassionate, hardworking local member could also have constituents from the same stock with the same community spirit. I know she is still helping in any way she can for the club and was there in Bali on Sunday to support her local club members—something that I am sure everyone from the football club greatly appreciated.

The personal sacrifice and genuine support that Cheryl Edwardes has shown in the past 12 months to the Kingsley community will most likely never be the subject of a commemorative newspaper article, medal of honour or anything of that nature. That isn’t what she is about. She is simply a hardworking local member who was placed in an extraordinary set of circumstances and rose to the challenge in a way not many of us could manage so admirably. I take my hat off to you, Cheryl, and put on record that I am glad I was able to assist you in whatever small way I could.
I want to also pay a short tribute to one of my staff members, Rebecca Horton, who I seconded to Cheryl’s office to assist for some three months with these technical and difficult issues for the members of the Kingsley Football Club and their families and broader community. It was an amazing effort by Rebecca to deal with these tragic events and these people in such a personable, friendly and efficient way. I extend my sincere thanks to Rebecca for that. To all the staff behind the scenes, from local and federal departments and other organisations in Western Australia who are still helping those in need after the Bali event, I offer you my whole-hearted gratitude. On behalf of all Western Australians I say thank you. Continue doing what you are doing for those victims.

Shenman, Mr George

Senator MACKAY (Tasmania) (7.23 p.m.)—Tonight I would like to speak about a man who has for many years worked and provided inspiration as a great social justice advocate in Tasmania. He is a quiet man who has paved the way. He has been a great example to many Tasmanian ALP members and social justice advocates and has been a great example and inspiration to me in particular. His determination, despite many personal tragedies and health problems, to tenaciously work for the rights of others, in my mind, makes George Shenman a great person.

Like many of our Australian immigrants, George’s life before reaching Australia was one that those born in Australia can only read about. It is quite fascinating. George Shenman was born on 24 February 1926 in the Soviet Embassy in Berlin. George’s parents were socialists, part of the bolshevist revolution. His father, Aaron, was a member of the politburo and President of the State Bank of the USSR. Maria, his mother, the first woman to graduate in law from Moscow University, worked in Lenin’s office. It is amazing that he ended up in the Labor Party. They lived and travelled between Berlin, Moscow and The Hague until the family finally fled to the United Kingdom. The move was necessary, as Aaron, George’s father, had fallen out of favour with Stalin, and the family’s safety was paramount. George attended school in Berkhamsted until he and his mother moved to Australia to seek refuge, his father fearing that the Germans would invade England.

The trip to Australia in 1940 itself was not uneventful. The ship they travelled on collided with another and the passengers spent a few months in Cape Town waiting to find passage to Australia. Whilst in South Africa, George was unaware of the issues surrounding race and he happily played with all children, defying those who told him whom he was not to play with and whom he was to play with. In Australia, George attended the Armidale School. This is where he was to forge lifelong friendships.

He and his best friend, Keith, moved on to study veterinary science together at the University of Sydney, qualifying in 1950. George decided to travel to England for a while to practise as a vet and met his wife, of 51 years, the fantastic fellow veterinarian Doreen. They moved to Tasmania in 1953 and began a family when their eldest daughter, Susan, was born. George and Doreen lived in small rural communities and quickly became a part of them. Being natural activists they joined local groups and associations. They moved from the north-east of Tasmania to the north-west and on to the south-east of South Australia. They remained there for 11 years before moving back to England for a short stay.

The family, now with four children, moved back to Tasmania in the late 1960s, but this time to Hobart where they have stayed. George’s community service is ex-
In veterinary practice, he, Doreen and his partner, Michael Heynes, provided free treatment and medication to the Guide Dogs for the Blind and the Canine Defence League Dogs Home. George and Michael Heynes have both been recognised as life members of the Guide Dogs Association. George has been state president of the Australian Veterinary Association and was rewarded for his service to the organisation by life membership.

His interest in the peace movement was fuelled by the Vietnam War and the moratorium marches. In the late seventies, he and Doreen established the Hobart Peace Group and later People for Nuclear Disarmament. George’s interest in the promotion of human rights continued through his membership and work with the United Nations Association of Australia Tasmania Branch. During his period as state president he was an advocate of the independence of East Timor and an opponent of the Gulf War. He was instrumental in establishing the Human Rights Week Organising Committee with fellow human rights advocate Barry Smith. George, a life-long member of the association, remains an active member, currently holding the position of vice-president.

George also pursued his interest in his first language, Russian. Speaking Russian as a child, he never learnt to read or write it. He studied in Hobart for a time and soon became proficient. In 1984 he travelled to Moscow and studied Russian at the Pushkin Institute, graduating with a diploma of Russian language. He now teaches Russian language at the University of the Third Age. George’s devotion to extending the hand of friendship to the Soviet Union was seen by his membership and longstanding support of the Australia-USSR Friendship Society.

In 1978 this same commitment to social justice issues and equal opportunity—and the Labor Party’s potential for initiating and instigating policies that would build better lives and futures for all Australians—drew George to the Labor Party. He has served on numerous committees and is happy to share his thoughts and opinions with others. One of my fondest memories of George is of an extensive raffle ticket selling exercise throughout the pubs of north Hobart. From memory, we did relatively well.

As all good party members know, polling booths are invariably—especially if you are allocated to them—in the coldest and windiest positions. It almost always rains or, in the case of Tasmania, snows on the day. I was talking to my colleague Senator Conroy earlier about the 1987 election. That was a doozy if you were living in places like Tasmania or, as Senator Conroy was at that point, helping out in Ballarat. George’s commitment to the party meant he has often stayed out in constant rain to staff booths all day without complaint and then stayed on at the same booth to scrutineer.

To recognise their extraordinary commitment, George and Doreen were presented with life membership of the party in 1999. Despite ill health, George and his wife, Doreen, are still actively involved in the Labor Party. George is still on two committees as well as being an active member of his branch. They are also actively involved in Tasmanians for Refugees, the reconciliation movement and the new groundswell of the peace movement brought on by the war in Iraq. In fact, there is not a social justice rally or meeting where you will not find George and Doreen Shenman.

The most wonderful qualities that George possesses are his great wit, his welcoming smile, his commitment to his family and his innate self-deprecation. George does not think that he is any better than anybody else or that anybody else is better than him. He
loves all his children and grandchildren, but, especially, he loves his fantastic wife and co-conspirator, Doreen. I stand here tonight to pay respect and homage to a person who has worked tirelessly for social justice and equality for all of us throughout his life. Thank you, George, for your enthusiasm and your humanity.

**Lifeline Australia**

Senators Tierney (New South Wales) (7.30 p.m.)—Several weeks ago I had the honour of officially launching the new Lifeline centre in Armidale in northern New South Wales. I rise tonight to pay homage to the valuable contribution that volunteer organisations such as Lifeline make to rural communities.

Since Lifeline was established by the Reverend Alan Walker in the early 1960s, it has had a long history of providing immediate service to people in rural and remote areas. It plays a key role in assisting individuals to cope with problems in their lives, with the only 24-hour crisis counselling service in Australia. Lifeline counsellors are available all over Australia in cities and regional areas. In addition, Lifeline plays a vital and pivotal role in the care and help for people at critical points in their lives. Lifeline makes a unique contribution to building communities' capacity to assist others, through its education and training programs, which support local community volunteers.

Lifeline is an accredited training body that offers approved qualifications in telephone counselling, assessment and workplace training, and responsible services to gambling. Lifeline’s focus on providing help to communities is consistent with the National Mental Health Strategy’s action plan for rural and remote communities. This plan aims to give communities the skills to respond to their own needs and to build resilience to adversity.

More than 10,000 Australian volunteers contribute to Lifeline’s community services. Many of these services are made available to rural communities. The Australian government is pleased to recognise and support the work of Lifeline in rural Australia by providing funding under the Regional Health Services Program. The broad aim of this program is to support communities to identify primary health care priorities relating to the prevention and treatment of illness in small rural and remote towns. This program is one of a number of measures that the Australian government has taken in order to break down the barriers that rural communities face in gaining access to health care services.

In the 2000 federal budget, the Australian government announced the $562 million rural health strategy—the largest ever effort by an Australian government to redress the historical imbalance between city and rural health areas. Since then, we have continued our commitment to improving health services for Australians living in regional locations. This was further demonstrated in this year’s federal budget. Over the next four years the Australian government has committed $46.2 million to maintain funding for the Regional Health Services Program, providing primary health care that normally would not be available in small rural communities.

The Australian government is working in partnership with Lifeline to expand services in rural areas, including increased access to, availability of and quality of counselling services through Lifeline. People living in rural and regional areas suffer the same personal problems as people living in cities; however, they generally have much less access to counselling services. Under this Australian government program, we are now providing $1.3 million extra to Lifeline Australia for a range of new services, including $50,000 for the establishment of the Armidale Lifeline centre, which my wife and I opened. My
wife, Pam, is the CEO of Lifeline in the Hunter Valley.

In many cases, it is extremely difficult for people who live in isolated areas to find people to talk to about their problem. Lifeline aims to raise awareness in the community about the plight of those with depression, to make the community see depression as a valid illness and to help those affected by it to cope. Domestic violence is another issue that Lifeline is equipped to handle, and to give information to help those affected by domestic violence to gain strength and make informed choices in their lives. Lifeline helps those with gambling addictions to break the habit and move on to more constructive activities. Relationship advice is a key service at Lifeline. By providing quality information via the telephone, Lifeline is teaching the community the value of happy and healthy relationships.

Lifeline is frequently contacted on the issue of family financial management. Helping families in financial need to take control and manage themselves is a vital outcome of Lifeline services. Youth issues are also dealt with by Lifeline. Boredom, drugs, unemployment and youth stress are areas in which Lifeline makes a real difference in people’s lives. Lifeline also works in the area of mental health, offering advice or support services to those affected by mental illness and the ones who care for them. In this way, Lifeline is making a difference in many communities. Helping people to come to terms with living with disability is another area in which Lifeline offers its service to the community. Ageing communities also benefit from its services.

Lifeline is not just a telephone counselling service. It also offers programs to help people cope with adversity through suicide prevention education, legal and community information services and recycled clothing and goods stores. Lifeline’s web site is an online resource that offers a wealth of information for individuals and communities. The web site contains details of Lifeline’s counselling services; Living Works, which is a suicide intervention training program; and Just Ask, which is a mental health information service for rural Australia. All these are available on the web site. Lifeline.org.au works to complement the counselling service and contains details of Lifeline services across Australia. Over half a million people use Lifeline services every year and, now that we have opened the centre in Armidale, people on the northern tablelands will be supported by their own volunteers rather than having to rely on other services that are more distant. This project is a good example of how government and non-government organisations can work together with local communities to create a vital human service.

Military Detention: Australian Citizens

**Senator KIRK** (South Australia) (7.38 p.m.)—Tonight I rise to speak of the detention of David Hicks, an Australian citizen who has been held in a purpose-built US military detention centre in Guantanamo Bay, Cuba, since November 2001. This is the second time I have spoken on this issue in the Senate. In March this year I presented the Senate with a petition signed by 1,600 South Australians calling for a fair go for this Australian citizen. Yesterday I tabled a further petition with over 400 names of people who wished to add their voices to the calls for better treatment for Mr Hicks. David Hicks was captured by the US military in Afghanistan almost two years ago. He was then transported to Guantanamo Bay in Cuba, where he has been for a period approaching two years. He is joined there by fellow Australian Mamdouh Habib, who is from Sydney. During the time of their incarceration, neither Mr Hicks nor Mr Habib has had access to Australian consular support nor has
either been able to access Australian legal representation.

As I told the Senate in March, the actions of the United States government in its treatment of the detainees at Guantanamo Bay amount to a breach of both the Universal Declaration of Human Rights and the Geneva convention in relation to prisoners of war. Yet the Australian government remains silent. For over 1½ years the Australian Labor Party has been urging the government to make strong representations to the United States, and use up some of our saved-up goodwill, in order to get better treatment and justice for one of our citizens. The disturbing thing is that the only US combatant captured for fighting for the Taliban, John Walker Lindh, was offered a criminal trial in his home country with full legal rights and due process under US law. The Australian government, on the grounds of the value of upholding Australian citizenship and the rule of law, should demand the same for Australians in the same situation as a US citizen.

I am not saying here that David Hicks is innocent. He could well be guilty of some crime, in which case he deserves punishment. If there is a case to answer then he must be brought to justice. What I am arguing is that there are fundamentally important procedures, rights and principles in this case that are being ignored and undermined. The Australian government must advocate on behalf of its citizens. No person should be subjected to cruel and indefinite detention, and everyone deserves a fair and open trial. The US justice department has ruled out a trial of either Mr Hicks or Mr Habib. Even if a trial were to take place, it would not conform to international standards of justice. In fact, a report in August this year in the Wall Street Journal suggested that Hicks and two British detainees were going to plead guilty in a plea bargain with the US government. Such a suggestion intensely angered Mr Hicks’s Australian lawyers. His legal team, as I said, have been denied access to their client and have had no opportunity to know what charges he faces, let alone to advise him of his options. His Adelaide lawyer, Stephen Kenny, said:

After 18 months in a cage ... he’s clearly not in a position to make an informed decision ... We don’t know what the military has told him about his options.

In the past week, new and disturbing allegations have come out of Guantanamo Bay. According to American based Australian lawyer Richard Bourke, the US military is torturing the detainees to force confessions from them. One detainee told Mr Bourke that he was tied to a post and shot with rubber bullets and that others were forced to kneel in the sun until they collapsed. According to Mr Bourke:

The reports about the number of suicide attempts and the mental health of the detainees is evidence of the treatment that they’re receiving.

Mr Hicks’s father, Terry Hicks, believes that there are other forms of torture being used against detainees, including belting the bottom of the detainees’ feet. Both the United Nations Association of Australia and the Law Council of Australia have called for an immediate investigation into these claims. What has been the Australian government’s response to these claims? In an interview reported in the Sydney Morning Herald yesterday, Mr Ruddock indicated that there would be no softening of the government’s attitude towards the fate of the two Australians in Guantanamo Bay. While Mr Ruddock confirmed that inquiries were being made with the US authorities about the recent allegations of torture, he was reported as having said:

I am sceptical would be a way of putting it—we’ve been assured by the US that people have been humanely treated.
It appears that for the Australian government and for the Attorney-General, Mr Ruddock, Mr Hicks represents less an issue of seeking justice for an Australian citizen and more an issue of not troubling our American allies.

It has now been over three months since the United States announced—due largely to the representations made by the British Prime Minister, Tony Blair, to the United States President—certain concessions in its procedures for dealing with the detainees. Yet no action has occurred. As I said in the Advertiser at the time:

Aided by Australia’s strong friendship with America, the Prime Minister should also make strong personal representations to the US President to secure justice for David Hicks. Instead, he sent to Washington one of his junior ministers, Senator Ellison, who simply secured the same concessions that the British had already fought for.

It now seems that even these concessions have amounted to nothing. The Prime Minister and the Attorney-General must use the occasion of the US President’s visit to Australia next week to demand a better deal for Mr Hicks.

The Australian Labor Party have consistently argued for better treatment for David Hicks. Labor created the US alliance and will always support it; however, we understand that our close relationship with the United States is strong enough to survive disagreements on fundamental differences in policy and outlook. This situation—where citizens of our country are being detained without charge in another country—is a perfect example of when a mature, confident nation such as Australia should be able to stand up and make representations to another country, especially a close ally such as the United States, for the rights of its citizens.

While the world has changed after September 11, we must not lose sight of principles such as the rule of law, the abolition of torture and the modern system of criminal justice. These principles are exactly what free nations like ours should be trying to protect, not disregard. We cannot allow important principles such as these to be sacrificed in a climate of fear and uncertainty. David Hicks may well be guilty; however, he must be given the chance to plead his case and clear his name. The Australian government must understand that the war on terrorism should not diminish the principle that a person is innocent until proven guilty. I have no idea what David Hicks may have done, what laws he may have broken or whether he is guilty of any crime. But to be honest, that is not really the point at issue here nor is it what the 400-plus petitioners were concerned about when they signed the petition I tabled in the Senate yesterday. The issue is that an Australian’s rights have been violated. I hope the new Attorney-General, Mr Ruddock, can do what his predecessor Mr Williams did not—that is, make a stand on behalf of a fellow Australian.

Middle East: Israeli-Palestinian Conflict

Senator McGauran (Victoria) (7.47 p.m.)—On any analysis the much heralded United States led ‘road map to peace’ for the Israeli-Palestinian conflict is in shreds. Another one bites the dust. The merciless horror of the suicide bombers upon Israel’s civilian population, of which men, women, children and babies have been targets, has again snuffed out the hope of peace—though I add, hope itself shall never die. It is with black humour that I note the last time I spoke on the Middle East conflict in May 2002 I said:

... Yasser Arafat in his headquarters at Ramallah, has yet again taken the area to new heights of terror and hatred. Since this statement, death by terror has continued to escalate to unimaginable levels. The terror plots coming out of the Palestinian territories have taken on an even greater evil—they are all designed to sink any hope
of the road map to peace working and, moreover, any chance of Palestinian democracy being achieved. The latest suicide bombings—namely, the Jerusalem bus bombing on 19 August, the Hillel Cafe in Jerusalem on 9 September and the restaurant in Haifa on 4 October—have invited the strongest retaliation from the Israelis. That retaliation has included the assassination of Hamas leaders and striking at terrorist bases inside Syria, along with this week’s military incursion into the Gaza Strip town of Rafah. These actions are wholly justified in the name of the self-defence of their country.

Moreover, this unbridled terrorist activity also led to the resignation in September of the first Prime Minister of the Palestinian territories, Abu Mazen. His resignation was on the grounds that he was given no power or authority over the Palestinian security forces so he could act against the terrorist groups set up within Palestine. The Prime Minister had said on his appointment that he would progress the road map to peace by acting against the terrorist groups based in Palestine. But Abu Mazen lost in a power struggle to long-time foe Yasser Arafat, who has proved once again that he is still the power behind all aspects of Palestinian life regardless of his international isolation. Now it seems that newly appointed Prime Minister Ahmed Qorei has faced the exact same powerlessness in his position, and it has been reported that he is also on the verge of resignation.

As the Senate would be aware, that is the state of play in the Middle East today with its usual mixture of hopeful developments followed by shattered hopes. This familiar and old story will continue to be told as long as the central destructive character remains: Yasser Arafat. Yasser Arafat’s history of hate, lies and terrorism dates back to 1948 when he joined a resistance group to fight the creation of the state of Israel. In 1959 he co-founded the nationalist group Fatah, which translates as ‘armed struggle’. In a bloody struggle in 1969, Fatah eventually took control of the PLO, with which Arafat is most commonly identified, and thus commenced Arafat’s corrupt and violent regime and reign.

In one way or another, Arafat has been associated with every terrorist attack upon Israel and its people—from as far back as his association with the members of the Black September group, who were most noted for their kidnapping and murder of Israeli Olympic athletes in 1972, through to the Palestinian intifada and now the notorious suicide bombings. He knows nothing else but terrorism. He wants nothing else in his pursuit to destroy the state of Israel. His seemingly ailing physical condition of late has not and will not extinguish his burning heart of hate for the Jews. We know his life dedication by his own words ‘to throw the Jews into the sea’. Under Yasser Arafat, every opportunity for peace and to advance the welfare of the Palestinian people has been lost.

What choice does Israel have but to respond swiftly and ruthless and to use its obvious might to protect its land and its people—a people under relentless terrorist attacks by the Palestinian terrorist groups which are themselves supported by corrupt and extreme regimes in the Arab world? What other country would not respond in the same way as Israel? Australia would do the same. Yet Israel has proven that it will cease using armed force against Palestinian targets if the campaign of terrorism against its citizens and the state stops. The opposite is not true. History shows that throughout Yasser Arafat’s reign, right up until today, peace between the Jews and Palestinians has always been within reach. What must be done can now only be done without Yasser Arafat. As long as Yasser Arafat and his terrorist regime remain, lasting peace will never be
brokered. This will be to the detriment of the welfare of the Palestinian people, who continue to slip and slide further into misery and poverty while he reigns over a corrupt regime. I understand and support the Israeli government’s declaration last month to remove the Palestinian President, Yasser Arafat. The wording of the Israeli government’s announcement has left open the meaning of the word ‘removal’. The Israeli cabinet’s statement claimed that Arafat was ‘a complete obstacle to any process of reconciliation between Israel and the Palestinians’ and, as such, removal was to be carried out in a manner and at a time that will be decided upon. Whilst it was widely accepted that the word ‘removal’ meant exile, in its editorial the Jerusalem Post took the meaning a step further when it said:

The world will not help us; we must help ourselves. We must kill as many of the Hamas and Islamic Jihad leaders as possible, as quickly as possible, while minimizing collateral damage, but not letting that damage stop us. And we must kill Yasser Arafat, because the world leaves us no alternative.

In response, an Arafat aide warned an attempt to harm President Arafat would lead the region to the edge of the abyss. The truth is that these are very idle words, given the region is already looking into the abyss. Yasser Arafat long ago took this conflict to the abyss. His hate for peace has kept the conflict at the abyss. Therefore, I call on the Australian government, my government, to recognise that the existing Palestinian regime under Yasser Arafat can never be reformed and must be confronted. This means that we can no longer support the legitimacy of the current President with all his links to terrorism.

**Whyalla Career Employment Group**

**Senator BUCKLAND** (South Australia) (7.56 p.m.)—I rise tonight to speak about an awards ceremony that I was invited to attend on 3 September last year. Circumstances prevented my being able to bring that ceremony to the attention of the Senate, but I do so tonight. The ceremony was to mark the 15th anniversary of the Career Employment Group in Whyalla, my home town. The Career Employment Group began as a very modest venture, with very limited resources, in 1988. Along with its modest resources, it being a modest venture, it did have a great deal of support from those who thought it would fail. The majority of people were convinced that this venture would be a fly-by-night operation to get one or two people rich from the benefits that could be reaped from training. I recall that the CEG was housed at its beginnings in a very small room at the Whyalla campus of TAFE. The talk at the time was that this enterprising group would not make it through the first year. That was coming from civic leaders, the union movement and, sadly, the government of the day.

But they did make it through the first year. Indeed, on the occasion of the first 15 years celebration they could proudly boast of having employed almost 1,300 apprentices and trainees who have worked for more than 600 businesses statewide. The first intake of young people in 1988 comprised seven apprentices in two trade disciplines: fitting and turning and boilermaking. This is vastly different from today’s operation when there are 215 apprentices and trainees in more than 70 vocations. These vocations cover the broadest possible range, from areas as diverse as the traditional trades, deep sea fishing, retail, gardening and clerical work.

As a leading employer of apprentices and trainees, particularly in the north and west of South Australia, CEG goes further than most other group training schemes. They go further than the expected organising and monitoring of job placement people, they go further than organising and monitoring apprentices, trainees and employers to be sure that
the relationship gets off on the right footing and continues in a way that maintains harmony throughout the relationship and they go further than ensuring the trainees’ needs and travel arrangements are met. It is a big task for a small group of people to comply with, as the training and travel needs are quite a significant part. They often have to arrange for people to get from the west coast of South Australia, from Port Lincoln and Whyalla and from the northern, remote areas to Adelaide for training. This is all organised and taken care of with the full knowledge of the individuals taking part and, indeed, in most cases, of their families, because their families are also living quite remote from the young people in training.

This group actually goes to the extent of forming a close relationship with each of its apprentices. It is a genuine, close relationship, with a lot of mentoring and a lot of care given to the young folk who are living distant from their families. A lot of counselling and support is given that would normally be given by the families when an apprentice is in training. The group takes on a very large, important and responsible role to ensure that the trainee has not only the work training skills but the living away from home skills and the ability to survive in what is, for quite a number of trainees, a hostile environment to them. This personalised care for the individual has led to the success of the Career Employment Group.

I spent some time on the board of the CEG when I was a union official living in Whyalla, and I know the highs in their history have been balanced out by their fair share of lows. But the strength and character of those involved has ensured that the highs vastly outweigh the lows that have confronted them. One very real example of the low points that they were confronted with was about 13 years ago, when the now South Australian Premier, Mike Rann, then in his capacity of Minister for Employment and Further Education, helped by providing emergency funding to pay the apprentices and the staff of the organisation. It is a testimony to the hard work in and the genuine commitment to this venture that that money was repaid to the state government in full, and from there they have gone from strength to strength.

While all this sounds very positive, CEG is confronted with the pressing need to answer the question of public liability insurance and the effects that that has on host employers. Group training is seen by insurers to be in the same category as labour hire companies, and this has led to greater risk and higher premiums for host employers. An example of this is where the host employer handed back two apprentices because his public liability premiums increased from $5,000 to $90,000, as well as having to pay the first $150,000 of each claim. I believe that the federal government has a very real role to play in ensuring that these types of situations do not inhibit the good work of those who are seeking to ensure that Australia is supplied with the right people for the right jobs in our future. What the CEG is doing is exactly what is required—and that is clearly seen from the evidence that has been given to the workplace relations inquiry into Australia’s future skills needs.

Clearly the CEG has put its early doubters to shame. It has survived, and it will be around for many years to come, despite some of the hardships confronting it at the moment. Like the South Australian Premier, the Hon. Mike Rann, I am looking forward to an invitation to attend the awards ceremony to celebrate the completion of 30 years of the CEG’s operations, providing young people with the opportunity to serve South Australian industry.
Family and Community Services

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women) (8.06 p.m.)—I might be new to the portfolio of Family and Community Services as minister, but I am not new to the portfolio in terms of my experience as a senator. I have learnt very quickly about the antics of and the reckless disregard for the facts by my Labor counterpart, Mr Swan. He fires off media releases in rapid succession—he is Quick Draw McGraw when it comes to media. However, he has shot himself in the foot a number of times in the last week, and I have seen it a couple of times in the past few days.

His antics are characterised by taking cheap political shots to try to needlessly scare and mislead the public about important issues. They are not worthy of the paper they are written on; they are not worthy of me doing a doorstop and bothering the journalists. He will be a bit like the boy who cried wolf. I think the journalists will begin—if they have not done so already—to see through him. I want to take the opportunity to set the record straight and to take to task some of Mr Swan’s misleading statements. If he continues to do it, every Tuesday I will get up here and go through systematically, chapter and verse, the way in which he has misled the Australian public and played loose with the truth.

On Monday, under the headline ‘Patterson admits how mean and tricky its carer allowance review is’, Mr Swan disingenuously claimed that I had overturned the government’s undertaking that carers of dependent children with disabilities which are currently on the lists of recognised disabilities will not require medical review prior to their 16th birthday. That was totally wrong, totally misleading, and he ought to be ashamed of himself. The commitment stands.

What I said, which Mr Swan chose to misrepresent, was that, in line with what was previously announced by Senator Vanstone, Australian carers of dependent children with disabilities which are currently on the lists of recognised disabilities will not require medical review prior to their 16th birthday. Mr Swan needs to read the Hansard carefully before he issues press releases based on false assumptions about what has been said. I am not sure whether it is wilful misinterpretation or just plain stupidity. In line with continually improving the delivery of assistance to those with disabilities, the list of recognised disabilities has been and will be reviewed to ensure it is appropriate. Carers should feel secure that individuals who have a disability on the list of recognised disabilities will not be reviewed; only the list of conditions will be. As I said in question time yesterday:

I believe the number of children who were reviewed and deemed to be still eligible would indicate that it is highly likely that those conditions will remain on.

I was saying that it is highly likely, in the review, that those conditions will remain on the list. The children will keep being assessed under that list until they are 16. When the list is reviewed, as it is every two years—as I said in my answer—it is highly likely that those conditions will remain on, given the number of children who were reviewed and deemed to be still eligible.

If that is not bad enough, Mr Swan’s efforts to mislead have seemingly snared at least one victim, and that is him. In what anyone would have called a confusing and topsy-turvy statement, Mr Swan ran out to call a doorstop this afternoon after question time. This is what he had to say:

We supposedly had an iron-cast guarantee from Senator Vanstone that six disabilities would be removed from the list.
I might give him some benefit of the doubt. He may have said ‘not removed from the list’, but it is not in the transcript. He says:

We supposedly had an iron-cast guarantee from Senator Vanstone that six disabilities would be removed from the list. It is clear from what Senator Patterson has said, they are on the list, and continue to be in the firing line of the Howard Government.

He clearly has no idea what he is talking about. It is on the list; it is off the list. Nobody would know what on earth he is talking about. Those new disabilities that Senator Vanstone put on will mean that the carers of children assessed will remain eligible for the carers pension. The condition will be reviewed in due course, as has been and will be the case. Before Mr Swan goes running off to confuse and mislead, I would suggest that he sit down and have a little think, if he is capable of thinking, to be sure he does not bamboozle himself—as he has done—and bamboozle the public.

In that same press release, he said that ‘Senator Patterson argued that previously carer allowance was being applied for for children who are not, in fact, disabled.’ He took part of a sentence—he did not even quote the full sentence, which would have made sense. I had said that, when Labor was in government, carer allowance was being applied for in situations where children were not, in fact, disabled. But the way he has chosen to quote it is totally out of context and totally misleading.

Today brought another new dawn, and Mr Swan must have been up at sunrise to dredge up the next instalment in his attempt to mislead the public. He issued yet another press release, headlined: ‘Government pays millionaire families, but won’t pay catch-ups’. In that release, Mr Swan claims that:

... the Government voted against Labor amendments to back-pay 25,072 families who were underpaid family tax benefit three years ago ...

He then goes on, in the same release, to further claim that most of the 25,000 families are ‘owed a whole year’s worth of payments by the government’. That is untrue. He is wrong. His deceit was further compounded in this release by misrepresenting my answer in Senate question time yesterday about a review of 664 income support customers with incomes apparently over $100,000. Either knowingly or otherwise, he appears to have mixed this group of people up with people who are not in receipt of income support. He needs to be more careful—but then, I do not think care appears to be his strong suit.

This evening Mr Swan issued another media release—it is like confetti warfare. This press release says, ‘Treasury admits most families don’t want their tax returns stripped.’ That is not what Treasury did. When we were having a discussion about the bill—Senator Bishop was here in the chamber—I was saying that we were opposing an amendment put forward by the Labor Party about allowing people to choose whether their tax rebate would be used to offset their family tax benefit. We were opposing that because the family tax benefit and the tax rebate are part of the total tax system and are reconciled at the end of the year. The Labor amendment would have had financial implications. Treasury had done some preliminary figures, and I said they were preliminary. I said I would go back and provide, for Senator Bishop, various assessments of people choosing that option. We do not know—none of us know—how many people will choose. Treasury does not know. We would know how many people would choose the option only at the end of a year in which it was operating, and I said that clearly in my discussion during the debate. But I said I would ask the Treasury to give estimates of whether it might be 25 per cent, 50 per cent, 75 per cent or 80 per cent. Treasury did not admit that...
most families do not want their tax returns stripped. That is absolute nonsense. They were saying that, if people chose the option that the Labor Party was putting forward, a debt, assessed as a public interest debt, would be incurred because people would be taking longer to pay back their family tax benefits.

I want the Labor Party to know that its amendments would have a financial implication. We have only had the amendments for a very short while. When the bill comes back, we will be able to give more details on the level of that cost depending on how many people, if they had the choice, would choose the Labor Party’s option. I was just pointing out that there was a cost involved, and now we get this sort of press release. I would suggest that Mr Swan spend more time developing policy as well as some reforms like the government has made in social security, for example reducing the number of Youth Allowance payments from two down to one and streamlining other payments, making it clearer. I can go through a list of reforms that we have undertaken. Mr Swan needs to go back to the drawing board, stop all this nonsense, learn about the policies and find out what his portfolio is about. Otherwise he will find out that he will be a rooster in more than one way.

Veterans: Health Services

Senator MARK BISHOP (Western Australia) (8.16 p.m.)—I rise on the adjournment this evening to speak again on the issue of health care for our serving ADF and special forces when deployed overseas in the context of their care downstream after discharge as veterans. The Senate will recall earlier remarks I have made about deep concerns held by veterans later in life that their illnesses are service related but without sufficient evidence either on their service record or in medical science to support any compensation claim. Past instances of this have been exposure to radiation in Japan after the war and during the atomic tests in the 1950s; exposure in Korea to a mix of chemicals, including pesticides; and, of course, Agent Orange in Vietnam. Despite royal commissions and other efforts, veterans with personal illness or birth defects in their children are not dissuaded from their view that their service is the root cause. This is the rationale for the pending inquiry by the Senate Foreign Affairs, Defence and Trade Legislation Committee into the institutional arrangements looking after this matter.

We should also remember that this is not just an issue of history. The deployments to East Timor, Afghanistan and Iraq all have the same potential. Experience of the Gulf War, in 1991, remains current as well. Hence, this evening I wish to address one of the issues of risk—namely, depleted uranium—and in particular the risk of exposure of Australian troops. Since the Gulf War began in 1991, there has been a surge of unexplained respiratory illnesses, cancers and genetic deformities among the Iraqi people, allied veterans and their children. The official US death toll by the end of the conflict was reported as 300 dead and 500 wounded or ill. Today these figures have reportedly escalated to more than 8,000 dead and about 221,000 ill. Likewise, in Britain, more than 600 Gulf War veterans have now died and a further 9,000 are seriously ill with multiple ailments. The average monthly death rate in Iraq has rocketed from just over 2,000 in 1989 to 15,000 in more recent years. This recent fluctuation in service related deaths and illnesses is unparalleled. Depleted uranium is suspected as the primary cause. The fear we have is that Australians may have been exposed either as members of an Australian unit or during secondment to US and UK forces.

Depleted uranium is uranium 238—the remnants of fissionable isotopes extracted...
from the core for use as fuel for nuclear reactors or bomb material. Over the past half a
decade, over 700,000 tonnes of depleted ura-
nium have accumulated in the world, but it is
only recently that the US and British militar-
ies have discovered its usefulness in arma-
ment manufacture. Prior to its debut in the
early 1990s, depleted uranium was regarded
as nuclear waste. Producers of this biohaz-
ardous matter were therefore only too happy
to give it to the US military, which solved
existing storage problems. Alternative and
safer materials such as tungsten were ignored
or not used due to vast disparities in cost.

Uranium 238 is an extremely hard, heavy
metal that is twice as dense as lead. It is in-
credibly indestructible, with a half-life of
about 4.5 billion years and a boiling point of
about 3,800 degrees Celsius. It also has supe-
rior armour-piercing capability, making it an
ideal material for precision-guided projec-
tiles and missiles. Unlike other heavy metals,
which tend to flatten on impact at high
speeds, depleted uranium is pyrophoric and
hence ignites spontaneously on exposure to
air. Upon ignition, however, up to 70 per
cent of the depleted uranium oxidises into
microscopic, insoluble particles. These parti-
cles are chemically toxic and can easily infil-
trate the lungs if exposed.

Inhalation of depleted uranium poses the
greatest danger. The particles reside in the
lungs for years, emitting alpha radiation that
damages soft tissue. As a carcinogen, it dam-
age cells in the lung, bone, kidney, prostate,
gut and brain and promotes cancer in those
organs. Depleted uranium also enters the
body through ingestion. Five years post the
initial bombings of the Gulf War, depleted
uranium particles remained in the air. The
dust enters the soil, surface water and even-
tually ground water. These noxious particles
are then deposited onto plants and grass that
are grazed on by cattle and the like and even-
tually passed on to the unsuspecting top of
the food chain—that is, people.

The transition of uranium 238 does not
stop there, however. Iraq now has a higher
than normal incidence of birth defects. Stud-
ies of Gulf War vets have found that excre-
tion of depleted uranium through semen is
not uncommon. Blood infections, respiratory
problems and severe malformation of the
head, limbs and genitalia are amongst some
of the horrendous congenital defects. One
survey of 250 veterans’ families in the US
revealed that 60 per cent to 70 per cent of
children born since the Gulf War had rare
genetic problems and illnesses.

What is worse, the horrifying effects of
depleted uranium are a lot closer to home
than we think. Australian service men and
women in both the Gulf War and the more
recent conflict in the Middle East are among
those reporting symptoms of uranium related
illnesses, generally described as ‘Gulf War
syndrome’ but on which research continues.
Australia, we are told, stopped using de-
pleted uranium munitions and armour in
1990 and has since ceased to use the sub-
stance as counterbalance weight in aircraft.
However, we need an assurance that Austra-
lian forces are fully equipped to prevent ex-
posure and to deal with it thoroughly. Austra-
lian service people are reporting illnesses
that they believe are related to their service,
with the possibility that the illnesses might
derive from this very substance. The Gulf
War Veterans’ Health Study has not allayed
those suspicions. These are serious claims.
Unfortunately, the government does not
seem to think so. In the past, the government
has been quick to deny any suggestions that
our returning troops should be tested for ura-
nium contamination.

In August this year, urinary screening was
at long last made available for Australian
service men and women returning to Austra-
lia. This is a useful and worthwhile start. This, though, was clearly a change of heart. Only one month prior to the new offer, the Minister for Defence, Senator Hill, said that he was quite confident that the way in which our service men and women were employed or deployed would not have exposed them to any significant effects of depleted uranium. Perhaps the British government’s decision to offer their returning troops urinary scans earlier this year prompted the change of heart. Despite Senator Hill’s confidence, there is nothing to say that our troops were not in the vicinity of active depleted uranium munitions, particularly when the toxic dust is known to travel up to 10 kilometres with the wind. This is a distinct risk for those SAS whose movements are clandestine for good reason. In spite of recent action to test for uranium contamination amongst our troops, the government continues to demonstrate a less than desirable approach to the issue. It is frightening to think of how much more of this debilitating waste will be unleashed upon the world before we fully recognise the risks involved.

In conclusion, may I repeat the context in which I raise this issue on behalf of the ALP. We are very concerned at the risks we put in front of our military personnel abroad. We need to be as sure as we can that we know what we are doing, that we are properly prepared and that appropriate remedial action will always be immediately available for those troops on return to this country.

Scouts Australia

Senator HUMPHRIES (Australian Capital Territory) (8.24 p.m.)—I rise tonight in the adjournment debate to talk about an important youth movement in Australia. Robert Putnam in his book, Bowling Alone, says that in the United States there has been a significant decline in the proportion of the population involved in community groups, sporting groups and P&C associations. He says this has led to a significant decline in what has been termed ‘social capital’—that is, the ability of people to trust each other and work together towards common social goals. I think it is true that there has been a similar trend in this country, and there has certainly been a trend towards a breakdown of social capital among younger Australians.

One organisation that has been working very hard for a very long time in this country and elsewhere to build social capital among young people particularly has been the Scouts. I acknowledge that the scouting movement may be unfashionable to many impressionable young people influenced by some of the popular values of today’s culture. But trends come and go. The values of scouting are timeless and, in a world of moral relativism and uncertainty, are as relevant as ever. Scouts Australia remains the largest youth movement in this country, with over 80,000 boys and girls involved. The founder of scouting, Lord Robert Baden Powell, was a soldier who wanted peace. His rationale for founding the movement remains sound today. He said:

Only through the education of the youth of the world, can world peace and understanding be achieved.

Nearly 100 years later, Scouts Australia defines its mission as the following:

To contribute to the education of young people, through a value system based on the Promise and Law, to help build a better world, where people are self fulfilled as individuals and play a constructive role in society.

Scouts Australia achieves this through the provision of opportunities for leadership and responsibility, learning by doing, encouragement of activities in small groups, an award scheme and a commitment to a code of living. At the heart of this, as senators are probably aware, is a wide range of attractive and challenging activities which include out-
door exploration and adventure. These activities very often carry an element of risk. That element of risk has caused Scouts Australia some considerable problems in recent years as it grapples with the consequence of rising public liability insurance premiums.

The cost and availability of public liability insurance in a range of community activities is an issue of great concern to all of us, particularly the government. Premiums have skyrocketed in recent years, and that is attributable to a number of circumstances. It is very difficult to exaggerate the effect of rising insurance premiums on a large number of community organisations, and I exhort particularly state and territory governments to accelerate their own programs of reform of tort law to ensure that many community based activities are able to proceed in acceptable circumstances. In the meantime, Scouts Australia’s premiums continue to rise. If this trend does not quickly change, they will carry more financial risk with a diminishing funding base and there will be more activity exclusions. These escalating insurance costs will continue to be passed on to families, putting downward pressure on membership numbers. In the ACT, Scouts membership has fallen from 2,600 a decade ago to under 1,500 today.

Blaming the decline in membership on rising insurance costs would be misleading. Young people today have significantly more leisure options available to them and they have more purchasing power. They also live in a liberal and fluid society whose popular culture is based increasingly on electronic media and advertising rather than on the dominant institutions of 50 or 100 years ago. Yet scouting has an enormous amount to offer young people. In January this year, 150 Australians attended the second World Scout Jamboree in Thailand. Activities included visiting royal palaces, elephant riding, craft activities, competing in sporting tournaments, abseiling and badge swapping. Venturers from Europe, the Americas, Asia and Africa joined in 12 days of friendship and fun. It was a truly international event. That same month, over 400 venturers and leaders from around the world attended the 12th Australian Venture here in the ACT, at Camp Cottermouth. Venturers participated in activities that included gliding, ballooning, sailing, surfing, scuba diving, whitewater rafting and caving.

I would like tonight to pay tribute not merely to the general aims of scouting in Australia but also to one particular person who typified the kind of commitment which scouting represents in this country. I pay tribute to Jack Deeble, a pioneer of the ACT scouting movement, who passed away in June of this year. Born in Melbourne in 1924, Jack joined scouting as a 10-year-old with the 1st Victorian Sea Scouts. He attended Melbourne High School and Melbourne Technical College. After war service with the Royal Australian Navy from 1942 to 1946, Jack returned to the sea scouts and was a scoutmaster from 1947 until 1955.

He worked in Melbourne until 1956, when he moved to Canberra to join the Academy of Science. In 1959, Jack was appointed scoutmaster of the Manuka scout hall. In 1961, he became the district commissioner of scouts in south Canberra. From this point, he filled the roles of Rover leader, assistant area commissioner—training, Woden Valley district commissioner, as well as group scoutmaster and senior scoutmaster at the Lake Burley Griffin Sea Scouts group. In 1969, he was appointed area commissioner for the then Canberra-Monaro area within the New South Wales branch of Scouts Australia. Arguably, his crowning achievement in the scouting movement was his involvement in the creation of a separate ACT branch of scouting in 1981, in which his close friend, the late Ross Hohnen, also played a signifi-
significant role. Jack was chairman of the ACT branch until 1987. That same year, he was awarded the Silver Kangaroo, a major honour in the Australian scouting movement.

Jack Deeble’s contribution to Australian society was not confined to scouting alone. At various times, he had been secretary to the Goodwin Homes for the Aged in Canberra, chairman of the ACT Child Welfare Committee, foundation rear commodore of the Canberra Yacht Club and was a member of its general committee for nearly 10 years. In 1988, Jack was awarded an Order of Australia Medal. At all times, Jack Deeble imparted to young Australians the values expressed in the scout law—values such as trustworthiness, loyalty, thrift, courage and cheerfulness. I commend Jack Deeble for his contribution to scouting and to the broader community over many years, and I commend Scouts Australia for their spiritual and practical commitment to the ideals that Jack Deeble lived by.

Military Detention: Australian Citizens

Senator MARSHALL (Victoria) (8.32 p.m.)—It is with great disappointment that I rise again tonight to speak on an issue that I first raised in the Senate over 13 months ago—an issue which the Howard government has done very little to address. Before I do so, I would like to compliment Senator Kirk on her excellent contribution on the same issue earlier in the adjournment debate. The fact that Senator Kirk also chose to speak on this issue tonight demonstrates the importance the Labor Party puts on human rights and the rule of law.

The issue concerns the detention of two Australian citizens in Guantanamo Bay, Cuba—held there by the United States military. It is an issue that continues to raise alarm throughout the Australian community—as it should, as it centres on this government’s continual lack of assistance to Australian citizens overseas. The United States military has held Australian citizens Mr David Hicks and Mr Mamdouh Habib for the best part of two years, denied them fundamental human rights and effectively holds them incommunicado.

As an alert representative of the Australian people, I am alarmed at recent reports that suggest detainees in Guantanamo Bay, including the two Australians, are being subjected to US military torture tactics. Lawyers in the US have stated that detainees, including Hicks and Habib, have been tortured using medieval techniques to force confessions. Reports indicate that detainees have been tied to posts and shot with rubber bullets, while others have been forced to kneel cruciform in the sun until they have collapsed. Hicks’s father has said he has also heard of torture tactics being used such as belting the bottoms of detainees’ feet.

Reports of torture have resulted in organisations such as the Law Council and the United Nations Association of Australia calling for immediate investigations into the claims. However, the only response we have had from our federal government is to reassert that Hicks and Habib are being treated humanely. There is little expectation that the Prime Minister or any minister will bother raising the allegations of torture when the government recalls parliament next week for a brief speech by the US President, George W. Bush.

It is now widely recognised that the Australian government is doing little to ensure that the human rights of its citizens being held in Guantanamo Bay are upheld and respected. The Prime Minister must communicate Australia’s concern about the current US policy of imprisonment without charge, trial or access to a lawyer and its contravening of multiple fundamental and longstanding principles of law. Amnesty International consis-
tently states that it believes the US has violated many international laws in its treatment of ‘enemy combatants’ being held indefinitely in Guantanamo Bay.

The period of two or so years the Australian detainees have awaited due process to run its course is outrageous at best and illegal at worst. It took over 500 days for the US to arrive at a decision that Mr Hicks is subject to the military order of 13 November 2001, thereby making him eligible for a trial before a military commission. It has now been over three months since the US made this announcement and still today there remains no indication as to when this trial may occur. For Mr Habib, there is still no indication as to when he may become eligible for a similar trial.

Mr Hicks’s eligibility for trial before a military commission is of little comfort to Mr Hicks and his family in Australia, given there is no judicial review or avenue to appeal a decision of the commission and, even if acquitted, Mr Hicks may still be held indefinitely as an ‘enemy combatant’. However, it appears there may be little chance of Mr Hicks being acquitted, as it is widely understood that there is a very strong possibility that he may have been pressured into pleading guilty to relatively minor terrorist offences in return for a fixed jail term.

It is understood that the US administration is keen to have Hicks and a handful of other detainees accept a plea bargain in order to legitimise its policy of unlawful detention and to more easily process and find guilty most of the other 660 detainees. Representatives of the Hicks family in Australia have expressed concern that if David Hicks has indicated a willingness to enter a plea bargain, which may have been extracted through the use of torture tactics, he has had no legal advice as to what the outcome of such a plea bargain may be and he certainly does not know that his family’s lawyers are trying to have him released on the grounds that he has not actually committed any crimes.

This kangaroo court that the US has constructed to process detainees is illegitimate, immoral and illegal in the eyes of many local and international institutions. It is ironic and hypocritical that, at a time when the US and Australian governments are running the mantra of democracy to justify war, one of the worst contraventions of democratic principles is occurring under the guise of the US administration and military and is backed by the Howard government. The Prime Minister claims to have some sort of special relationship with the current White House administration but will do little to utilise this relationship to promote the rights of our citizens overseas and to promote the principle of the rule of law.

It is a fundamental duty of the Australian government to defend its citizens from false arrest and imprisonment and unfair judicial proceedings by a foreign power—a duty this government continues to shirk. The Minister for Foreign Affairs loves to drop names when answering questions in the other place. I call upon him to drop a couple of names to President Bush when he addresses the federal parliament—the names of David Hicks and Mamdouh Habib. The government’s inconsistency when it comes to dealing with other states and nations cannot be emphasised more than it has been in this case. The Prime Minister, the Minister for Foreign Affairs, the Minister for Justice and Customs and the former Attorney-General have been reluctant to comment or pursue the case for legal principles to be followed in dealing with detainees being held in Guantanamo Bay. In stark contrast, however, when it comes to commenting on legal proceedings in Indonesia in relation to trials involving suspects of the Bali bombing, there is a
conga line of government ministers willing to give their two cents worth.

If this government had half a clue about international relations, it would suggest to the US that the open and accountable manner in which the Indonesians are dealing with suspected terrorists has publicly exposed the evil of terrorism and is the kind of exposure that acts as an important deterrent to terrorism in the future. A kangaroo court in the form of a military commission that has been constructed by the US will not be credible and will not assist the US or other nations trying to combat terrorist organisations or in exposing the indisputable evil of groups involved in terrorist activities.

It is time for the government to defend all aspects of the Australian way. These include the right to the presumption of innocence and the right to a fair trial. Australian democracy has a long tradition of accepting only one overriding judicial system and one rule of law for all. The US has now instituted two systems: one law for US citizens and another for non-citizens. Allegations of torture that have surfaced in recent weeks must not be merely swept under the carpet by the government. The government must have the will to defend its citizens being held by an international power and must not accept being given the run around by the United States. Australia cannot be taken seriously when it comes to promoting the principles of democracy and condemning acts that are detrimental to the principles of democracy whilst it stands by and does little to nothing to defend the democratic rights of its citizens overseas.

I take this opportunity to recognise the tireless work of Terry Hicks, the father of David Hicks, in his efforts to promote the fundamental rights which his son is entitled to under international law. It must be an extremely difficult exercise for the families of both David Hicks and Mamdouh Habib, who hang in limbo wondering if and when they will ever see their family member again. I urge the Prime Minister to think about this when he spends time with his family, especially in the lead-up to the Christmas holidays, and to think long and hard about the strain it must be placing on the families of Mr Hicks and Mr Habib. I urge the Prime Minister to use the opportunity of President Bush’s visit to raise the allegations of torture and other issues concerning the denial of fundamental human rights in relation to detainees in Guantanamo Bay.

**Poverty**

Senator MOORE (Queensland) (8.42 p.m.)—This week, from Monday, 13 October to Friday, 17 October, is Anti-Poverty Week. The week aims to strengthen public understanding of the causes and consequences of poverty and hardship around the world and within Australia and also to encourage research, discussion and action to address these problems, including action by individuals, communities, organisations and governments—all of us. This Friday, 17 October, has been designated by the United Nations as International Anti-Poverty Day. Across Australia, as indeed across the world, during this week there will be events and activities to focus our attention on the issues of poverty—its causes and its impacts around the world and at home.

In launching this week in Canberra last Monday, Julian Disney, a former World President of ACOSS and the President of the International Council on Social Welfare, stated that in the world anti-poverty cup Australia would not even make the quarterfinal. Our record, both at home and in our overseas aid, does not place us anywhere near the top of the ladder. In 2003 over a billion people around the world are desperately poor and suffer real hardship. At home, by any estimation, more than a million Australians are fac-
ing disadvantage. During Anti-Poverty Week, we have a genuine opportunity to learn, listen and definitely take up the challenge to do better. Through activities around the country, we can find out more about the real stories and the people behind the quite terrifying statistics. Internationally, the world's leaders adopted the millennium development goals, known as the MDGs, in 2000. We are part of this international community and we have accepted a wide range of goals.

We are sharing the battle to eradicate extreme poverty and hunger. We want to achieve universal primary education. We want to promote gender equality and the empowerment of women. We want to reduce child mortality, we want to improve maternal health, combat the horrors of HIV, Aids, malaria and other life threatening diseases, ensure environmental sustainability and develop a global partnership for development.

These are strong aims and we share that responsibility. Part of the aim of Anti-Poverty Week will be to make those goals real and to ascertain that we can do better and we must.

At home sometimes I think we run away from the issue of poverty. It is almost comfortable to accept that internationally there are areas of extreme poverty. But at home people are suffering disadvantage and we must see that. During Anti-Poverty Week we must face up to the individual challenge. As Uniting Care Australia has publicly stated, ‘Poverty exists.’ Poverty is more than just income deprivation; it is about being vulnerable, excluded and different and feeling as though you do not matter. The aim must be to empower and support individuals, families, communities and governments from the ground up as we work together to build a just and compassionate society, where everyone has access to social opportunities and the basic goods required to live a decent life.

Over the last few months the Senate Community Affairs References Committee has had the opportunity to visit every state in Australia and to meet with people who are the living faces of disadvantage in our community. These people tell us their stories. They tell us that we have no option to hide from these issues. We as a parliament must accept responsibility and awareness, because poverty exists in our community. Most terrifyingly, it exists for families and children. Almost 680,000 Australian children are growing up in jobless households. The link between unemployment and the lack of education, poverty and disadvantage is clear. We cannot run away from that. We know that children are facing immense risks of not being able to build their lives. The challenge for all of us must be that we work together to overcome this issue.

There are so many statistics that we can quote and they all confront us. Within Australia at the moment, at least a quarter of a million Australian job seekers have had no significant amount of paid work over the last 12 months. Terrifyingly, most have had little or none for at least two years. What kind of opportunity does that give to Australian families when all they can see before them is a pattern of unemployment and lack of opportunity? More than 10 per cent of the workforce are either unemployed or have identified that they want more work. The total number of job seekers is several times higher than the number of vacancies. During this period, when we all celebrate the increased economic stability in Australia and surpluses of amounts that still boggle my mind, we have people in families who are disadvantaged who do not understand that there are opportunities that we must share.

Many organisations now have united to put together a cry to governments at all levels, not just the federal government. This is not just an issue for people who sit here; this must be an all-of-government, in fact an all-of-society, response. As part of Anti-Poverty...
Week—I do not like the term poverty week; I prefer Anti-Poverty Week—a letter has been sent to the Prime Minister, state premiers and territorial chief ministers, signed by leaders of all faiths in Australia. They have taken up a challenge. In fact, they have called upon governments at all levels to get their act together—to get our act together—to acknowledge the following:

We write to seek your support for the concept of a national forum, the purpose of which is to develop a national strategy for the reduction of poverty, and hopefully the elimination of child poverty, in this country. We are also urging you to take positive steps to bring this about.

This is the challenge to us all. They go on to say:

If current trends of wealth distribution continue, our country is in danger of losing its traditional national character. Notions such as a ‘fair go’ and ‘mateship’ could become empty. We will become two, not one, country, and certainly not a ‘Commonwealth’. We risk becoming a country of ‘haves’ and ‘have-nots’, with all the undesirable social consequences which must follow.

That challenge is clear. We must now overcome divisions amongst ourselves and look at the genuine issues facing our community. During Anti-Poverty Week there are activities in all parts of the country to raise awareness of the issues about which we are speaking and to identify that poverty is not just a lack of income; it is a lack of opportunity and awareness. We can overcome this. We can work together to achieve some kind of result at home as well as overseas. The challenge that we are given during Anti-Poverty Week 2003 is to accept that poverty exists and identify ways to fight it, so that by Anti-Poverty Week 2004 the Australian community will have taken steps to ensure that we have a better society in which the circumstances of the haves and have-nots are closer together.

Trade: Live Animal Exports

Senator O’BRIEN (Tasmania) (8.51 p.m.)—Mr Acting Deputy President, I seek leave to speak for up to 20 minutes.

Leave granted.

Senator O’BRIEN—The Australian media has been dominated for weeks by the plight of the remaining 52,000 sheep penned on the livestock carrier MV Cormo Express. They have been cooped up on that ship for 71 days now. I understand the capacity of that ship is in the order of 70,000 sheep, so the original loading of 57,000 was clearly designed to minimise overcrowding and air circulation problems. That was an appropriate strategy for a journey that was expected to take about 16 days and has probably been a lifesaver for a journey that has dragged on for 10 weeks, and counting.

It is hard to believe how long the Minister for Agriculture, Fisheries and Forestry, Mr Truss, and now the Prime Minister have allowed this to drag on. We are now looking at two equally unattractive options: the return of the sheep to Australia or slaughter at sea. We have all been hoping for a market to be found for these sheep, but that now appears to be a forlorn hope. There have now been two independent assessments of these sheep by the international animal health organisation, the OIE. The first inspection on 5 September gave the animals a clean bill of health. The second inspection took place last week and again the sheep were given a clean bill of health. It is clear that the management of this saga by Mr Truss has heightened international concern over the condition of these sheep and has negated any leverage that may have flowed from these inspections.

It is also clear that this saga is causing Australia international damage. There is now evidence that this fiasco is having a negative impact on our reputation as a major trading nation in Japan, the European Union and the
United States of America. Our reputation as a country that boasts the highest animal welfare standards may have been irreparably damaged. This fiasco is even threatening the unity within the federal coalition parties. The failure of Mr Truss to resolve this matter is reflected in the increasingly open revolt by an increasing number of coalition members and senators.

Senator Ferris—Not true.

Senator O’BRIEN—Not true, Senator? Well, listen to this. Today we have two members of the Liberal Party—your party, Senator—Mr Tuckey and Mr Haase, confirming that they will support legal action to prevent the sheep being returned to Australia. Another long-serving Liberal backbencher, Mr Hawker, has issued a media release describing the return of the sheep as a disaster for Australian industry. These are direct and open attacks on both Mr Truss and Mr Howard and follow the attacks from another 13 backbenchers at today’s joint party room meeting. Those concerns are related to Mr Truss’s stewardship of Australia’s quarantine regime.

As senators are no doubt aware, Australia’s conservative, science based quarantine regime has been under attack for some time—a long time before the MV Cormo Express left Fremantle on 5 August this year. The Philippines are taking action against us through the World Trade Organisation. The European Union is also taking action through the WTO. The European Union is in fact challenging our entire quarantine system. The United States of America is seeking to weaken our quarantine standards through free trade agreement negotiations. It is my view that our current conservative regime, which has been supported by successive governments, is both appropriate and defensible; however, it now appears that the integrity of that regime—and, therefore, the foundations of our defence against challenges to that system—may well be ripped away to get the government out of a political imbroglio.

My concern that this disaster will lead to a collapse of our current appropriate quarantine system is heightened by Mr Truss’s refusal to release details of how he plans—in the event that this is the course the government decides upon—to let these sheep back into Australia. The destruction of the integrity of our conservative quarantine regime would see our legitimate stand against the importation of risky products collapse.

Senator Kemp—This is absolute nonsense.

Senator O’BRIEN—Perhaps you should go back to dinner, Senator. The red meat sector is concerned that a breach of appropriate quarantine standards—that is, failure to properly consider quarantine risks before permitting the return of the MV Cormo Express to Australia—will threaten an industry worth $7 billion.

Senator Ferris—What are you doing to fix it?

Senator O’BRIEN—I know that Senator Kemp has no concern for the red meat industry in this country, and apparently neither has Senator Ferris. Mr Truss has before him currently a long list of applications for approval to import rural products. That is a fact. If we are forced to apply a compromise risk assessment process to these applications, the consequences will be devastating for a wide range of industries. There will also be significant regional economic implications, as imported products undercut key domestic rural industries.

There have been increasingly worrying signs from the government in relation to our quarantine system. For example, a close look at the risk assessment process under way in relation to the application from the Philippines to export bananas to Australia exposes
the increasing politicisation of our risk assessment process. I must say I am alarmed by the actions of Mr Truss, Mr Vaile and the Prime Minister in relation to the assessment of this application. I am now very alarmed that the decision to collapse our quarantine system—if in fact that is what Mr Truss does in relation to these sheep—will be the last straw for not only Australia’s banana growers but a significant number of domestic industries that enjoy a physical environment free of diseases that blight much of the rest of the world.

The 2,300 growers that make up the banana industry contribute around $350 million to Australia’s economy. This is one of Australia’s largest horticultural industries. Queensland accounts for nearly 80 per cent of the national production. The processing of an application from the Philippines to export bananas to Australia commenced in June 2000, when AQIS initiated an import risk assessment. AQIS sought comment on whether there should be a routine or non-routine import risk assessment. Some senators may be aware that the former is a simple process, usually followed where there is little quarantine risk associated with an application. The non-routine course is designed to assess complex, high-risk applications.

The decision to follow a non-routine path was taken in August 2000. The risk assessment panel was assembled in early 2001. That panel then established three technical working groups looking at pathogens, arthropods and horticulture environment and operations. The issues paper that flowed from that process was released in May 2001. Throughout this process there was considerable interchange between the risk assessment panel and the relevant Philippine authorities, as well as direct contact with the Philippine industry. Unfortunately, the government did not take the same inclusive approach with Australia’s banana industry.

I have been following this process closely, and I must say that it seems to have been adequate from a technical perspective. I was advised by the director of Biosecurity Australia in an estimates hearing in May last year that the initial responses from the Philippines to technical issues raised by Australia were ‘mixed’. An initial set of questions was contained in a document entitled Import risk assessment on fresh banana fruit from the Philippines: report of visit of chairs of technical working group to the Philippines, produced in August 2001. There were 75 questions in that document. I note in passing that the report from this visit was not released until April last year—some eight months after the visit.

At that estimates hearing I was advised that, while the chairs of the technical working groups were in the Philippines, they undertook extensive visits to different parts of the banana industry in the area from where exports are proposed. After that initial list of 75 questions, there was a follow-up list. That second list contained another 44 questions. This second set of questions was put by Biosecurity officers to their Philippine counterparts during a visit to the Philippines on 18 and 19 February last year. The Philippine authorities responded to those questions on 20 March 2002.

A Philippines delegation then visited Australia in April last year, and further issues were raised in that second batch of questions and they were discussed. This process led to the release of a draft import risk assessment, released in June 2002. That draft import risk assessment concluded that the disease Moko, present in Philippine bananas, presented an unacceptable risk to the Australian industry. The report concluded:

In summary, for Moko there do not appear to be feasible measures capable of reducing the quarantine risks to an acceptable level.
This conclusion appears to have been based on a proper, science based analysis of the risks. I am concerned that that is where the science based assessment process ended and the politicisation of the process commenced. Biosecurity Australia invited comments on that draft import risk assessment, with a closing date of 30 August last year. That was nearly 14 months ago. If the minister, Mr Truss, had ensured that integrity was protected and proper process was followed, a final import risk assessment would have been released long ago. Alarm bells have been ringing, and they have been ringing within the industry for some time.

In June last year the minister for agriculture, Mr Truss, confirmed in parliament that the trade minister, Mr Mark Vaile, had already given an assurance to Philippine authorities that an import risk assessment would be released within a certain time frame. I said at the time and I repeat now: having the trade minister influencing quarantine processes is a dangerous conflict of interest. It is Mr Vaile’s job to promote trade, but it is Mr Truss’s job to protect the integrity of our quarantine regime. It should not be a matter for the trade minister to set deadlines for quarantine risk assessments. That should be a matter for the director of Quarantine.

In July this year the Prime Minister announced plans to establish a forum with the Philippines as a means of resolving agriculture related quarantine disputes, such as the dispute over bananas. As I said earlier, Australia’s quarantine regime has long been based on a proper, scientific assessment of the risks associated with importing plant and animal products. Mr Howard’s plan to establish what will be, essentially, a political forum to broker agreements on proposed agricultural imports from the Philippines is likely to compromise the integrity of that regime.

Last month, reports appeared claiming that the Australian government had agreed to allow the importation of tropical fruits from the Philippines. According to a Philippines News Agency report, negotiations with the Howard government had advanced the Philippines’ campaign for reduced quarantine controls on fruit exports to Australia. The news agency said that negotiations to ‘penetrate’ the Australian market will involve private sector interests. The Philippine Star reported:

... Australia’s readiness to reopen talks could be the breakthrough being sought by the Philippines to finally settle its brewing trade row with Australia, a result of the latter’s refusal to accept fresh bananas and pineapples by imposing rigid phytosanitary standards.

According to this and other reports at that time, negotiations were set to involve more than just bananas, mangoes and pineapples. The Philippines government wanted to negotiate the export of forage grass to Australia. I called on Mr Truss to reveal any concessions the government offered the Philippines and to detail planned future negotiations. His office responded by saying that we should not believe everything we read in the Philippines media. It is worth noting, however, that the story ran in the same form in a number of different papers.

There is now a body of evidence building that increasing pressure is forcing Mr Howard, Mr Vaile and Mr Truss to shift away from defending Australia’s quarantine regime as a stand-alone, science based process, in search of solutions to current political dilemmas. When these alarming trends are coupled with the extraordinary course Mr Truss appears likely to embark upon in relation to the Cormo Express, it is clear that the Howard government is moving to trade off the integrity of our quarantine regime to deal with short-term diplomatic problems—

Senator Kemp interjecting—
Senator O’BRIEN—I agree; it is absolutely disgraceful that Mr Truss is proposing to do that—to seek some short-term advantage or to get itself out of a huge political mess.

Honourable senators interjecting—

Senator O’BRIEN—It would be better if senators decided not to come back after a lengthy dinner if they are going to behave in this way! There is another developing problem with our quarantine system, and that relates to its administration. Responsibility for this problem rests squarely with the minister who oversees it. A significant number of applications for imports remain bogged down while Mr Truss procrastinates. Failure to advance these applications in a timely fashion is frustrating for both the country seeking access and the domestic industries that may be adversely affected if the application is approved. The draft import risk assessment on Philippine bananas is a classic example.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Cherry)—Order! I cannot hear the speaker.

Senator Kemp—You’re lucky!

The ACTING DEPUTY PRESIDENT—Order, Senator Kemp!

Senator O’BRIEN—As I said earlier, that draft report on Philippine bananas is well over a year old. It was released at the end of last June. It found bananas from the Philippines represented an unacceptable disease and pest risk. But, a year later, we are all still waiting for the final decision from the director of Quarantine and for an announcement from the minister. Rather than let these import risk assessment processes drift on and antagonise our key trading partners, Mr Truss should do his job and ensure that all applications are dealt with by Biosecurity Australia in a proper, scientific and timely fashion. Any move by Mr Howard and Mr Truss to undermine the integrity of our quarantine regime risks exposing our rural industries to a suite of exotic pests and diseases that could decimate production and cost farmers, rural communities and the national economy dearly. If the Howard government does collapse our quarantine system to get itself out of political strife, the world could reasonably claim that our quarantine system is no longer built on science but has political expediency as its new foundation stone.

Senator Ferguson interjecting—

Senator O’BRIEN—I have laid out a number of challenges for members of the coalition for when they come to their senses and decide to think about them. One thing I often wonder, when Senator Ferguson comes into this place and praises a member of my staff, is why he does not do the same for his own staff!

Trade: Live Animal Exports

Senator FERRIS (South Australia) (9.09 p.m.)—I rise to contribute to the adjournment debate tonight with a great sense of disappointment at the comments made by Senator O’Brien in relation to the difficulty facing not a political party but Australia’s very valuable overseas trade in live animals. It was with a great deal of disappointment that I heard Senator O’Brien’s comments tonight. There is no doubt that Australia has a great difficulty with this issue. These sheep were sent in good faith to a trading partner in the Middle East. When the ship arrived at the wharf, there were no trucks to pick up those sheep. There was a subsequent claim of 30 per cent scabby mouth, which turned out not to be the truth.

Senator Kemp interjecting—
The ACTING DEPUTY PRESIDENT (Senator Cherry)—Order! Senator Kemp, I cannot hear Senator Ferris at the moment.

Senator FERRIS—This is a particularly complex issue. Some might say it is one of the worst of the horrible hypotheticals that you could possibly imagine. But what we do know is that this issue is not about those sheep. This is not about scabby mouth. This is about a very important international trade in live animal exports that is worth billions of dollars to this country. In Senator O’Brien’s speech tonight, and in previous speeches that he has given in this place on this issue, I have listened very carefully to try to—

Senator O’Brien—You obviously didn’t listen! Go back and read the speech. You obviously didn’t listen.

Senator FERRIS—I did listen, Senator O’Brien. I listened very carefully to hear your solution to this particularly difficult issue. I listened the last time you spoke, I listened when you spoke on the MPI last week and I listened very carefully to the questions you have asked on this issue. I know that you and I share a great concern for the future of this industry because we agree it is of great value to this country. This issue is about Australia and Australian trade. Senator O’Brien, I know you understand how complex it is—you have set that out in a number of your speeches—but regrettably neither you nor any of your colleagues who have spoken on this issue have been able to come up with a solution. It is no surprise to you or to any of your colleagues on the other side of the chamber that this issue has no easy solution. There is no simple solution because it is not a simple issue.

There now appear to be three options facing the government in relation to the sheep. One option is to bring them back to Australia. That is very clearly the option of last resort, not the option of first resort. We are still trying to find a destination for these sheep. As you said in question time today, they have now been at sea for 71 days. There is not a person in this chamber, in the other chamber or in the Australian community who wants those sheep to remain at sea for one more day; but, Senator O’Brien, neither you nor any of your colleagues have come up with a realistic solution to this problem—you have not made a single suggestion. There has been criticism day after day of Minister Truss and of the government by you and your colleagues but not a single solution offered.

As I said a moment ago, the best option for these sheep is to find a destination close to where they are now. That has been explored by the government day and night for weeks. You know that has not been possible, Senator O’Brien. The second option is to try to find somewhere the sheep can be taken to. It is no secret that Cocos Island has been explored as an option but, as you know, there are difficulties there. Christmas Island has been explored as an option, but there are also difficulties there. Both of those options are still being looked at, as is the option of bringing them home as a last resort.

This is a boatload of healthy sheep. There is nothing wrong with these sheep. The vets on board and international vets have said that they are healthy sheep. One of the great difficulties we have with this issue is trying to convince the international community that there is nothing wrong with these sheep and that they are healthy animals. The criticism of the minister day after day, night after night, by Senator O’Brien and his colleagues does nothing to assist Australia to deal with this problem. I appeal to Senator O’Brien, his colleagues and indeed the wider Australian community to understand that, just as there is no simple answer to this issue, there is no point in bucketing it and bucketing ministers who are doing what they can to
bring about a resolution. It does no good to Australia and it does no good to the live animal trade, which is at the basis of this issue.

The future of the live animal trade is of critical importance to this country and has been for 20 years. The last thing we need to do in this chamber tonight is to bag an industry, bag a boatload of healthy sheep and bag a minister who is trying to come up with a sensible resolution to a very difficult issue. I appeal to Senator O’Brien and his colleagues to come into this place with some sensible solutions, some ideas and some ways in which we can resolve this issue for the good of Australian agriculture and for the good of this industry.

Senate adjourned at 9.16 p.m.

DOCUMENTS

Tabling

The following government documents were tabled:

Aboriginal Land Commissioner—Report for 2002-03.
Australia Council—Report for 2002-03.
Australia-Indonesia Institute—Report for 2002-03.
Australian Film Commission—Report for 2002-03.
Australian Film, Television and Radio School—Report for 2002-03.
Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 2002-03.
Australian National Training Authority—Australian vocational education and training system—Report for 2002—Volumes 1, 2 and 3.
Australian Research Council—Report for 2002-03.
Australian Safeguards and Non-Proliferation Office—Report for 2002-03.
Australian Tourist Commission—Report for 2002-03.
Australian Trade Commission (AUSTRADE)—Report for 2002-03.
Civil Aviation Safety Authority—Corporate plan 2003-04 to 2005-06.
Crimes Act 1914—Authorisations for the acquisition and use of assumed identities for 2002-03—Australian Customs Service.
Australian Federal Police.
Department of Industry, Tourism and Resources—Report for 2002-03.
Department of the Prime Minister and Cabinet—Report for 2002-03.
Export Finance and Insurance Corporation (EFIC)—Report for 2002-03.
Gene Technology Regulator—Quarterly report for the period 1 April to 30 June 2003.
Indigenous Land Corporation—Report for 2002-03.
National Archives of Australia and National Archives of Australia Advisory Council—Reports for 2002-03.
National Gallery of Australia—Report for 2002-03.
National Residue Survey—Report for 2002-03, incorporating the report for 2002-03 on the National Residue Survey Results.
Reserve Bank of Australia—Equity and diversity—Report for 2002-03.
Social Security Appeals Tribunal—Report for 2002-03.
Torres Strait Regional Authority—Report for 2002-03.

Tabling

The following documents were tabled by the Clerk:
Civil Aviation Act—Civil Aviation Regulations—Instrument No. CASA 430/03.

Safety, Rehabilitation and Compensation Act—Notice under paragraph 16(6)(c)—Notice No. 18 of 2003.

Sydney Airport Curfew Act—Dispensation granted under section 20—Dispensation No. 9/03.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Western Australia: Regional Solutions Program**

(Question Nos 1550 and 1551)

**Senator Nettle** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 19 June 2003:

With reference to the Regional Solutions Program, can a breakdown be provided of funding in Western Australia for the years 2001 to 2003, including (a) Local Government areas receiving funding. Amount received by each local government area. Brief project description.

In respect to the Regional Solutions Program, please also provide a breakdown of funding in Western Australia for the years 2001 to 2003, including (b) Electorates receiving funding. Amount received by each electorate. Brief project descriptions.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(a) Approved projects in Western Australia, listed by Local Government Area, refer to attachment A.

(b) Approved projects in Western Australia, listed by Federal electorate, refer to attachment B.

Attachment A

RSP approved projects in Western Australia, listed by Local Government Areas

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Project Title</th>
<th>Location</th>
<th>Project Summary</th>
<th>Approved funding (GST Inclusive)</th>
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<tr>
<td><strong>Albany City Council</strong></td>
<td><strong>Organisation: Southern Aboriginal Corporation, RSP/104</strong></td>
<td><strong>Project Title: Noongar Moorditj Cultural Product Development</strong></td>
<td><strong>Location: ALBANY, WA</strong></td>
<td><strong>Project Summary:</strong> To provide equipment and some materials to support the quality and consistent production of Noongar cultural products in six communities in the lower great southern region of Western Australia.</td>
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<td></td>
<td><strong>Organisation: Southern Aboriginal Corporation, RSP/681</strong></td>
<td><strong>Project Title: Economic Independence for Noongars</strong></td>
<td><strong>Location: ALBANY, WA</strong></td>
<td><strong>Project Summary:</strong> To employ an Economic Development Officer.</td>
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<td><strong>Organisation: Southern Aboriginal Corporation, RSP/1156</strong></td>
<td><strong>Project Title: Provision of Improved Genealogical Resources</strong></td>
<td><strong>Location: ALBANY, WA</strong></td>
<td><strong>Project Summary:</strong> To purchase genealogical tracing kits needed to trace family members outside of Western Australia.</td>
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<td></td>
<td><strong>Organisation: West Australian Police &amp; Citizens Youth Clubs(Inc) Albany, RSP/1754</strong></td>
<td><strong>Project Title: Albany Youth Recreation Venue</strong></td>
<td><strong>Location: ALBANY, WA</strong></td>
<td></td>
</tr>
<tr>
<td>Organisation</td>
<td>Total for Shire:</td>
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<tr>
<td><strong>Ashburton Shire Council</strong></td>
<td><strong>$336,819</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Organisation: Pannawonica Kindergym Inc, RSP/1278</td>
<td><strong>$2,778</strong></td>
<td></td>
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<tr>
<td>Project Title: Pannawonica Kindergym Inc.</td>
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<tr>
<td>Location: PANNAWONICA, WA</td>
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<tr>
<td>Project Summary: To provide an indoor facility where children under 5 years of age can develop their physical skills.</td>
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<tr>
<td><strong>Gumala Aboriginal Corporation, RSP/620</strong></td>
<td><strong>$34,041</strong></td>
<td></td>
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<tr>
<td>Project Title: Gumala Community News and Information Resources</td>
<td></td>
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<tr>
<td>Location: TOM PRICE, WA</td>
<td></td>
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<tr>
<td>Project Summary: To communicate to the Gumala community comprehensive information about the educational options available and develop and implement language and cultural maintenance programs.</td>
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<tr>
<td><strong>Shire of Ashburton, RSP/1459</strong></td>
<td><strong>$300,000</strong></td>
<td></td>
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<tr>
<td>Project Title: Tom Price Community Sports Centre</td>
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<tr>
<td>Location: TOM PRICE, WA</td>
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<tr>
<td>Project Summary: To construct a community facility.</td>
<td></td>
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<tr>
<td><strong>Augusta-Margaret River Shire Council</strong></td>
<td><strong>$97,520</strong></td>
<td></td>
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<tr>
<td>Organisation: East Augusta Tennis Recreation Club, RSP/1123</td>
<td><strong>$6,000</strong></td>
<td></td>
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<tr>
<td>Project Title: East Augusta Tennis and Recreation Club</td>
<td></td>
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</tr>
<tr>
<td>Location: AUGUSTA, WA</td>
<td></td>
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<tr>
<td>Project Summary: To build a single tennis court fenced with synthetic surface.</td>
<td></td>
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<tr>
<td><strong>Boddington Shire Council</strong></td>
<td><strong>$123,000</strong></td>
<td></td>
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<tr>
<td>Organisation: Shire of Boddington, RSP/700</td>
<td><strong>$55,000</strong></td>
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<tr>
<td>Project Title: Community Project Officer- P/T</td>
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<tr>
<td>Location: BODDINGTON, WA</td>
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<tr>
<td>Project Summary: To employ a project officer to assist with several projects currently underway.</td>
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<tr>
<td><strong>Shire of Bridgetown Greenbushes, RSP/1220</strong></td>
<td><strong>$68,000</strong></td>
<td></td>
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<tr>
<td>Project Title: Building Bridgetown Bridges</td>
<td></td>
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<tr>
<td>Location: BRIDGETOWN, WA</td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Shire of Broome, RSP/1176</td>
<td>Dampier Peninsula Access Management Plan Study</td>
<td>BROOME, WA</td>
<td>To minimise any negative impact of the proposed upgrade of the road network and to maximise the benefits which can accrue as a result of increased tourist numbers.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Bunbury Regional Arts Management Board Incorporated, RSP/564</td>
<td>South West Regional Arts Development</td>
<td>BUNBURY, WA</td>
<td>To develop a sustainable and economically viable arts and cultural industry in the South West by creating a centralised information, support and network structure accessible to rural and regional residents.</td>
<td>$139,393</td>
</tr>
<tr>
<td>South West College of TAFE Student Association Inc, RSP/1386</td>
<td>Improved access to student services</td>
<td>BUNBURY, WA</td>
<td>To purchase dedicated computers and produce a student association web-site.</td>
<td>$5,000</td>
</tr>
<tr>
<td>Shire of Busselton, RSP/1499</td>
<td>Busselton Jetty Underwater Observatory</td>
<td>BUSSELTON, WA</td>
<td>To assist with the construction of a $3.5 million Underwater Observatory.</td>
<td>$400,000</td>
</tr>
<tr>
<td>Gascoyne Development Commission, RSP/41</td>
<td>Trade Start Officer (Gascoyne region)</td>
<td>GASCOYNE JUNCTION, WA</td>
<td>To employ one part-time Tradestart officer in the Gascoyne region.</td>
<td>$66,000</td>
</tr>
<tr>
<td>Shire of Carnarvon, RSP/1260</td>
<td>The Carnarvon Triple J Retransmission Project</td>
<td>CARNARVON, WA</td>
<td>To purchase and install a transmitter at Brown’s Range, allowing ABC’s Triple J service to be broadcast to Carnarvon.</td>
<td>$7,000</td>
</tr>
<tr>
<td>Shire Council</td>
<td>Approved funding (GST Inclusive)</td>
<td>Total for Shire:</td>
<td></td>
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<tr>
<td>Chidlow Shire Council</td>
<td></td>
<td>$7,995</td>
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</tr>
</tbody>
</table>
| **Organisation:** Childlow Progress Association Inc, RSP/1537 | **Project Title:** Local Community Newspaper  
**Location:** CHIDLOW, WA  
**Project Summary:**  
To purchase of a new photocopier for the local newspaper. | $7,995 |
| Chittering Shire Council             |                                 | $181,500        |
| **Organisation:** Shire of Chittering, RSP/135 | **Project Title:** Chittering Water Scheme - Feasibility study  
**Location:** BINDOON, WA  
**Project Summary:**  
To undertake a full feasibility study for the supply of non-potable water to the Chittering region. | $137,500 |
| **Organisation:** Shire of Chittering, RSP/173 | **Project Title:** Chittering Economic Strategy  
**Location:** BINDOON, WA  
**Project Summary:**  
To develop an economic strategy to promote business and employment opportunities for the local community of Bindoon. | $22,000 |
| Organisation: Painted Road Regional Committee Inc, RSP/959 | **Project Title:** Painted Road WA  
**Location:** BINDOON, WA  
**Project Summary:**  
To create a marketing plan to encourage tourists to take the alternative route between Geraldton and Perth through towns linked by community painted murals. | $22,000 |
| Collie Shire Council                 |                                 | $139,250        |
| **Organisation:** Collie Railway Station Group Inc., RSP/537 | **Project Title:** Collie Miniature Railway Park  
**Location:** COLLIE, WA  
**Project Summary:**  
The Miniature Railway Park will enhance the entrance to Collie. It will be set up as a replica of Collie in its hey days, with rail tracks, miniature mines etc, power stations saw mills and retailing outlets. | $34,000 |
| **Organisation:** Motoring South West Inc, RSP/991 | **Project Title:** Motoring South West Inc (South West Driver Training and Club Motor Sport Complex Collie)  
**Location:** COLLIE, WA  
**Project Summary:**  
To contribute towards the development of the disused Western Two mine site into a driver training and motor sports facility. | $55,000 |
<p>| <strong>Organisation:</strong> Collie Railway Station Group Inc., RSP/1058 | <strong>Project Title:</strong> Collie Railway Station Rebuilding Project | $50,250 |</p>
<table>
<thead>
<tr>
<th>Location: COLLIE, WA</th>
<th>Approved funding (GST Inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To rebuild the Collie Railway Station based on the original plans.</td>
<td></td>
</tr>
<tr>
<td>Dalwallinu Shire Council</td>
<td>Total for Shire: $43,324</td>
</tr>
<tr>
<td>Organisation: The Liebe Group Inc, RSP/1646</td>
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<tr>
<td>Project Title: Community Infrastructure - Admin Improvements for Success of Farmer Groups for Rural Prosperity</td>
<td></td>
</tr>
<tr>
<td>Location: BUNTINGE, WA</td>
<td>$43,324</td>
</tr>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To repair and renovate a donated building in order to use it as an administrative centre.</td>
<td></td>
</tr>
<tr>
<td>Dandaragan Shire Council</td>
<td>Total for Shire: $22,000</td>
</tr>
<tr>
<td>Organisation: Shire Of Dandaragan, RSP/108</td>
<td></td>
</tr>
<tr>
<td>Project Title: Community/Economic Project Officer</td>
<td></td>
</tr>
<tr>
<td>Location: DANDARAGAN, WA</td>
<td>$22,000</td>
</tr>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To conduct detailed community planning which will which identify priority projects and better enable the community to adapt to the changes it is facing.</td>
<td></td>
</tr>
<tr>
<td>Dardanup Shire Council</td>
<td>Total for Shire: $128,700</td>
</tr>
<tr>
<td>Organisation: Shire of Dardanup, RSP/1430</td>
<td></td>
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<tr>
<td>Project Title: Eaton Recreation Centre and Public Library</td>
<td></td>
</tr>
<tr>
<td>Location: EATON, WA</td>
<td>$128,700</td>
</tr>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To develop a recreation centre and public library, with air conditioning for the library and a creche, featuring outdoor play area and children’s soft gymnasium.</td>
<td></td>
</tr>
<tr>
<td>Denmark Shire Council</td>
<td>Total for Shire: $156,751</td>
</tr>
<tr>
<td>Organisation: Tinglydale Tennis Club, RSP/1081</td>
<td></td>
</tr>
<tr>
<td>Project Title: Tinglydale Community Centre Kitchen Upgrade</td>
<td></td>
</tr>
<tr>
<td>Location: DENMARK, WA</td>
<td>$15,401</td>
</tr>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To extend the original schoolteacher’s living quarters, while retaining the heritage aspects of the building.</td>
<td></td>
</tr>
<tr>
<td>Organisation: Denmark Education and Innovation Centre Inc, RSP/1401</td>
<td></td>
</tr>
<tr>
<td>Project Title: Establishing the Denmark Centre for Sustainable Living</td>
<td></td>
</tr>
<tr>
<td>Location: DENMARK, WA</td>
<td>$119,350</td>
</tr>
<tr>
<td>Project Summary:</td>
<td></td>
</tr>
<tr>
<td>To establish a Centre for Sustainable Living in Denmark WA by remodelling the Denmark Agricultural College dormitory building.</td>
<td></td>
</tr>
<tr>
<td>Organisation: Walpole Sport and Recreation Centre, RSP/631</td>
<td></td>
</tr>
<tr>
<td>Project Title: Walpole Sport &amp; Recreation Centre Activities Coordination</td>
<td></td>
</tr>
<tr>
<td>Location: WALPOLE, WA</td>
<td>$22,000</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
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</tr>
<tr>
<td>West Kimberley Land Committee, RSP/290</td>
<td>Kimberley Rest Area Management</td>
</tr>
<tr>
<td>Jalaris Aboriginal Corporation, RSP/1375</td>
<td>Derby Men’s Outreach Service</td>
</tr>
<tr>
<td>Mowanjum Aboriginal Corporation, RSP/1380</td>
<td>Mowanjum Men’s Outreach Centre</td>
</tr>
<tr>
<td>Mowanjum Aboriginal Corporation, RSP/1381</td>
<td>Mowanjum Young Mum’s Centre</td>
</tr>
<tr>
<td>Shire of Donnybrook - Balingup, RSP/569</td>
<td>Shire of Donnybrook - Balingup Youth Strategy</td>
</tr>
<tr>
<td>Shire of Dowerin, RSP/146</td>
<td>Project Dowerin Accommodation Feasibility Study</td>
</tr>
<tr>
<td>Shire of Dowerin, RSP/149</td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
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<tr>
<td>Ngaanyatjara Council, RSP/865</td>
<td>Mobile Youth Activities Unit and Youth Development Assistant</td>
</tr>
<tr>
<td>Esperance Onwards 2000 Inc, RSP/166</td>
<td>Esperance Onwards 2000 Inc</td>
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<tr>
<td>Esperance Community College - Services, RSP/1086</td>
<td>Esperance Course and Careers Opportunities (ECCO)</td>
</tr>
<tr>
<td>Positive Campaign Inc., RSP/189</td>
<td>Positive Campaign Coordinator</td>
</tr>
<tr>
<td>Arts and Cultural Council of Geraldton Inc, RSP/770</td>
<td>“Adding SPICE”</td>
</tr>
<tr>
<td>Gingin District Telecentre Incorporated, RSP/413</td>
<td>Gingin Community News Paper</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
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<tr>
<td>Gnowangerup Shire Council</td>
<td>Ongerup Community Development Group, RSP/905</td>
</tr>
<tr>
<td>Organisation: Ongerup Community Development Group, RSP/905</td>
<td>Project Title: Development of Yongergnow - A Malleefowl Tourism Interpretive Centre and Experience at Ongerup</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>The project aims to develop an ecotourism attraction based on the Malleefowl.</td>
</tr>
<tr>
<td>Organisation: Ongerup Community Development Inc, RSP/1551</td>
<td>Project Title: The Ongerup Community Housing Project</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>To assist with the development of community housing facilities in Ongerup, Western Australia.</td>
</tr>
<tr>
<td>Organisation: Grass Valley Progress Association, RSP/1117</td>
<td>Project Title: Grass Valley Community Master Plan</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>To complete Community Master Plan for the district and implement the agreed first stage project in detail.</td>
</tr>
<tr>
<td>Organisation: Shire of Goomalling, RSP/614</td>
<td>Project Title: Community Based Development Officer</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>To employ a community based development officer to assist in developing an approach to identifying, coordination and implementation initiatives aimed at providing short and long-term community benefits.</td>
</tr>
<tr>
<td>Halls Creek Shire Council</td>
<td>Organisation: Kimberley Society Incorporated, RSP/585</td>
</tr>
<tr>
<td>Project Title: Protection and presentation of the ruins of the 1889 mud brick post office at Old Halls Creek</td>
<td>Location: HALLS CREEK, WA</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>To protect the ruins of the old Halls Creek post office with a free-standing roof.</td>
</tr>
<tr>
<td>Organisation: Thalngarr Ngarriny Aboriginal Corporation, RSP/965</td>
<td>Project Title: Mardiwah Loop Community Development</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>To develop a strategic plan and implement associated projects.</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
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<tr>
<td>Harvey Shire Council</td>
<td>Restoration and Renovation of the Yarloop Workshops</td>
</tr>
<tr>
<td>Shire of Harvey</td>
<td>Brunswick Junction Irrigation Channel Project</td>
</tr>
<tr>
<td>Shire of Jerramungup</td>
<td>Gairdner Community Playground Equipment Upgrade</td>
</tr>
<tr>
<td>Fitzgerald Biosphere Marketing Ass</td>
<td>Rebuilding a Future for the Community of the Fitzgerald Biosphere</td>
</tr>
<tr>
<td>Balladonia Community Progress Association Inc</td>
<td>Nullarbor Economic Assessment</td>
</tr>
<tr>
<td>Australian Prospectors and Miners Hall of Fame Ltd</td>
<td>Chinese Garden of Rememberance</td>
</tr>
<tr>
<td>Kellerberrin Shire Council</td>
<td>Copy Printer for Publication of The Pipeline</td>
</tr>
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</table>

**Total funding for Harvey Shire Council:** $318,751

**Total funding for Shire of Harvey:** $273,200

**Total funding for Shire of Jerramungup:** $184,159

**Total funding for Fitzgerald Biosphere Marketing Ass:** $179,159

**Total funding for Balladonia Community Progress Association Inc:** $15,001

**Total funding for Australian Prospectors and Miners Hall of Fame Ltd:** $200,000

**Total funding for Kellerberrin Shire Council:** $4,600
<table>
<thead>
<tr>
<th>Organisation</th>
<th>Project Title</th>
<th>Location</th>
<th>Approved funding (GST Inclusive)</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire of Kojonup, RSP/278</td>
<td>Federation Park - The Kodja Place Information and Interpretive Centre</td>
<td>KOJONUP, WA</td>
<td>$400,000</td>
<td>$400,000</td>
</tr>
<tr>
<td>Community Tele-Services Australia Inc,</td>
<td>Community Tele-Services Australia Inc - (CTSA)</td>
<td>HYDEN, WA</td>
<td>$110,000</td>
<td>$267,999</td>
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<tr>
<td>RSP/117</td>
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<tr>
<td>Kondinin Shire Council</td>
<td>Kondinin Medical Centre</td>
<td>KONDININ, WA</td>
<td>$129,999</td>
<td></td>
</tr>
<tr>
<td>Community Tele-Services Australia Inc,</td>
<td>Production of a CTSA National Magazine</td>
<td>HYDEN, WA</td>
<td>$28,000</td>
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<tr>
<td>RSP/1131</td>
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<tr>
<td>Kulin Shire Council</td>
<td>Community and Services Development Coordinator</td>
<td>KULIN, WA</td>
<td>$98,500</td>
<td>$120,500</td>
</tr>
<tr>
<td>Pingaring Progress Association Inc.,</td>
<td>Pingaring Progress Association - Creating a fully functional community centre</td>
<td>PINGARING, WA</td>
<td>$22,000</td>
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<tr>
<td>RSP/881</td>
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<tr>
<td>Laverton Shire Council</td>
<td>The Outback Highway, Australia’s 3rd Strategic Link</td>
<td>LAVERTON, WA</td>
<td>$164,430</td>
<td>$164,430</td>
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QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th><strong>Project Summary:</strong></th>
<th><strong>Approved funding (GST Inclusive)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>To implement a comprehensive study of the costs and benefits associated with upgrading the Outback Highway between Winton (Queensland) and Laverton (Western Australia) to a minimum of all-weather gravel access standard.</td>
<td>Leonora Shire Council Total for Shire: $265,648</td>
</tr>
<tr>
<td><strong>Organisation:</strong> Shire of Leonora, RSP/925</td>
<td><strong>Project Title:</strong> The Goldfields North Heritage Trail</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To construct the Goldfields Heritage Trail</td>
<td><strong>Organisation:</strong> Leonora Community Telecentre Inc, RSP/790</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To employ three staff and purchase equipment to re-establish the local newspaper the Tower Street Times.</td>
<td><strong>Organisation:</strong> Pat Thomas Women’s Refuge, RSP/505</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To conduct a two day home violence conference which was planned for Mandurah in 2001. The conference would target the whole community with various sessions providing different perspectives and information to cater for a wide range of audiences.</td>
<td><strong>Organisation:</strong> Peel Development Commission, RSP/1201</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To employ a co-ordinator for two years to progress and manage a Community Development Network.</td>
<td><strong>Organisation:</strong> Northcliffe Family Centre Inc, RSP/506</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To employ a Community Development Officer</td>
<td><strong>Organisation:</strong> Quinninup Community Association, RSP/1281</td>
</tr>
<tr>
<td><strong>Project Summary:</strong> To upgrade the local sporting oval of Quinninup.</td>
<td><strong>Organisation:</strong> Shire of Manjimup, RSP/397</td>
</tr>
<tr>
<td>Project Title</td>
<td>Approved funding (GST Inclusive)</td>
</tr>
<tr>
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</tr>
<tr>
<td>Development of the Manjimup Timber Park</td>
<td>$504,800</td>
</tr>
<tr>
<td>Westrail land restoration and redevelopment</td>
<td>$99,000</td>
</tr>
<tr>
<td>Niagara Dam Historical Walk</td>
<td>$99,000</td>
</tr>
<tr>
<td>Working towards the future of the Central Wheatbelt</td>
<td>$42,108</td>
</tr>
<tr>
<td>Merredin Indoor Children’s Playground/Toy Library</td>
<td>$111,752</td>
</tr>
<tr>
<td>Moora Town Hall Refurbishment</td>
<td>$181,818</td>
</tr>
<tr>
<td>Morawa Development Officer</td>
<td>$102,564</td>
</tr>
<tr>
<td><strong>Organisation</strong></td>
<td><strong>Shire of Manjimup, RSP/421</strong></td>
</tr>
<tr>
<td><strong>Location</strong></td>
<td><strong>MANJIMUP, WA</strong></td>
</tr>
<tr>
<td><strong>Project Summary</strong></td>
<td><strong>Project Title</strong>: To upgrade and develop the Manjimup Timber Park</td>
</tr>
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<td></td>
<td><strong>Menzies Shire Council</strong></td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
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</tr>
<tr>
<td>Mount Magnet Shire Council</td>
<td>Mount Magnet Heritage and Cultural Precinct 2. Murchison Indigenous Initiatives Project</td>
</tr>
<tr>
<td>Mullewa Shire Council</td>
<td>Yamaji Times</td>
</tr>
<tr>
<td>Nannup Shire Council</td>
<td>Restoration of the Historic Railway Bridge</td>
</tr>
<tr>
<td>Narembeen Shire Council</td>
<td>Narembeen Economic Development Officer</td>
</tr>
<tr>
<td>Northam Shire Council</td>
<td>Bakers Hill Strategic Plan 2001</td>
</tr>
<tr>
<td>Organisation: Northampton Shire Council, RSP/1559</td>
<td>Horrocks Beach Family Jetty</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Pingelly Shire Council</td>
<td>Project Title: Pingelly Community &amp; Economic Development Officer Location: NORTHAMPTON, WA Project Summary: To employ a Community and Economic Development Officer.</td>
</tr>
<tr>
<td>Pingelly Shire, RSP/1253</td>
<td>Project Title: Pingelly Skate Park Location: PINGELLY, WA Project Summary: To provide a Skate Park in the main business precinct.</td>
</tr>
<tr>
<td>Port Hedland Shire Council</td>
<td>Organisation: Mugarinya Community Association Incd, RSP/915 Project Title: Mugarinya Multi Function Training Centre - A community approach to accessing the future. Location: PORT HEDLAND, WA Project Summary: The project aims to establish a Multi-Function Training Centre for the community to access training, education and communication facilities.</td>
</tr>
<tr>
<td>Town of Port Hedland, RSP/1703</td>
<td>Project Title: Courthouse Arts Centre and Gallery, Port Hedland Location: PORT HEDLAND, WA Project Summary: To convert a courthouse into an arts centre and gallery.</td>
</tr>
<tr>
<td>Ravensthorpe Shire Council</td>
<td>Organisation: Shire of Ravensthorpe, RSP/78 Project Title: The Ravensthorpe and Districts Entertainment Centre Location: RAVENSTHORPE, WA Project Summary: To complete building the Ravensthorpe and Districts Entertainment Centre.</td>
</tr>
<tr>
<td>Ravensthorpe &amp; Districts Rural Communities Program Inc, RSP/867</td>
<td>Project Title: Australian Country Information Service (ACIS) Location: RAVENSTHORPE, WA Project Summary: To provide a government information service.</td>
</tr>
<tr>
<td>Ravensthorpe Shire, RSP/989</td>
<td>Project Title: Impact Study Project Location: RAVENSTHORPE, WA Project Summary: To identify social, environmental and economic impacts on the Shires of Ravensthorpe and Esperance that will result from the Ravensthorpe Nickel Project and other economic developments in the Region.</td>
</tr>
<tr>
<td>Roebourne Shire Council</td>
<td>Business Centre, RSP/1703 Project Title: Australian Country Information Service (ACIS) Location: RAVENSTHORPE, WA Project Summary: To provide a government information service.</td>
</tr>
<tr>
<td>Organisation</td>
<td>Approved funding (GST Inclusive)</td>
</tr>
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</tr>
<tr>
<td>Shire of Roebourne, RSP/1632</td>
<td>$417,200</td>
</tr>
<tr>
<td>Shire of Roebourne, RSP/1080</td>
<td>$29,524</td>
</tr>
<tr>
<td>Shire of Serpentine-Jarrahdale, RSP/1726</td>
<td>$340,459</td>
</tr>
<tr>
<td>Shire of Victoria Plains, RSP/936</td>
<td>$31,400</td>
</tr>
<tr>
<td>Shire of Waroona, RSP/801</td>
<td>$31,249</td>
</tr>
<tr>
<td>West Arthur Shire Council</td>
<td>$8,250</td>
</tr>
<tr>
<td>Organisation: Shire of West Arthur, RSP/1748</td>
<td>Approved funding (GST Inclusive)</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Project Title: West Arthur Strategic Plan</td>
<td>$8,250</td>
</tr>
<tr>
<td>Location: DARKAN, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                           | To conduct community consultation and preparation of a strategic plan for the community and Shire of West Arthur. |}

<table>
<thead>
<tr>
<th>Organisation: Lake Yealering Progress Association Inc., RSP/410</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title: Development of the Marketing Strategy for Yealering</td>
<td>$4,970</td>
</tr>
<tr>
<td>Location: YEALERING, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                                             | To undertake planning workshops to identify areas for future economic development for the town of Yealering. |}

<table>
<thead>
<tr>
<th>Organisation: Williams Telecentre Inc, RSP/512</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title: Community Networking Officer</td>
<td>$44,000</td>
</tr>
<tr>
<td>Location: WILLIAMS, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                              | To employ a community networking officer for 30 hours per week for two years. It is intended that this position be based at the Williams Telecentre, where access to secretarial services and desktop publishing services already exist. |}

<table>
<thead>
<tr>
<th>Organisation: Shire of Wyalkatchem, RSP/368</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title: The Wyalkatchem Strategic Plan 2001</td>
<td>$5,000</td>
</tr>
<tr>
<td>Location: WYALKATCHEM, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                            | To undertake a community plan in the Shire of Wyalkatchem. |}

<table>
<thead>
<tr>
<th>Organisation: Shire of Wyalkatchem, RSP/548</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title: NEWROC Executive Officer</td>
<td>$109,450</td>
</tr>
<tr>
<td>Location: WYALKATCHEM, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                            | To employ an executive officer for NEWROC to identify growth opportunities for the region and provide secretarial and project co-ordination assistance to the north eastern wheat belt region of Western Australia. |}

<table>
<thead>
<tr>
<th>Organisation: Wyalkatchem CBH Agricultural Museum, RSP/1526</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Title: Wyalkatchem Museum Expansion Stage 1</td>
<td>$55,000</td>
</tr>
<tr>
<td>Location: WYALKATCHEM, WA</td>
<td></td>
</tr>
</tbody>
</table>
| Project Summary:                                           | To redevelop the Wyalkatchem Museum |}

<table>
<thead>
<tr>
<th>Wyndham-East Kimberley Shire Council</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organisation: Kimberley Development Commission, RSP/34</td>
<td>$63,509</td>
</tr>
<tr>
<td>Project Title: Austrade (Kimberley Region)</td>
<td></td>
</tr>
</tbody>
</table>
**Location:** KUNUNURRA, WA  
**Organisation:** Kimberley Primary Industry Association, RSP/291  
**Project Title:** Advancing Tropical Agriculture in the Kimberley  
**Location:** KUNUNURRA, WA  
**Project Summary:** To establish a peak agricultural industry within the Kimberley region of WA.  

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire of Yalgoo, RSP/1392</td>
<td>$5,000</td>
</tr>
<tr>
<td>York Shire Council</td>
<td>$142,900</td>
</tr>
</tbody>
</table>

**Location:** YORK, WA  
**Organisation:** York Telecentre Inc, RSP/916  
**Project Title:** Life's Real  
**Location:** YORK, WA  
**Project Summary:** To establish a program which assists with the supplying of information.  

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Total for Shire:</th>
</tr>
</thead>
<tbody>
<tr>
<td>York Community Radio Inc, RSP/1088</td>
<td>$4,400</td>
</tr>
</tbody>
</table>

**Location:** MANDURAH, WA  
**Organisation:** Pat Thomas Women’s Refuge, 505  
**Project Title:** Violence in the Home Conference - Mandurah 2001  
**Location:** MANDURAH, WA  
**Project Summary:** To conduct a two day home violence conference which was planned for Mandurah in 2001. The conference would target the whole community with various sessions providing different perspectives and information to cater for a wide range of audiences.  

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Total for Electorate:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peel Developement Commission, 1201</td>
<td>$110,000</td>
</tr>
</tbody>
</table>

**Attachment B**

RSP approved projects in Western Australia Listed by Electorate

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Total for Electorate:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pat Thomas Women’s Refuge, 505</td>
<td>$3,050</td>
</tr>
</tbody>
</table>

**Approved funding**  
(GST Inclusive)
<table>
<thead>
<tr>
<th>Location</th>
<th>Project Title</th>
<th>Organisation</th>
<th>Approved funding (GST Inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>BYFORD, WA</td>
<td>Serpentine-Jarrahdale Recreation &amp; Community Centre</td>
<td>Shire of Serpentine-Jarrahdale, 1726</td>
<td>$340,459</td>
</tr>
<tr>
<td>LAKE CLIFTON, WA</td>
<td>Lake Clifton Community Centre</td>
<td>Lake Clifton Progress and Sporting Association, 1236</td>
<td>$170,000</td>
</tr>
<tr>
<td>WAROONA, WA</td>
<td>Building Bridgetown Bridges</td>
<td>Shire of Harvey, 1116</td>
<td>$68,000</td>
</tr>
<tr>
<td>AUGUSTA, WA</td>
<td>East Augusta Tennis and Recreation Club</td>
<td>East Augusta Tennis Recreation Club, 1123</td>
<td>$6,000</td>
</tr>
<tr>
<td>BRIDGETOWN, WA</td>
<td>Brunswick Junction Irrigation Channel Project</td>
<td>Bunbury Regional Arts Management Board Inc, 564</td>
<td>$273,200</td>
</tr>
<tr>
<td>BUNBURY, WA</td>
<td>South West Regional Arts Development</td>
<td>Bunbury Regional Arts Development Board Inc, 564</td>
<td>$139,393</td>
</tr>
</tbody>
</table>

**Project Summary:**
To employ a co-ordinator for two years to progress and manage a Community Development Network.

**CANNING**
Total for Electorate: $541,708

**FORREST**
Total for Electorate: $2,202,246

**Project Summary:**
To construct a recreation and community centre in Byford to meet the long-term social and recreational needs of the Shire of Serpentine-Jarrahdale community and at the same time create a significant number of new job opportunities within the region.

**Project Summary:**
To build a Community Centre.

**Project Summary:**
The project involves the purchase of a vacant lot in the CBD for a town square development.

**Project Summary:**
To build a single tennis court fenced with synthetic surface.

**Project Summary:**
To upgrade and extend the range of facilities provided for community use at the Bridgetown Show Grounds.
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Project Title</th>
<th>Location</th>
<th>Project Summary</th>
<th>Approved funding (GST Inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South West College of TAFE Student Association Inc, 1386</td>
<td>Improved access to student services</td>
<td>BUNBURY, WA</td>
<td>To purchase dedicated computers and produce a student association web-site.</td>
<td>$5,000</td>
</tr>
<tr>
<td>Shire of Busselton, 1499</td>
<td>Busseton Jetty Underwater Observatory</td>
<td>BUSSELTON, WA</td>
<td>To assist with the construction of a $3.5 million Underwater Observatory.</td>
<td>$400,000</td>
</tr>
<tr>
<td>Collie Railway Station Group Inc., 537</td>
<td>Collie Miniature Railway Park</td>
<td>COLLIE, WA</td>
<td>The Miniature Railway Park will enhance the entrance to Collie. It will be set up as a replica of Collie in its hey days, with rail tracks, miniature mines etc, power stations saw mills and retailing outlets.</td>
<td>$34,000</td>
</tr>
<tr>
<td>Motoring South West Inc, 991</td>
<td>South West Driver Training and Club Motor Sport Complex Collie</td>
<td>COLLIE, WA</td>
<td>To contribute towards the development of the disused Western Two mine site into a driver training and motor sports facility.</td>
<td>$55,000</td>
</tr>
<tr>
<td>Collie Railway Station Group Inc., 1058</td>
<td>Collie Railway Station Rebuilding Project</td>
<td>COLLIE, WA</td>
<td>To rebuild the Collie Railway Station based on the original plans.</td>
<td>$50,250</td>
</tr>
<tr>
<td>Shire Of Donnybrook - Balingup, 569</td>
<td>Shire of Donnybrook - Balingup Youth Strategy</td>
<td>DONNYBROOK, WA</td>
<td>To engage a Strategic Planning consultant with a background in youth and local government issues that will engage the council and the community to develop a strategic plan for the Shire.</td>
<td>$6,532</td>
</tr>
<tr>
<td>Shire of Dardanup, 1430</td>
<td>Eaton Recreation Centre and Public Library</td>
<td>EATON, WA</td>
<td>To develop a recreation centre and public library, with air conditioning for the library and a creche, featuring outdoor play area and children’s soft gymnasium.</td>
<td>$128,700</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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</tr>
<tr>
<td>Shire of Manjimup, 397</td>
<td>Development of the Manjimup Timber Park</td>
<td>MANJIMUP, WA</td>
<td>To upgrade and develop the Manjimup Timber Park</td>
<td>$111,499</td>
</tr>
<tr>
<td>Shire of Manjimup, 421</td>
<td>Westrail land restoration and redevelopment</td>
<td>MANJIMUP, WA</td>
<td>To rehabilitate disused rail marshalling yards located in the centre of Manjimup.</td>
<td>$504,800</td>
</tr>
<tr>
<td>Margaret River Arts Council Inc., 213</td>
<td>Art Projects Manager</td>
<td>MARGARET RIVER, WA</td>
<td>To employ a project manager to provide quality cultural programs and projects that meet the needs and desires of the families in the community.</td>
<td>$91,520</td>
</tr>
<tr>
<td>Shire of Nannup, 423</td>
<td>Restoration of the Historic Railway Bridge</td>
<td>NANNUP, WA</td>
<td>To restore the old railway bridge and employ a tourism development officer to oversee the restoration and further construction of other projects.</td>
<td>$132,000</td>
</tr>
<tr>
<td>Northcliffe Family Centre Inc. 506</td>
<td>Northcliffe Family Centre - Local Community Development</td>
<td>NORTHCLIFFE, WA</td>
<td>To employ a Community Development Officer.</td>
<td>$110,000</td>
</tr>
<tr>
<td>Quinninup Community Association, 1281</td>
<td>Community Oval Reconstruction, Levelling, Filling, Planting and Reticulating</td>
<td>QUINNINUP, WA</td>
<td>To upgrade the local sporting oval of Quinninup.</td>
<td>$18,801</td>
</tr>
<tr>
<td>Walpole Sport and Recreation Centre, 631</td>
<td>Walpole Sport &amp; Recreation Centre Activities Coordination</td>
<td>WALPOLE, WA</td>
<td>To continue the employment of an Activities Coordinator within the Walpole Community.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Yarloop Workshops Inc., 907</td>
<td>Restoration and Renovation of the Yarloop Workshops</td>
<td>YARLOOP, WA</td>
<td>The project aims to restore and renovate the Yarloop Workshop.</td>
<td>$45,551</td>
</tr>
</tbody>
</table>

**KALGOORLIE** Total for Electorate: $3,121,947
<table>
<thead>
<tr>
<th>Organisation</th>
<th>Project Title</th>
<th>Location</th>
<th>Project Summary</th>
<th>Approved funding (GST Inclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shire of Broome, 1176</td>
<td>Dampier Peninsula Access Management Plan Study</td>
<td>BROOME, WA</td>
<td>To minimise any negative impact of the proposed upgrade of the road network and to maximise the benefits which can accrue as a result of increased tourist numbers.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Shire of Carnarvon, 1260</td>
<td>The Carnarvon Triple J Retransmission Project</td>
<td>CARNARVON, WA</td>
<td>To purchase and install a transmitter at Brown’s Range, allowing ABC’s Triple J service to be broadcast to Carnarvon.</td>
<td>$7,000</td>
</tr>
<tr>
<td>Shire of Roebourne, 1632</td>
<td>Historic Town of Cossack Sustainable Development</td>
<td>COSSACK, WA</td>
<td>To develop Cossack into a self-sustaining town, attract investment, increase employment, promote tourism and provide services to attract long term residents.</td>
<td>$417,200</td>
</tr>
<tr>
<td>West Kimberley Land Conservation Committee, 290</td>
<td>Kimberley Rest Area Management</td>
<td>DERBY, WA</td>
<td>To develop a management strategy for rest areas and campsites by training local indigenous residents to assist with information on proper care and protection of the environment.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Jalaris Aboriginal Corporation, 1375</td>
<td>Derby Men’s Outreach Service</td>
<td>DERBY, WA</td>
<td>To employ a part time project coordinator and set up a Men’s Outreach Centre in Derby WA.</td>
<td>$47,500</td>
</tr>
<tr>
<td>Mowanjum Aboriginal Corporation, 1380</td>
<td>Mowanjum Men’s Outreach Centre</td>
<td>DERBY, WA</td>
<td>To employ a part time coordinator and set up a men’s outreach centre in Mowanjum</td>
<td>$47,500</td>
</tr>
<tr>
<td>Mowanjum Aboriginal Corporation, 1381</td>
<td>Mowanjum Young Mum’s Centre</td>
<td>DERBY, WA</td>
<td>To employ a project coordinator and fund a young mum’s centre.</td>
<td>$34,000</td>
</tr>
<tr>
<td>Esperence Onwards 2000 Inc, 166</td>
<td>Esperance Onwards 2000 Inc</td>
<td>ESPERANCE, WA</td>
<td></td>
<td>$101,500</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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</tr>
<tr>
<td>Esperance Community College - Services, 1086</td>
<td>Esperance Course and Careers Opportunities (ECCO)</td>
<td>ESPERANCE, WA</td>
<td>To implement four projects including an education exchange, expo, colour palette and a community Webpage for Esperance.</td>
<td>$95,000</td>
</tr>
<tr>
<td>Gascoyne Development Commission, 41</td>
<td>Trade Start Officer</td>
<td>GASCOYNE JUNCTION, WA</td>
<td>To employ one part-time Tradestart officer in the Gascoyne region.</td>
<td>$66,000</td>
</tr>
<tr>
<td>Kimberley Society Incorporated, 585</td>
<td>Protection and presentation of the ruins of the 1889 mud brick post office at Old Halls Creek Halls</td>
<td>HALLS CREEK, WA</td>
<td>To protect the ruins of the old Halls Creek post office with a free-standing roof. The roof will give visitors an impression of how the building looked when it was functional.</td>
<td>$48,700</td>
</tr>
<tr>
<td>Thalngarr Ngarriny Aboriginal Corporation, 965</td>
<td>Mardiwah Loop Community Development</td>
<td>HALLS CREEK, WA</td>
<td>To develop a strategic plan and implement associated projects.</td>
<td>$35,000</td>
</tr>
<tr>
<td>Shire of Northampton, 941</td>
<td>Horrocks Beach Family Jetty</td>
<td>HORROCKS, WA</td>
<td>To repair/refurbish the Horrocks Beach jetty.</td>
<td>$52,174</td>
</tr>
<tr>
<td>Ngaanyatjara Council, 865</td>
<td>Mobile Youth Activities Unit and Youth Development Assistant</td>
<td>JAMESON COMMUNITY, WA</td>
<td>To employ a Youth Development Assistant.</td>
<td>$110,000</td>
</tr>
<tr>
<td>Shire of Leonora, 925</td>
<td>The Goldfields North Heritage Trail</td>
<td>KALGOORLIE, WA</td>
<td>To construct the Goldfields Heritage Trail</td>
<td>$233,200</td>
</tr>
<tr>
<td>Balladonia Community Progress Association Inc, 1092</td>
<td>Nullarbor Economic Assessment</td>
<td>KALGOORLIE, WA</td>
<td></td>
<td>$15,001</td>
</tr>
<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Australian Prospectors and Miners Hall of Fame Ltd, 1872</td>
<td>Chinese Garden of Rememberance</td>
<td>KALGOORLIE, WA</td>
<td>To build a Chinese garden to celebrate multiculturalism in mining and in particular the part the early Chinese miners played in the development of Australia.</td>
<td>$200,000</td>
</tr>
<tr>
<td>Shire of Menzies, 910</td>
<td>Niagara Dam Historical Walk</td>
<td>KOOKYNIE, WA</td>
<td>To develop an interactive heritage trail. The development hopes to attract tourists and address safety issues.</td>
<td>$99,000</td>
</tr>
<tr>
<td>Kimberley Development Commission, 34</td>
<td>Austrade (Kimberley Region)</td>
<td>KUNUNURRA, WA</td>
<td>To fund one part-time Tradestart officer position in the Kimberley region.</td>
<td>$63,509</td>
</tr>
<tr>
<td>Kimberley Primary Industry Association, 291</td>
<td>Advancing Tropical Agriculture in the Kimberley</td>
<td>KUNUNURRA, WA</td>
<td>To establish a peak agricultural industry within the Kimberley region of WA.</td>
<td>$106,700</td>
</tr>
<tr>
<td>Laverton Shire Council, 994</td>
<td>The Outback Highway, Australia’s Third Strategic Link</td>
<td>LAVERTON, WA</td>
<td>To implement a comprehensive study of the costs and benefits associated with upgrading the Outback Highway between Winton (Queensland) and Laverton (Western Australia) to a minimum of all-weather gravel access standard .</td>
<td>$164,430</td>
</tr>
<tr>
<td>Leonora Community Telecentre Inc, 790</td>
<td>Tower Street Times Proposal</td>
<td>LEONORA, WA</td>
<td>To employ three staff and purchase equipment to re-establish the local newspaper the Tower Street Times.</td>
<td>$32,448</td>
</tr>
<tr>
<td>Shire of Merredin, 4</td>
<td>Working towards the future of the Central Wheatbelt</td>
<td>MERREDIN, WA</td>
<td>To employ someone to increase community participation.</td>
<td>$42,108</td>
</tr>
<tr>
<td>Merredin Childcare and Play School, 1734</td>
<td>Merredin Indoor Children’s Playground and Toy Library</td>
<td></td>
<td></td>
<td>$111,752</td>
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<tr>
<td>Location: MERREDIN, WA</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Project Summary:</td>
<td>To construct an indoor playground and toy library in Merredin.</td>
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<tr>
<td>Organisation: Shire of Mount Magnet, 314</td>
<td>$110,000</td>
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<tr>
<td>Project Title: Mount Magnet Heritage and Cultural Precinct 2. Murchison Indigenous Initiatives Project</td>
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<tr>
<td>Location: MT MAGNET, WA</td>
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<td>Project Summary:</td>
<td>To undertake the first stage of a three-stage physical infrastructure project and the sourcing of funds for the human resource component necessary for the implementation of the project.</td>
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<tr>
<td>Organisation: Mullewa Telecentre, 641</td>
<td>$16,778</td>
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<tr>
<td>Project Title: Yamaji Times</td>
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<tr>
<td>Location: MULLEWA, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To conduct a twelve month course which will ultimately result in the production of an Aboriginal paper, to be combined with the current local paper.</td>
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<tr>
<td>Organisation: Northampton Shire Council, 1559</td>
<td>$77,000</td>
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<tr>
<td>Project Title: Northampton Community &amp; Economic Development Officer</td>
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<tr>
<td>Location: NORTHAMPTON, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To employ a Community and Economic Development Officer.</td>
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<tr>
<td>Organisation: Pannawonica Kindergym Inc, 1278</td>
<td>$2,778</td>
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<tr>
<td>Project Title: Pannawonica Kindergym Inc.</td>
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<tr>
<td>Location: PANNAWONICA, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To provide an indoor facility where children under 5 years of age can develop their physical skills.</td>
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<tr>
<td>Organisation: Mugarinya Community Association Inc, 915</td>
<td>$135,850</td>
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<tr>
<td>Project Title: Mugarinya Multi Function Training Centre - A community approach to accessing the future.</td>
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<tr>
<td>Location: PORT HEDLAND, WA</td>
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<tr>
<td>Project Summary:</td>
<td>The project aims to establish a Multi-Function Training Centre for the community to access training, education and communication facilities.</td>
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<tr>
<td>Organisation: Town of Port Hedland, 1703</td>
<td>$237,254</td>
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<tr>
<td>Project Title: Courthouse Arts Centre and Gallery, Port Hedland</td>
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<tr>
<td>Location: PORT HEDLAND, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To convert a courthouse into an arts centre and gallery.</td>
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<tr>
<td>Organisation: Shire of Roebourne, 1080</td>
<td>$29,524</td>
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<tr>
<td>Project Title: Cultural Training Material/Tools to be Used in Conjunction with an Aboriginal Cultural Tourism</td>
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<tr>
<td>Location: ROEBOURNE, WA</td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Gumala Aboriginal Corporation, 620</td>
<td>Gumala Community News and Information Resources</td>
<td>TOM PRICE, WA</td>
<td>To communicate to the Gumala community comprehensive information about the educational options available and develop and implement language and cultural maintenance programs.</td>
<td>$34,041</td>
</tr>
<tr>
<td>Shire of Ashburton, 1459</td>
<td>Tom Price Community Sports Centre</td>
<td>TOM PRICE, WA</td>
<td>To construct a community facility.</td>
<td>$300,000</td>
</tr>
<tr>
<td>Shire of Yalgoo, 1392</td>
<td>Shire of Yalgoo</td>
<td>YALGOO, WA</td>
<td>To develop a future direction strategy with action plans for the township of Yalgoo.</td>
<td>$5,000</td>
</tr>
<tr>
<td>Southern Aboriginal Corporation, 104</td>
<td>Noongar Moorditj Cultural Product Development</td>
<td>ALBANY, WA</td>
<td>To provide equipment and some materials to support the quality and consistent production of Noongar cultural products in six communities in the lower great southern region of Western Australia.</td>
<td>$182,388</td>
</tr>
<tr>
<td>Southern Aboriginal Corporation, 681</td>
<td>Economic Independence for Noongars</td>
<td>ALBANY, WA</td>
<td>To employ an Economic Development Officer.</td>
<td>$107,000</td>
</tr>
<tr>
<td>Southern Aboriginal Corporation, 1156</td>
<td>Provision of Improved Genealogical Resources</td>
<td>ALBANY, WA</td>
<td>To purchase genealogical tracing kits needed to trace family members outside of Western Australia.</td>
<td>$6,500</td>
</tr>
<tr>
<td>Federation of West Australian Police &amp; Citizens Youth Clubs (Inc) Albany., 1754</td>
<td>Albany Youth Recreation Venue (Joint Use - Multi Purpose)</td>
<td>ALBANY, WA</td>
<td></td>
<td>$470,000</td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>The Liebe Group Inc, 1646</td>
<td>Community Infrastructure - Admin Improvements for Success of Farmer Groups for Rural Prosperity</td>
<td>BUNTINE, WA</td>
<td>To construct a joint use-multi purpose youth recreation venue</td>
<td>$43,324</td>
</tr>
<tr>
<td>Shire of Victoria Plains, 936</td>
<td>Calingiri Drought Proofing Project</td>
<td>CALINGIRI, WA</td>
<td>To repair and renovate a donated building in order to use it as an administrative centre</td>
<td>$31,400</td>
</tr>
<tr>
<td>Shire of Dandaragan, 108</td>
<td>Community/Economic Project Officer</td>
<td>DANDARAGAN, WA</td>
<td>The project aims to provide a new water supply to the community to drought proof the town.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Shire of West Arthur, 1748</td>
<td>West Arthur Strategic Plan</td>
<td>DARKAN, WA</td>
<td>To conduct detailed community planning which will which identify priority projects and better enable the community to adapt to the changes it is facing.</td>
<td>$8,250</td>
</tr>
<tr>
<td>Tingledale Tennis Club, 1081</td>
<td>Tingledale Community Centre Kitchen Upgrade</td>
<td>DENMARK, WA</td>
<td>To extend the original schoolteacher’s living quarters, while retaining the heritage aspects of the building.</td>
<td>$15,401</td>
</tr>
<tr>
<td>Denmark Education and Innovation Centre Inc, 1401</td>
<td>Establishing the Denmark Centre for Sustainable Living</td>
<td>DENMARK, WA</td>
<td>To establish a Centre for Sustainable Living in Denmark WA by remodelling the Denmark Agricultural College dormitory building.</td>
<td>$119,350</td>
</tr>
<tr>
<td>Shire of Dowerin, 146</td>
<td>Project Dowerin Accommodation Feasibility Study</td>
<td>DOWERIN, WA</td>
<td>To engage a consultant to undertake a feasibility study into the provision of accommodation to enhance the effectiveness of current community development activities and to generate new activity and industry.</td>
<td>$17,600</td>
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<tr>
<td>Shire of Dowerin, 149</td>
<td></td>
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<td>$110,000</td>
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<tr>
<td>Project Title</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Project Dowerin Community Development Officer</td>
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<tr>
<td>Location: DOWERIN, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To employ a Community Development Officer to improve communication between the community and other bodies.</td>
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<tr>
<td>Organisation: Shire of Jerramungup, 671</td>
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<tr>
<td>Project Title: Gairdner Community Playground Equipment Upgrade</td>
<td>$5,000</td>
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<tr>
<td>Location: GAIRDNER, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To upgrade Gairdner community playground equipment.</td>
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<tr>
<td>Organisation: Positive Campaign Inc., 189</td>
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<tr>
<td>Project Title: Positive Campaign Coordinator</td>
<td>$121,000</td>
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<tr>
<td>Location: GERALDTON, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To employ a Positive Campaign Coordinator.</td>
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<tr>
<td>Organisation: Arts &amp; Cultural Development Geraldton, 770</td>
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<tr>
<td>Project Title: “Adding SPICE” Special Places In our Community Environment</td>
<td>$112,000</td>
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<tr>
<td>Location: GERALDTON, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>The project aims to contract a Community and Cultural Project Development Officer for a period of two years.</td>
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<tr>
<td>Organisation: Shire of Goomalling, 614</td>
<td>$109,498</td>
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<tr>
<td>Project Title: Community Based Development Officer</td>
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<tr>
<td>Location: GOOMALLING, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To employ a community based development officer to assist in developing a cohesive approach to identify; coordinate and implement initiatives aimed at providing short and long-term community benefits.</td>
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<tr>
<td>Organisation: Community Tele-Services Australia Inc, 117</td>
<td>$110,000</td>
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<tr>
<td>Project Title: Community Tele-Services Australia Inc - (CTSA)</td>
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<tr>
<td>Location: HYDEN, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To establish the Community Tele-Services Australia Working Group/Proposed national support unit for Rural Transaction Centres, telecentres, online access centres and other community based tele-service centres.</td>
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<tr>
<td>Organisation: Community Tele-Services Australia Inc, 1131</td>
<td>$28,000</td>
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<tr>
<td>Project Title: Production of a CTSA National Magazine</td>
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<td>Location: HYDEN, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To produce a national magazine for tele-services members.</td>
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<tr>
<td>Organisation: Fitzgerald Biosphere Marketing Ass, RSP/984</td>
<td>$179,159</td>
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<tr>
<td>Project Title: Rebuilding a Future for the Community of the Fitzgerald Biosphere</td>
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<tr>
<td>Location: JERRAMUNGUP, WA</td>
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<tr>
<td>Organisation</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Kellerberrin Pipeline Newsletter Ass Inc., 480</td>
<td>$4,600</td>
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<tr>
<td>Project Title: Copy Printer for Publication of The Pipeline</td>
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<tr>
<td>Location: KELLERBERRIN, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To replace existing copy printer for the distribution of the ‘Pipeline Newsletter’.</td>
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<td>Shire of Kojonup, 278</td>
<td>$400,000</td>
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<tr>
<td>Project Title: Federation Park - The Kodja Place Information and Interpretive Centre</td>
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<tr>
<td>Location: KOJONUP, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To establish a Visitor Centre facility located at Kojonup</td>
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<td>Shire of Kondinin, 1301</td>
<td>$129,999</td>
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<tr>
<td>Project Title: Kondinin Medical Centre</td>
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<td>Location: KONDININ, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To construct a new medical centre for Kondinin.</td>
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<td>Shire of Kulin, 80</td>
<td>$98,500</td>
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<tr>
<td>Project Title: Community and Services Development Coordinator</td>
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<td>Location: KULIN, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To employ a Community and Services Development Coordinator, which is vital to the ongoing sustainability and growth of the Kulin district.</td>
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<tr>
<td>Shire of Moora, 673</td>
<td>$181,818</td>
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<tr>
<td>Project Title: Moora Town Hall Refurbishment</td>
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<td>Location: MOORA, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To refurbish Moora’s historic town hall and return it to the focal point for cultural development in the region between Pert and Geraldton.</td>
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<tr>
<td>Shire of Morawa, 1014</td>
<td>$102,564</td>
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<td>Project Title: Morawa Development Officer</td>
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<tr>
<td>Location: MORAWA, WA</td>
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<td>Project Summary:</td>
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<tr>
<td>To employ a community development officer to enable the changes that will create a healthy and diverse local economy.</td>
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<tr>
<td>Shire of Narembeen, 1219</td>
<td>$22,000</td>
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<tr>
<td>Project Title: Narembeen Economic Development Officer</td>
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<tr>
<td>Location: NAREMBEEN, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To develop an Economic and Social Development Plan.</td>
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<tr>
<td>Ongerup Community Development Group Inc, 905</td>
<td>$110,000</td>
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<tr>
<td>Project Title: Development of Yongergnow - A Malleefowl Tourism Interpretive Centre and Experience at Ongerup</td>
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<tr>
<td>Location: ONGERUP, WA</td>
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<tr>
<td>Organisation</td>
<td>Project Title</td>
<td>Location</td>
<td>Project Summary</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Ongerup Community Development Group Inc, 1551</td>
<td>The Ongerup Community Housing Project</td>
<td>ONGERUP, WA</td>
<td>To assist with the development of community housing facilities in Ongerup, Western Australia.</td>
<td>$55,000</td>
</tr>
<tr>
<td>Pingaring Progress Association Inc., 881</td>
<td>Pingaring Progress Association - Creating a fully functional community centre</td>
<td>PINGARING, WA</td>
<td>To upgrade facilities at the Community Centre in Pingaring.</td>
<td>$22,000</td>
</tr>
<tr>
<td>Shire of Ravensthorpe, 78</td>
<td>The Ravensthorpe and Districts Entertainment Centre</td>
<td>RAVENSTHORPE, WA</td>
<td>To complete building the Ravensthorpe and Districts Entertainment Centre.</td>
<td>$394,999</td>
</tr>
<tr>
<td>The Ravensthorpe &amp; Districts Rural Communities Program Inc, 867</td>
<td>Australian Country Information Service (ACIS)</td>
<td>RAVENSTHORPE, WA</td>
<td>To provide a government information service.</td>
<td>$106,119</td>
</tr>
<tr>
<td>Shire of Ravensthorpe, 989</td>
<td>Impact Study Project</td>
<td>RAVENSTHORPE, WA</td>
<td>To identify social, environmental and economic impacts on the Shires of Ravensthorpe and Esperance that will result from the Ravensthorpe Nickel Project and other economic developments in the Region.</td>
<td>$150,000</td>
</tr>
<tr>
<td>Shire of Wyalkatchem, 368</td>
<td>The Wyalkatchem Strategic Plan 2001</td>
<td>WYALKATCHEM, WA</td>
<td>To undertake a community plan in the Shire of Wyalkatchem.</td>
<td>$5,000</td>
</tr>
<tr>
<td>Shire of Wyalkatchem, 548</td>
<td>NEWROC Executive Officer</td>
<td>WYALKATCHEM, WA</td>
<td>To employ an executive officer for NEWROC to identify growth opportunities for the region and provide secretarial and project co-ordination assistance to the north eastern wheat belt region of Western Australia.</td>
<td>$109,450</td>
</tr>
<tr>
<td>Wyalkatchem CBH Agricultural Museum Inc, 1526</td>
<td>Wyalkatchem Museum Expansion Stage 1</td>
<td>WYALKATCHEM, WA</td>
<td></td>
<td>$55,000</td>
</tr>
<tr>
<td>Project Summary:</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>To redevelop the Wyalktachem Museum</td>
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<tr>
<td>Organisation: Lake Yealering Progress Association Inc., 410</td>
<td></td>
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<tr>
<td>Project Title: Development of the Marketing Strategy for Yealering</td>
<td>$4,970</td>
<td></td>
<td></td>
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<tr>
<td>Location: YEALERING WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To undertake planning workshops to identify areas for future economic</td>
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<tr>
<td>development for the town of Yealering.</td>
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<tr>
<td>PEARCE</td>
<td>Total for Electorate: $459,146</td>
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<tr>
<td>Organisation: Bakers Hill Business Association, 31</td>
<td></td>
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<tr>
<td>Project Title: Bakers Hill Strategic Plan 2001</td>
<td>$5,000</td>
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<td></td>
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<tr>
<td>Location: BAKERS HILL, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To address issues regarding the highway bypass and rural development and</td>
<td></td>
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<td>the impacts on surrounding areas, though the development of a strategic plan.</td>
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<tr>
<td>Organisation: Shire of Chittering, 135</td>
<td>$137,500</td>
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<tr>
<td>Project Title: Chittering Water Scheme - Feasibility study</td>
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<tr>
<td>Location: BINDOON, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To undertake a full feasibility study for the supply of non-potable water to</td>
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<tr>
<td>the Chittering region.</td>
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<tr>
<td>Organisation: Shire of Chittering, 173</td>
<td>$22,000</td>
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<td></td>
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<tr>
<td>Project Title: Chittering Economic Strategy</td>
<td></td>
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<tr>
<td>Location: BINDOON, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To develop an economic strategy to promote business and employment</td>
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<tr>
<td>opportunities for the local community of Bindoon</td>
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<tr>
<td>Organisation: Painted Road Regional Committee Inc, 959</td>
<td>$22,000</td>
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<tr>
<td>Project Title: Painted Road WA</td>
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<tr>
<td>Location: BINDOON, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To create a marketing plan to encourage tourists to take the alternative</td>
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<td>route between Geraldton and Perth through towns linked by community painted</td>
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<td>murals.</td>
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<tr>
<td>Organisation: Shire of Boddington, 700</td>
<td>$55,000</td>
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<tr>
<td>Project Title: Community Project Officer- P/T</td>
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<tr>
<td>Location: BODDINGTON, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To employ a project officer to assist with several projects currently</td>
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<tr>
<td>underway.</td>
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<tr>
<td>Organisation: Childlow Progress Association Inc, 1537</td>
<td>$7,995</td>
<td></td>
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<tr>
<td>Project Title: Local Community Newspaper</td>
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<tr>
<td>Location: CHIDLOW, WA</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To purchase of a new photocopier for the local newspaper.</td>
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<tr>
<td>Organisation: Gingin District Telecentre Incorporated, 413</td>
<td>$7,752</td>
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<tr>
<td>Project Title: Gingin Community News Paper</td>
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<tr>
<td>Location: GINGIN, WA</td>
<td>Approved funding (GST Inclusive)</td>
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<tr>
<td>Project Summary:</td>
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<tr>
<td>To improve the focus, quality and circulation of an existing monthly newspaper in Gin Gin WA.</td>
<td>$0</td>
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<tr>
<td>Organisation: Grass Valley Progress Association, 1117</td>
<td>$5,000</td>
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<tr>
<td>Project Title: Grass Valley Community Master Plan</td>
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<tr>
<td>Location: GRASS VALLEY, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To complete Community Master Plan for the district and implement the agreed first stage project in detail.</td>
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<tr>
<td>Organisation: Pingelly Shire, 1253</td>
<td>$9,999</td>
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<tr>
<td>Project Title: Pingelly Skate Park</td>
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<tr>
<td>Location: PINGELLY, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To provide a Skate Park in the main business precinct.</td>
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<tr>
<td>Organisation: Williams Telecentre Inc, 512</td>
<td>$44,000</td>
<td></td>
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<tr>
<td>Project Title: Community Networking Officer</td>
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<tr>
<td>Location: WILLIAMS, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To employ a community networking officer for 30 hours per week for two years. It is intended that this position be based at the Williams Telecentre, where access to secretarial services and desktop publishing services already exist.</td>
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<tr>
<td>Organisation: York Telecentre Inc, 916</td>
<td>$138,500</td>
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<tr>
<td>Project Title: Life’s Real</td>
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<tr>
<td>Location: YORK, WA</td>
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<tr>
<td>Project Summary:</td>
<td>To establish a program which assists with the supplying of information.</td>
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<tr>
<td>Organisation: York Community Radio Inc, 1088</td>
<td>$4,400</td>
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<tr>
<td>Project Title: York Community Radio Business Strategy</td>
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<td></td>
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<tr>
<td>Location: YORK, WA</td>
<td></td>
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<tr>
<td>Project Summary:</td>
<td>To conduct surveys in the towns of York, Northam, Toodyay, Beverley and Quairading, the results of which will assist in preparing a business plan.</td>
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</table>

**Immigration: Detention Centres**  
(Question No. 1642)

_Senator Allison_ asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 21 July 2003:


(1) How many ‘unlawful non-citizens’ are currently accommodated in alternative places of detention, in each of the following categories: (a) residential housing projects; (b) hospitals/nursing homes; (c) mental health facilities; (d) foster carer homes; (e) hotels/motels; and (f) community care facilities.

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**QUESTIONS ON NOTICE**
(2) Can details be provided of the general considerations or circumstances behind the decisions to place people in each of these alternative places of detention, including the decisions to place people in alternative places of detention other than the Woomera Housing Project.

(3) Can data be provided in respect of people in alternative places of detention, to show in each case: (a) gender; (b) age; (c) familial relationship grouping; (d) state; (e) duration in alternative places of detention to date; and (f) whether the detention was part- or full-time.

(4) How many instances have there been of women and children being housed full-time in alternative places of detention and fathers held in immigration detention centres being permitted to join them on a full- or part-time basis.

(5) On how many occasions and for what periods of time has permission been given for family members who remain in immigration detention centres to visit family in alternative places of detention.

(6) Can details be provided of what specific ‘places of detention’ have so far been approved by the Minister as alternative places of detention.

(7) How many people have lodged expressions of interest in alternative accommodation but not met the condition of: (a) residential housing places being available; (b) health and character checks being completed and clear; (c) there being no high risk of the detainee absconding; and (d) any operational issues particular to the detainee and/or smooth management of the residential housing placement (RHP).

(8) Can details be provided, by immigration detention centre, of how many people are currently on the ‘discreet list of detainees who have volunteered and are eligible to participate in RHP but are still in detention’.

(9) For each of the following years, 2000, 2001, 2002 and 2003 to date; can data be provided for individual immigration detention centres of how many unaccompanied minors ‘of tender years’ remained or remain in those immigration detention centres.

(10) For each of the following years, 2000, 2001, 2002 and 2003 to date; how many unaccompanied minors older than those in (9) were or are in immigration detention centres.

(11) For each of the following years, 2000, 2001, 2002 and 2003 to date, how many children were or are placed in foster care whose parent or parents were or are held in immigration detention centres.

(12) (a) How many people have chosen to return to detention after placement in alternative accommodation; and (b) can reasons be provided for their return.

(13) Given that paragraph 1.1.7 of the instruction indicates that ‘every effort should be made to enable the placement of women and children in RHP as soon as possible’: (a) what efforts are being made; (b) by month, what percentage of women and children have been housed in alternative accommodation since December 2002; (c) what are the barriers to a greater take-up of the scheme.

(14) What Commonwealth funding is provided for those placed in alternative accommodation for: (a) rent; (b) furniture; (c) food; (d) clothing; (e) footwear; (f) bedding; (g) education; (h) sporting, recreational, and leisure activities; and (i) religious needs.

(15) For each of the categories mentioned in (1) and by state: (a) what was the total cost to the Commonwealth of alternative accommodation in June 2003; and (b) how does this compare with the cost of housing the same number of people in detention.

(16) What has been the cost per head of accommodating people in the Woomera Housing Project since May 2002.

(17) What is the current status of the Government’s stated intention to extend to Port Augusta and Port Hedland the recent review of the success or otherwise of its objective to ‘enable the placement of women and children in a RHP as soon as possible’.
QUESTIONS ON NOTICE

(18) Can copies be provided of correspondence between the Minister’s office and/or the department and the Port Augusta and Port Hedland councils or mayors with regard to the proposed review extension.

(19) Can copies be provided of correspondence between the Immigration Detention Advisory Group and the Minister’s office and/or the department with regard to safety and duty of care at Woomera Immigration Detention Centre.

(20) When is the Human Rights and Equal Opportunity Committee report on children in detention due to be released.

(21) What is the current status of the report.

(22) When was the report received by the Minister.

(23) (a) When was the report sent to the department; (b) for what reason; and (c) if the reason was to ‘correct factual errors’, why has it taken so long to do so.

(24) Will the report be sent to the Attorney General or his department; if so, when and for what purpose.

Senator Vanstone—The answer to the honourable senator’s question is as follows:

(1) As at 25 July 2003, the number of ‘unlawful non-citizens’ accommodated in alternative places of detention were as follows:

(a) residential housing projects 21
(b) hospitals/nursing homes 1
(c) mental health facilities 1
(d) foster carer homes 16
(e) hotels/motels 2
(f) community care facilities 1

(2) Detainees are placed in alternative places of detention on the basis of departmental procedures (Migration Series Instruction 370 and 371 as tabled in Parliament on 3 December 2002) or on a case-by-case basis having regard to the following considerations:

- it is apparent that the needs of a particular detainee cannot be met within the environment of an immigration detention facility and a bridging visa is not appropriate;
- it is necessary because of the condition or special needs of the detainee (for example, if the detainee is sectioned under the relevant State mental health legislation); and/or
- someone needs to be held in a location, for some reason, that does not provide ready access to an immigration detention facility.

(3) Data in response to part 3 (as at 25 July 2003) is provided below and separated into each accommodation category.

Residential Housing Project (RHP)

(a) gender = 18 females and 3 males
(b) age = 10 adult females, 8 female minors and 3 male minors
(c) familial relationship grouping = 8 family groups
(d) state = South Australia
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention
(f) whether the detention was part- or full-time = all immigration detention is full time
Hospitals/Nursing Homes
(a) gender = 1 female 
(b) age = 1 female adult 
(c) familial relationship grouping = individual female 
(d) state = South Australia 
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention 
(f) whether the detention was part- or full-time = all immigration detention is full time

Mental Health Facilities
(a) gender = 1 male 
(b) age = 1 male adult 
(c) familial relationship grouping = individual male 
(d) state = South Australia 
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention 
(f) whether the detention was part- or full-time = all immigration detention is full time

Foster Carer Homes
(a) gender = 16 males 
(b) age = 8 adult males and 8 male minors 
(c) familial relationship grouping = individual, unrelated males 
(d) state = 14 South Australia, 1 NSW, 1 Victoria 
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention 
(f) whether the detention was part- or full-time = all immigration detention is full time

Hotels/Motels
(a) gender = 2 females 
(b) age = 1 adult female and 1 female minor 
(c) familial relationship grouping = mother and daughter 
(d) state = South Australia 
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention 
(f) whether the detention was part- or full-time = all immigration detention is full time

Community Care Facilities
(a) gender = 1 male 
(b) age = 1 adult male 
(c) familial relationship grouping = individual male 
(d) state = Victoria 
(e) duration in alternative places of detention to date = this is variable as persons go in and out of such detention 
(f) whether the detention was part- or full-time = all immigration detention is full time
(4) In relation to the RHP, there have been no instances of fathers being permitted to join their family on a full- or part-time basis. Adult males are not considered for placement in the RHP. The project relates to alternative detention arrangements for women and children.

For other alternative places of detention, the department does not have these statistics in a form that is readily available. Whilst this has occurred from time to time, currently there are no such families in alternative detention arrangements.

(5) Detainees accommodated at Baxter Immigration Detention Facility (IDF) have the opportunity to travel to the Woomera RHP to visit family members in the RHP on a day trip once a week. However, RHP residents also have the opportunity to travel to Baxter IDF to visit at least twice per week, and can stay with family members for two nights. There is a high participation rate in these trips.

For other alternative places of detention, it is a case-by-case consideration but the Department does not have this information in a form that is readily available.

(6) In relation to the forms of detention covered by part (1), the numbers of approved places are as follows:

<table>
<thead>
<tr>
<th>Type of place</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hospitals, Health Clinics and Nursing Homes</td>
<td>30</td>
</tr>
<tr>
<td>Hotels, Motels and Apartments</td>
<td>16</td>
</tr>
<tr>
<td>Private Residential Addresses</td>
<td>31</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>77</strong></td>
</tr>
</tbody>
</table>

(7) No expressions of interest have been lodged by detainees considered ineligible for participating in the RHP.

(8) One family group currently at Baxter IDF has expressed interest in moving to an RHP but is awaiting a Family Court decision on custody of children before arrangements can be finalised. There are no other detainees located in detention facilities that have volunteered and are eligible to participate in the RHPs.

(9) and (10) See tables below:

**Persons in Immigration Detention in the 2000, 2001, 2002, and 2003 Calendar Years**

By Unaccompanied Minors’ Age Group* (0-9 & 10-17) and Detention Centre

*Note: Age of UAMs in each year is based on the client’s age at the end of that year.

Produced by ORS - ICSE Data at 25/07/2003

Number of Individuals for the four years

<table>
<thead>
<tr>
<th>Year in Detention</th>
<th>Total Minors</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-2003</td>
<td>260</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year 2000 &amp; Centre</th>
<th>Detention Centre</th>
<th>Aged 0-9</th>
<th>Aged 10-17</th>
<th>Total Minors</th>
<th>Year 2001 &amp; Centre</th>
<th>Aged 0-9</th>
<th>Aged 10-17</th>
<th>Total Minors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curtin IRPC</td>
<td>1</td>
<td>38</td>
<td>39</td>
<td>39</td>
<td>Christmas Island IRPC</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Port Hedland IRPC</td>
<td>21</td>
<td>21</td>
<td>21</td>
<td>21</td>
<td>Cocos (Keeling)</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Woomera IRPC</td>
<td>1</td>
<td>26</td>
<td>27</td>
<td>27</td>
<td>Curtin IRPC</td>
<td>66</td>
<td>66</td>
<td>66</td>
</tr>
<tr>
<td>Manly Island IDC</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>Port Hedland IRPC</td>
<td>23</td>
<td>23</td>
<td>23</td>
</tr>
<tr>
<td>Perth IDC</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>Woomera IRPC</td>
<td>84</td>
<td>86</td>
<td>86</td>
</tr>
<tr>
<td>Villawood IDC</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>Villawood IDC</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>
Year 2000 & Centre  |  Year 2001 & Centre  
--- | ---
Detention Centre | Detention Centre  
- Aged 0-9 | Aged 10-17 | Total Minors | Aged 0-9 | Aged 10-17 | Total Minors  
- Other Facility | 1 | 1  
TOTAL | 2 | 94 | 96  

Year 2002 & Centre  |  Year 2003 & Centre  
--- | ---
Detention Centre | Detention Centre  
- Aged 0-9 | Aged 10-17 | Total Minors | Aged 0-9 | Aged 10-17 | Total Minors  
- Christmas Island IRPC | 1 | 1  
- Curtin IRPC | 3 | 3  
- Port Hedland IRPC | 1 | 1  
- Woomera IRPC | 1 | 16 | 17  
TOTAL | 1 | 21 | 22  

Note: This total differs from that on the previous page because some UAMs may have been counted twice in the above tables in cases where they have moved between centres.

(11) As at 25 July 2003 there were no children in foster care arrangements whose parents were held in immigration detention. There were five children placed in foster care whilst their parent/s were in immigration detention during 2000 to 2003 inclusive, as per the below table:

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>0</td>
</tr>
<tr>
<td>2001</td>
<td>1</td>
</tr>
<tr>
<td>2002</td>
<td>3</td>
</tr>
<tr>
<td>2003</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL</td>
<td>5</td>
</tr>
</tbody>
</table>

(12) (a) There have been four requests (two family groups and two individuals, comprising seven persons) from detainees to move back to a detention centre after placement in alternative accommodation. (b) The reasons for these moves have been better access to care and family reasons, such as to be with husband.

(13) (a) On introduction of the Migration Series Instructions 370 and 371, all women and children who were located in detention facilities were assessed regarding their suitability for placement in a RHP. New detainees are similarly assessed upon entering immigration detention. Criteria for participation include the length of time the person is anticipated to be in detention, place availability in the RHP, health and character checks, the risk of absconding and the continual smooth operation of the RHP. For those who meet the criteria, a formal offer is provided. Acceptance of the offer is entirely voluntary. Women and children in detention are continuously re-assessed as to their eligibility for placement in the RHP. When someone who was originally assessed as being unsuitable becomes eligible, the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) staff at the relevant centre advise the person and provide them with a formal offer. All eligible detainees are formally re-offered a place in an RHP on a quarterly basis. (b) The percentage of women and children that have been housed in alternative accommodation by month, since December 2002 is as follows:

Children and Adult Females in Detention Since 31 December 2002 to 25 July 2003
Produced by ORS - ICSE Data at 25/07/2003

QUESTIONS ON NOTICE
The main reasons quoted by eligible detainees for not accepting the offer of transfer into the RHP include:

- not wanting to be separated from family members who would be remaining in the detention centre;
- wanting to maintain continuity in their children’s education where they are;
- liking the current management and facilities of the centre they are located in; and
- the distance of Woomera from the associated detention centre, particularly since the closure of the Woomera IRPC.

The recent establishment of Port Hedland RHP and current plans to expand alternative detention arrangements, including establishing an RHP in Port Augusta, will mitigate some of these issues. Children will be able to continue to attend the same schools as they did in the relevant centre and family members remaining in the detention centres will be in closer proximity to women and children in the RHP. The creation of the new RHPs will also increase the number of places available under the scheme.

DIMIA negotiates payment on a case by case basis and funding is not broken down in the categories listed in the question. For June 2003 the cost for alternative detention was a total of $605,207 (including Woomera RHP).

The Department does not identify costs in the categories listed in the question but reports on expenditure as follows:

- RHPs – Currently, the only operational residential housing project is at Woomera. The cost for June 2003 was $294,215.
- Hotels/Motels – In South Australia, costs for June 2003 were $80,348. In Western Australia, costs for June 2003 were $230,644.

The Department normally monitors expenditure on a financial year basis. Due to the variations in monthly expenditure for each Detention Facility, the use of an average across all facilities for a financial year presents a truer figure for the cost of detention per person per day. For this calculation, the average cost of detention for the financial year 2002-03 was $273 per detainee day. For June 2003, this would equate to $270,270 for the number of detainee days in detention in this same period compared to $605,207 in alternative detention arrangements.

The direct cost of accommodating people in the Woomera RHP from May 2002 to June 2003 was $2,168,095. This cost covers the operation of the entire RHP irrespective of occupancy levels and does not include some costs borne by the Woomera IRPC and centrally by ACM to support the
facility. Based on actual usage for the period, 4057 detainee days were accrued which represents $534 per detainee per day for those direct costs.

(17) On 25 June 2003, Mr Ruddock announced that, following community consultations, vacant South Australia Housing Trust land at Ellis Close had been selected as the preferred site for the establishment of an RHP in Port Augusta. A contract with the Trust was finalised on 9 September 2003. Building contractors commenced work at the site on 10 September 2003. The contractor is also close to completing preparation of transportable houses at Woomera for relocation to Port Augusta. Completion of building works is expected in early November. This RHP will provide capacity for around 40 people.

On 15 May 2003, Mr Ruddock announced community consultations on the establishment of an RHP in Port Hedland utilising The Lodge, an existing Commonwealth facility some 700 metres east of the Port Hedland IRPC. This RHP, which has the potential to house up to 12 people, was commissioned on 18 September 2003. Preliminary offers of a place in the RHP have been made to eligible families in the IRPC. One family has moved into the facility. All other families have declined the offer at this stage.

(18) Copies of correspondence with the Port Hedland and Port Augusta Councils or Mayors are at Attachments A and B respectively, available from the Senate Table Office.

(19) Mr Ruddock established the Immigration Detention Advisory Group to provide him with advice on issues relating to immigration detention. The details of that advice are between the Group and the Minister.

(20) The Human Rights Commissioner has indicated publicly that the report is expected to be finalised in October 2003.

(21) This is a matter for the Human Rights and Equal Opportunity Commission.

(22) I have not received a final report from the Human Rights and Equal Opportunity Commission.

(23) (a) A draft of the report was sent to the Department in two parts. The first part was sent on 7 April 2003. The second part was sent on 14 May 2003. (b) Under the Human Rights and Equal Opportunity Commission Act 1986 (the HREOC Act), the Commission is required to provide relevant parties with a reasonable opportunity to make submissions in relation to its findings. (c) Comments on the draft report (received in April and May) were provided to the Human Rights and Equal Opportunity Commission within the specified timeframes.

(24) The Commission is required under the HREOC Act to provide the final Inquiry report to the Attorney-General. The timing of such provision is a matter for the Commission.

**New South Wales: South East Packaging Operation, Moruya**

(Question No. 1691)

**Senator O’Brien** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 4 August 2003:

With reference to the answer to question on notice no. 861 (Senate Hansard, 9 December 2002, p. 7524) concerning the grant of $32 617 to the South East Packaging Operation in Moruya, New South Wales, in round five of the Dairy Regional Assistance Program:

(1) (a) How many full-time positions has the project generated; and (b) when were the jobs generated.

(2) (a) How many part-time jobs has the project generated; and (b) when were the jobs generated

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) (a) One. Full employment projections are not due for completion until year three of the project. (b) 1 November 2002.
(2) (a) One. Full employment projections are not due for completion until year three of the project. (b) 19 June 2003.

**New South Wales: South East Packaging Operation, Moruya**  
(Question No. 1692)

*Senator O’Brien* asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 1 August 2003:

With reference to the answer to the question on notice no. 863 (Senate *Hansard*, 9 December 2003, p.7525) concerning the grant of $32 617 to the South East Packing Operation in Moruya, New South Wales, in round five of the Dairy Regional Assistance Programme:

(1) How has the project been monitored by the South East New South Wales Area Consultative Committee.

(2) (a) On what dates has the proponent reported to the committee’s Moruya-based officer; and (b) what form did these project reports take.

*Senator Ian Campbell*—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) It is standard practice for projects to be monitored through contract milestones by the DOTARS regional office.

(2) (a) and (b) The Moruya based officer received a copy of the milestone report to the Department on 11 September 2002.

**Australian Defence Force: Cadets**  
(Question No. 1831)

*Senator Bartlett* asked the Minister for Defence, upon notice, on 1 September 2003:

(1) (a) How many divisions or units are there currently in each arm of the Cadets (i.e. Army, Navy and Air Force); and (b) how many were there 5 years ago.

(2) (a) How many officers of instructors are there currently in each arm of the Cadets; and (b) how many were there 5 years ago.

(3) Is a list available of the location of units.

(4) Are instructors or officers being recruited; if so, by what means.

(5) Are participants being recruited; if so, by what means.

(6) Does any recruitment target girls and young women.

(7) (a) Is any arm of the Cadets less well represent at public events than others; and (b) what determines the cadets’ participation at public events.

*Senator Hill*—The answer to the honourable senator’s question is as follows:

(1) (a) Navy, 93  
    Army, 224  
    Air Force, 148  
(b) Navy, 80  
    Army, 193  
    Air Force, 118

(2) (a) Navy, 439 officers and instructors  
    Army, 1,078 officers and 75 instructors
Air Force, 544 officers and 485 instructors
(b) Navy, 452 officers and instructors
Army, 892 officers and 166 instructors
Air Force, 375 officers and 259 instructors

(3) Navy – Yes.
Army – Yes. A list of all Army Cadets is maintained at Headquarters Australian Army Cadets Canberra.
Air Force – Yes. The location of each Australian Air Force Cadet (AAFC) Squadron is listed on the Australian Air Force Cadets website at: www.aafc.adfc.gov.au

(4) Navy – Officers and instructors are continually being recruited from suitable volunteers from the local community. Many are the parents of Cadets.
Army – Yes. Officers of Cadets and Instructors of Cadets are continually recruited from community volunteers targeted at the local level. The current ceiling level of Officers and instructors has been reached, with ongoing recruiting numbers meeting losses by way of normal attrition.
Air Force – Overall, most staff positions are currently filled. Recruitment is limited to replacing those staff who are retiring or leaving the AAFC. Recruiting is done in the local region, mainly through personal contact.

(5) Navy – Yes. The Australian Naval Cadets (ANC) is presently encouraging the recruitment of cadets by increasing the public image and awareness of the ANC. This is being managed by a ‘Navy for Australia’s Youth’ campaign focused on the ANC guiding principles of justice, respect and responsible care, and ANC values of honour, honesty, courage, integrity and loyalty. The campaign includes an information strategy with pamphlets, posters and ‘Brand Navy Cadets’ items such as flags and baseball caps. The Brand Navy Cadets youth colours are orange, white and navy blue.
Army – Yes. Limited recruiting is undertaken by way of Unit Open Days and “try before you buy” type weekends at unit bivouacs and parade night activities.
Air Force – At present, the number of Air Force Cadets is at the maximum authorised level and recruiting is limited. This will change at the end of the year when the older Cadets leave. Most recruiting occurs regionally through word of mouth or via the Australian Air Force Cadets website. No other recruiting measures are anticipated in the near future.

(6) Navy – There is no discrimination between recruiting male and female Cadets. The ratio of male to female Cadets is presently 6/4.
Army and Air Force – Recruiting activities are not gender specific.

(7) (a) and (b) Navy – The Navy Cadets regularly represents the Navy at significant events around Australia including Australia Day, ANZAC Day, and State events. Participation in public events is voluntary and at the discretion of the regional ANC Senior Officer and Local Naval Authority.
Army – Army Cadets are well represented at public events as coordinated at the local and regional levels. Attendance is based on invitation by events organisers and local liaison with community organisations.
Air Force – Attendance at public events usually results from a specific invitation from the public or an organisation such as the Returned and Services League. Geographic location will mean that some squadrons will experience a greater public profile than others.

**Defence: Point Nepean**

*(Question No. 1870)*

**Senator Brown** asked the Minister for Defence, upon notice, on 6 September 2003:
In relation to the proposed disposal of Commonwealth land at Point Nepean:

(1) (a) What is the current status of the expressions of interest received in the Commonwealth land at Point Nepean; (b) how many have been ruled out and which remain in contention; and (c) for those which remain in contention, can details be provided of the company or organisation, together with a summary of the proposal.

(2) What is the timeline and process for deciding the future of the land.

(3) (a) What organisations or individuals, other than the Victorian Government, have been asked to advise or comment on the expressions of interest or on the future of the land; (b) when were they asked; and (c) what is their role.

(4) Will the Minister require the organisation that becomes responsible for the land to have expertise in heritage management and environmental management.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) (a), (b) and (c) As announced by the Parliamentary Secretary to the Minister for Defence on 25 August 2003, the Government decided to close the expression of interest process for the sale of the 90-hectare portion of Defence land at Point Nepean.

In accordance with this announcement, the expression of interests received will not be the subject of any further consideration.

(2) As announced by the Parliamentary Secretary to the Minister for Defence on 25 August 2003, the Government has decided to offer a lease for the 90-hectare portion of the site through an open market, request for tender process.

The call for tenders for the lease commenced on Saturday 6 September 2003, with the tender scheduled to close at 2pm, Monday 6 October 2003. Tenderers will be notified of the outcome within two weeks of the tender close, and a lease for the site will be in place by the end of October 2003.

(3) (a), (b) and (c) The expression of interest process has been closed and the expressions of interest received will not be the subject of any further consideration.

(4) The current tender process for the lease requires tenderers to detail in their submission how the heritage and environmental values of the site will be protected under their proposed use of the site. The lease for the site includes strict conditions to ensure protection of the environment and conservation of the heritage values.

**Defence: Properties**

(Question No. 1962)

**Senator Chris Evans** asked the Minister for Defence, on notice, on 9 September 2003:

With reference to former Defence properties that were sold in the 2002-03 financial year, can details of the sale price and the new owners be provided for the following:

1. 749 hectares of vacant land at Leaks Road, Rockbank, Victoria.
2. 1.43 hectares at Crows Nest Barracks, Flinders Street, Queenscliff, Victoria.
3. 0.89 hectares of land at 150-160 Mine Road, Korumburra, Victoria.
4. 208 hectares of vacant land at the former Royal Australian Navy Armament Depot, Somerton Road, Somerton, Victoria.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) This information remains Commercial-in-Confidence until such time as title transfer has occurred.

(2) $8,345,000.00 (GST inclusive). Purchaser - Sidcorp Pty Ltd.
QUESTIONS ON NOTICE

(3) $92,000.00 (GST inclusive). Purchaser - P N Cosson & M J Cosson.

(4) $17,600,000.00 (GST inclusive). Purchaser - PEET No. 61 Syndicate Ltd.

**Defence: Properties**

(Question No. 1963)

Senator Chris Evans asked the Minister for Defence, upon notice, on 9 September 2003:

Can a breakdown be provided of all costs, including all marketing, advertising, tender evaluation, legal and other costs associated with the disposal of Defence properties during the 2002-03 financial year.

Senator Hill—The answer to the honourable senator’s question is as follows:

Disposal costs for 2002-03 were:

- Legal and professional services $6,870,493.90
- Property studies $8,800,139.24
- Heritage costs $3,567,339.75
- Site management $5,887,850.13
- Marketing costs $1,202,482.28
- Contamination expenses $15,117,236.21
- Total $41,445,541.51

These costs exclude the direct employee costs (salaries and associated admin expenses) of the public services staff involved in the property disposal business.

**Environment: Flora for Fauna Project**

(Question No. 2011)

Senator Brown asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 18 September 2003:

(1) Since August 2001, when the then Minister, Senator Hill announced $500,000 Natural Heritage Trust funding for the Flora for Fauna promotional campaign: (a) how much additional Federal Government funding has the Nursery & Garden Industry Australia (NGIA) obtained; and (b) how much more is due.

(2) Did the NGIA, or anybody on their behalf, promise to include a statement similar to the following with their list of recommended plants: ‘For reasons of ecological integrity, remember to plant only native species in your local area. Information on local species can usually be obtained from your local Australian Plants Society branch, catchment management committee or local council’, if so is the Minister aware that since NGIA received government funding, it has not included a supporting statement to this effect.

(3) What action is being taken to ensure the NGIA uses the funds in accordance with its declared aim of enhancing biodiversity and conservation and not as a marketing tool for increasing nursery industry profits from a limited choice of convenient, mass-produced, industry selected plants.

Senator Hill—The Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:

(1) The NGIA received $500 000 from the Natural Heritage Trust for the Flora for Fauna Project. The project commenced in May 2001 and was completed in December 2002. (a) No additional funding has been granted to the NGIA for the project and (b) no funding is due for payment.

(2) The Australian Government’s contract with the NGIA for the Flora for Fauna Project did not require any statements be included with the lists of recommended plants.
(3) The project was finalised in December 2002.

**Solomon Islands: Indo-Pacific Bottlenose Dolphins**

*(Question No. 2014)*

**Senator Brown** asked the Minister representing the Minister for the Environment and Heritage, upon notice, 11 September 2003:

(1) (a) How many dolphins are in captivity in the Solomon Islands; and (b) what is their state of health.

(2) What measures is the Australian Government taking to have the remaining dolphins returned to the wild.

**Senator Hill**—The Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:

(1) (a) The Solomon Islands Government released a report on 25 August on the dolphins held in Solomon Islands. This report states that there are 41 dolphins being held at the Gavutu facility. The Australian High Commission in Honiara is seeking more up-to-date information. (b) The Australian High Commission in Honiara has received advice from the Solomon Islands Marine Mammal Education Centre that they are providing ongoing veterinary care to the dolphins. The Australian High Commission in Honiara has also assisted with facilitating a visit by an inspection team from the World Conservation Union (IUCN) Cetacean Specialist Group. The team, which included a qualified marine mammal veterinarian, travelled to Solomon Islands from 9-12 September to assess the dolphins and the conditions in which they are being held. The team is expected to release a report on their findings shortly.

(2) On 12 August 2003 I wrote to the Solomon Islands Minister of Forestry, Environment and Conservation, the Hon David Holisivi, suggesting that if there was uncertainty regarding the impacts of the capture of the dolphins on the species, or the dolphins’ immediate welfare, that he might consider taking steps to bring about the release of the dolphins.

**Defence: Institute of Public Affairs**

*(Question No. 2038)*

**Senator O’Brien** asked the Minister for Defence, upon notice, on 15 September 2003:

(1) For each of the following financial years: (a) 1996-97; (b) 1997-98; (c) 1998-99; (d) 1999-2000; (e) 2000-01; (f) 2001-02; (g) 2002-03; and (h) 2003-04, has the department or any agency for which the Minister is responsible, including boards, councils, committees and advisory bodies, made payments to the Institute of Public Affairs (IPA) for research projects, consultancies, conferences, publications and/or other purposes; if so, (i) how much each payment, (ii) when was each payment made, and (iii) what services were provided.

(2) In relation to each research project or consultancy: (a) when was the IPA engaged; (b) for what time period; (c) what were the terms of reference; (d) what role did the Minister and/or his office have in the engagement of the IPA; (e) was the contract subject to a tender process; if so, was it an open tender or a select tender; if not, why not.

**Senator Hill**—The answer to the honourable senator’s question is as follows:

(1) Payments to the Institute of Public Affairs (IPA):

<table>
<thead>
<tr>
<th>Payment Amount</th>
<th>Date of Payment</th>
<th>Service Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200.00</td>
<td>29 August 1996</td>
<td>The readily available records do not specify the purpose of this payment.</td>
</tr>
<tr>
<td>$100.00</td>
<td>24 July 1997</td>
<td>Seminar/Conference</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Payment Amount</th>
<th>Date of Payment</th>
<th>Service Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>$290.00</td>
<td>13 November 2000</td>
<td>Seminar/Conference</td>
</tr>
</tbody>
</table>

Transactions 1 and 2 are recorded on the Department of Defence’s obsolete financial management information system, and as such, further details on these transactions are unavailable.

(2) Defence records show that the IPA was not engaged for research projects or consultancies during this period.

**Employment and Workplace Relations: Institute of Public Affairs**  
*(Question No. 2041)*

**Senator O’Brien** asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 15 September 2003:

(1) For each of the following financial years: (a) 1996-97; (b) 1997-98; (c) 1998-99; (d) 1999-2000; (e) 2000-01; (f) 2001-02; (g) 2002-03; and (h) 2003-04, has the department or any agency for which the Minister is responsible, including boards, councils, committees and advisory bodies, made payments to the Institute of Public Affairs (IPA) for research projects, consultancies, conferences, publications and/or other purposes; if so, (i) how much each payment, (ii) when was each payment made, and (iii) what services were provided.

(2) In relation to each research project or consultancy: (a) when was the IPA engaged; (b) for what time period; (c) what were the terms of reference; (d) what role did the Minister and/or his office have in the engagement of the IPA; (e) was the contract subject to a tender process; if so, was it an open tender or a select tender; if not, why not.

**Senator Minchin**—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

(1) (a) No payments made.

(b) Payment of $10.00 made on 17 February 1998 for a publication.

(c) Payment of $28.00 made on 6 August 1998 for a subscription.

(d) Payment of $28.00 made on 11 August 1999 for a subscription.

(e) Payment of $605.00 made on 15 November 2000 for a seminar.

(f) No payments made.

(g) Payment of $3,300.00 made on 5 May 2003 for a subscription.

(h) No payments made thus far this financial year.

(2) (a), (b), (c), (d) and (e) The IPA has not been engaged on a research project or as a consultant by the department or agency, board, council, committees and advisory bodies for which the Minister is responsible.

**Australian Federal Police: Family Home Raid**  
*(Question No. 2106)*

**Senator Marshall** asked the Minister for Justice and Customs, upon notice, on 16 September 2003:

**QUESTIONS ON NOTICE**
With reference to a raid conducted by the Australian Federal Police (AFP) at a family home in Melbourne in the early hours of 3 June 2003, as reported in the *Age* of 4 June 2003:

1. Were personal items, such as high school text and exercise books, other books, photos, political placards, banners, flags and posters, framed pictures, newspaper clippings, calendars, videos, and clothing badges and pins confiscated from the home.

2. (a) How many of each of these items were seized and was what the subject nature of each item; and (b) why were these items seized.

3. (a) Was the AFP requested to return any or all of these items to the family, by the family or their legal representatives; (b) can details of any such requests be provided; (c) on how many occasions have such requests been made to the AFP; and (d) can details the AFP’s response to any such requests be provided; if not, why not.

4. When will these items be returned to the family; if not, why not.

5. (a) What assistance or remedy can the Government provide to the student, or students, whose education has been disadvantaged by the seizure and non-return of schoolbooks; and (b) will the Government offer such assistance or remedy; if not, why not.

Senator Ellison—The answer to the honourable senator’s question is as follows:

1. Yes.

2. (a) As this is an ongoing operation, and due to privacy concerns, it is not appropriate to provide these details. (b) These items were seized due to their potential value as evidence in ongoing investigations.

3. (a) Yes. (b) (c) and (d) The AFP cannot provide these details, due to privacy considerations.

4. Those items no longer required for evidentiary or other investigative purposes have been returned.

5. The AFP is not in a position to answer this question.

**Environment: Private Forest Reserve Program**

*(Question No. 2111)*

Senator Brown asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 16 September 2003:

1. Has the Private Forest Reserve Program in Tasmania succeeded.

2. Will the Program receive Commonwealth funding beyond the 2003-04 financial year.

3. What is the cost difference between the purchase of private properties for conservation reasons and covenanting the same properties.

Senator Hill—The Minister for the Environment and Heritage has provided the following answer to the honourable senator’s question:

1. As of 31 August 2003, the Program had secured 25,553 hectares of forest involving 143 landholders, either by purchase, covenant or management agreement.


3. Private properties, where acquired, are purchased at market value. Prices for covenants and management agreements are negotiated individually, and are based on conservation status, management actions and opportunity costs forgone, such as timber values.