INTERNET

The Journals for the Senate are available at

Proof and Official Hansards for the House of Representatives,
the Senate and committee hearings are available at

For searching purposes use
http://parlinfo.aph.gov.au

SITTING DAYS—2005

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>8, 9, 10</td>
</tr>
<tr>
<td>March</td>
<td>7, 8, 9, 10, 14, 15, 16, 17</td>
</tr>
<tr>
<td>May</td>
<td>10, 11, 12</td>
</tr>
<tr>
<td>June</td>
<td>14, 15, 16, 20, 21, 22, 23</td>
</tr>
<tr>
<td>August</td>
<td>9, 10, 11, 15, 16, 17, 18</td>
</tr>
<tr>
<td>September</td>
<td>5, 6, 7, 8, 12, 13, 14, 15</td>
</tr>
<tr>
<td>October</td>
<td>4, 5, 6, 10, 11, 12, 13</td>
</tr>
<tr>
<td>November</td>
<td>7, 8, 9, 10, 28, 29, 30</td>
</tr>
<tr>
<td>December</td>
<td>1, 5, 6, 7, 8</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS

Broadcasts of proceedings of the Parliament can be heard on the following Parliamentary and
News Network radio stations, in the areas identified.

<table>
<thead>
<tr>
<th>Location</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>CANBERRA</td>
<td>1440 AM</td>
</tr>
<tr>
<td>SYDNEY</td>
<td>630 AM</td>
</tr>
<tr>
<td>NEWCASTLE</td>
<td>1458 AM</td>
</tr>
<tr>
<td>GOSFORD</td>
<td>98.1 FM</td>
</tr>
<tr>
<td>BRISBANE</td>
<td>936 AM</td>
</tr>
<tr>
<td>GOLD COAST</td>
<td>95.7 FM</td>
</tr>
<tr>
<td>MELBOURNE</td>
<td>1026 AM</td>
</tr>
<tr>
<td>ADELAIDE</td>
<td>972 AM</td>
</tr>
<tr>
<td>PERTH</td>
<td>585 AM</td>
</tr>
<tr>
<td>HOBART</td>
<td>747 AM</td>
</tr>
<tr>
<td>NORTHERN TASMANIA</td>
<td>92.5 FM</td>
</tr>
<tr>
<td>DARWIN</td>
<td>102.5 FM</td>
</tr>
</tbody>
</table>
FORTY-FIRST PARLIAMENT
FIRST SESSION—THIRD PERIOD

Governor-General

His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross

Senate Officeholders

President—Senator the Hon. Paul Henry Calvert
Deputy President and Chairman of Committees—Senator John Joseph Hogg
Temporary Chairmen of Committees—Senators the Hon. Nick Bolkus, George Henry Brandis, Hedley Grant Pearson Chapman, John Clifford Cherry, Patricia Margaret Crossin, Alan Baird Ferguson, Stephen Patrick Hutchins, Linda Jean Kirk, Susan Christine Knowles, Philip Ross Lightfoot, John Alexander Lindsay (Sandy) Macdonald, Gavin Mark Marshall, Claire Mary Moore and John Odin Wentworth Watson

Leader of the Government in the Senate—Senator the Hon. Robert Murray Hill
Deputy Leader of the Government in the Senate—Senator the Hon. Nicholas Hugh Minchin
Leader of the Opposition in the Senate—Senator Christopher Vaughan Evans
Deputy Leader of the Opposition in the Senate—Senator Stephen Michael Conroy
Manager of Government Business in the Senate—Senator the Hon. Christopher Martin Ellison

Manager of Opposition Business in the Senate—Senator Joseph William Ludwig

Senate Party Leaders and Whips

Leader of the Liberal Party of Australia—Senator the Hon. Robert Murray Hill
Deputy Leader of the Liberal Party of Australia—Senator the Hon. Nicholas Hugh Minchin
Leader of the National Party of Australia—Senator the Hon. Ronald Leslie Doyle Boswell
Deputy Leader of the National Party of Australia—Senator John Alexander Lindsay (Sandy) Macdonald

Leader of the Australian Labor Party—Senator Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Stephen Michael Conroy
Leader of the Australian Democrats—Senator Lynette Fay Allison

Liberal Party of Australia Whips—Senators Jeannie Margaret Ferris and Alan Eggleston
National Party of Australia Whip—Senator Julian John James McGauran
Opposition Whips—Senators George Campbell and Geoffrey Frederick Buckland
Australian Democrats Whip—Senator Andrew John Julian Bartlett

Printed by authority of the Senate
<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>Tas</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Allison, Lynette Fay</td>
<td>Vic</td>
<td>30.6.2008</td>
<td>AD</td>
</tr>
<tr>
<td>Barnett, Guy</td>
<td>Tas</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Bartlett, Andrew John Julian</td>
<td>Qld</td>
<td>30.6.2008</td>
<td>AD</td>
</tr>
<tr>
<td>Bishop, Thomas Mark</td>
<td>WA</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Bolkus, Hon. Nick</td>
<td>SA</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Boswell, Hon. Ronald Leslie Doyle</td>
<td>Qld</td>
<td>30.6.2008</td>
<td>NATS</td>
</tr>
<tr>
<td>Brandis, George Henry</td>
<td>Qld</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Brown, Robert James</td>
<td>Tas</td>
<td>30.6.2008</td>
<td>AG</td>
</tr>
<tr>
<td>Buckland, Geoffrey Frederick</td>
<td>SA</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Calvert, Hon. Paul Henry</td>
<td>Tas</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Campbell, George</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Campbell, Hon. Ian Gordon</td>
<td>WA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Carr, Kim John</td>
<td>Vic</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Chapman, Hedley Grant Pearson</td>
<td>SA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Cherry, John Clifford</td>
<td>Qld</td>
<td>30.6.2005</td>
<td>AD</td>
</tr>
<tr>
<td>Colbeck, Richard Mansell</td>
<td>Tas</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Collins, Jacinta Mary Ann</td>
<td>Vic</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Conroy, Stephen Michael</td>
<td>Vic</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Cook, Hon. Peter Francis Salmon</td>
<td>WA</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Coonan, Hon. Helen Lloyd</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Crossin, Patricia Margaret</td>
<td>NT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Denman, Kay Janet</td>
<td>Tas</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Eggleston, Alan</td>
<td>WA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Ellison, Hon. Christopher Martin</td>
<td>WA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Evans, Christopher Vaughan</td>
<td>WA</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Faulkner, Hon. John Philip</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Ferguson, Alan Baird</td>
<td>SA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Ferris, Jeannie Margaret</td>
<td>SA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Fierravanti-Wells, Concetta Anna</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Fifield, Mitchell Peter</td>
<td>Vic</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Forshaw, Michael George</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Greig, Brian Andrew</td>
<td>WA</td>
<td>30.6.2005</td>
<td>AD</td>
</tr>
<tr>
<td>Harradine, Brian</td>
<td>Tas</td>
<td>30.6.2005</td>
<td>Ind</td>
</tr>
<tr>
<td>Harris, Leonard William</td>
<td>QLD</td>
<td>30.6.2005</td>
<td>PHON</td>
</tr>
<tr>
<td>Heffernan, Hon. William Daniel</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Hill, Hon. Robert Murray</td>
<td>SA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Hogg, John Joseph</td>
<td>QLD</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Humphries, Gary John Joseph</td>
<td>ACT</td>
<td></td>
<td>LP</td>
</tr>
<tr>
<td>Hutchins, Stephen Patrick</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Johnston, David Albert Lloyd</td>
<td>WA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Kemp, Hon. Charles Roderick</td>
<td>VIC</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Kirk, Linda Jean</td>
<td>SA</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Knowles, Susan Christine</td>
<td>WA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Lees, Meg Heather</td>
<td>SA</td>
<td>30.6.2005</td>
<td>APA</td>
</tr>
<tr>
<td>Lightfoot, Philip Ross</td>
<td>WA</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Ludwig, Joseph William</td>
<td>QLD</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Lundy, Kate Alexandra</td>
<td>ACT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Senator</td>
<td>State or Territory</td>
<td>Term expires</td>
<td>Party</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------------------</td>
<td>--------------</td>
<td>-------</td>
</tr>
<tr>
<td>Macdonald, Hon. Ian Douglas</td>
<td>QLD</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Macdonald, John Alexander Lindsay (Sandy)</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>NATS</td>
</tr>
<tr>
<td>McGauran, Julian John James</td>
<td>VIC</td>
<td>30.6.2005</td>
<td>NATS</td>
</tr>
<tr>
<td>Mackay, Susan Mary</td>
<td>TAS</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>McLucas, Jan Elizabeth</td>
<td>QLD</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Marshall, Gavin Mark</td>
<td>VIC</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Mason, Brett John</td>
<td>QLD</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Minchin, Hon. Nicholas Hugh</td>
<td>SA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Moore, Claire Mary</td>
<td>QLD</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Murphy, Shayne Michael</td>
<td>TAS</td>
<td>30.6.2005</td>
<td>Ind</td>
</tr>
<tr>
<td>Murray, Andrew James Marshall</td>
<td>WA</td>
<td>30.6.2008</td>
<td>AD</td>
</tr>
<tr>
<td>Nettle, Kerry Michelle</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>AG</td>
</tr>
<tr>
<td>O’Brien, Kerry Williams Kelso</td>
<td>TAS</td>
<td>30.6.2005</td>
<td>ALP</td>
</tr>
<tr>
<td>Patterson, Hon. Kay Christine Lesley</td>
<td>VIC</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Payne, Marise Ann</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Ray, Hon. Robert Francis</td>
<td>VIC</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Ridgeway, Aden Derek</td>
<td>NSW</td>
<td>30.6.2005</td>
<td>AD</td>
</tr>
<tr>
<td>Santoro, Santo (6)</td>
<td>QLD</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Scullion, Nigel Gregory (1)</td>
<td>NT</td>
<td>30.6.2008</td>
<td>CLP</td>
</tr>
<tr>
<td>Sherry, Hon. Nicholas John</td>
<td>TAS</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Stephens, Ursula Mary</td>
<td>NSW</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Stott Despoja, Natasha Jessica</td>
<td>SA</td>
<td>30.6.2008</td>
<td>AD</td>
</tr>
<tr>
<td>Tchen, Tsebin</td>
<td>VIC</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Troeth, Hon. Judith Mary</td>
<td>VIC</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Vanstone, Hon. Amanda Eloise</td>
<td>SA</td>
<td>30.6.2005</td>
<td>LP</td>
</tr>
<tr>
<td>Watson, John Odin Wentworth</td>
<td>TAS</td>
<td>30.6.2008</td>
<td>LP</td>
</tr>
<tr>
<td>Webber, Ruth Stephanie</td>
<td>WA</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
<tr>
<td>Wong, Penelope Ying Yen</td>
<td>SA</td>
<td>30.6.2008</td>
<td>ALP</td>
</tr>
</tbody>
</table>

(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.
(2) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. Warwick Raymond Parer, resigned.
(3) Chosen by the Parliament of Queensland to fill a casual vacancy vice John Woodley, resigned.
(4) Chosen by the Parliament of South Australia to fill a casual vacancy vice John Andrew Quirke, resigned.
(5) Appointed by the Governor of Tasmania to fill a casual vacancy vice Hon. Brian Francis Gibson AM, resigned.
(6) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. John Joseph Herron, resigned.
(7) Chosen by the Parliament of Victoria to fill a casual vacancy vice Hon. Richard Kenneth Robert Alston, resigned.
(8) Chosen by the Parliament of New South Wales to fill a casual vacancy vice John Tierney, resigned.

PARTY ABBREVIATIONS
AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; APA—Australian Progressive Alliance; CLP—Country Labor Party; Ind—Independent; LP—Liberal Party of Australia; NATS—The Nationals; PHON—Pauline Hanson’s One Nation

Heads of Parliamentary Departments
Clerk of the Senate—H Evans
Clerk of the House of Representatives—IC Harris
Secretary, Department of Parliamentary Services—HR Penfold QC
<table>
<thead>
<tr>
<th>Ministry</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon. John Winston Howard MP</td>
</tr>
<tr>
<td>Minister for Transport and Regional Services and Deputy Prime Minister</td>
<td>The Hon. John Duncan Anderson MP</td>
</tr>
<tr>
<td>Treasurer</td>
<td>The Hon. Peter Howard Costello MP</td>
</tr>
<tr>
<td>Minister for Trade</td>
<td>The Hon. Mark Anthony James Vaile MP</td>
</tr>
<tr>
<td>Minister for Defence and Leader of the Government in the Senate</td>
<td>Senator the Hon. Robert Murray Hill</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon. Alexander John Gosse Downer MP</td>
</tr>
<tr>
<td>Minister for Health and Ageing and Leader of the House</td>
<td>The Hon. Anthony John Abbott MP</td>
</tr>
<tr>
<td>Attorney-General</td>
<td>The Hon. Philip Maxwell Ruddock MP</td>
</tr>
<tr>
<td>Minister for Finance and Administration, Deputy Leader of the Government in the Senate and Vice-President of the Executive Council</td>
<td>Senator the Hon. Nicholas Hugh Minchin</td>
</tr>
<tr>
<td>Minister for Agriculture, Fisheries and Forestry</td>
<td>The Hon. Warren Errol Truss MP</td>
</tr>
<tr>
<td>Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs</td>
<td>Senator the Hon. Amanda Eloise Vanstone</td>
</tr>
<tr>
<td>Minister for Education, Science and Training</td>
<td>The Hon. Dr Brendan John Nelson MP</td>
</tr>
<tr>
<td>Minister for Family and Community Services and Minister Assisting the Prime Minister for Women’s Issues</td>
<td>Senator the Hon. Kay Christine Lesley Patterson</td>
</tr>
<tr>
<td>Minister for Industry, Tourism and Resources</td>
<td>The Hon. Ian Elgin Macfarlane MP</td>
</tr>
<tr>
<td>Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service</td>
<td>The Hon. Kevin James Andrews MP</td>
</tr>
<tr>
<td>Minister for Communications, Information Technology and the Arts</td>
<td>Senator the Hon. Helen Lloyd Coonan</td>
</tr>
<tr>
<td>Minister for the Environment and Heritage</td>
<td>Senator the Hon. Ian Gordon Campbell</td>
</tr>
</tbody>
</table>

(The above ministers constitute the cabinet)
HOWARD MINISTRY—continued

Minister for Justice and Customs and Manager of Government Business in the Senate
Senator the Hon. Christopher Martin Ellison

Minister for Fisheries, Forestry and Conservation
Senator the Hon. Ian Douglas Macdonald

Minister for the Arts and Sport
Senator the Hon. Charles Roderick Kemp

Minister for Human Services
The Hon. Joseph Benedict Hockey MP

Minister for Citizenship and Multicultural Affairs and Deputy Leader of the House
The Hon. Peter John McGauran MP

Minister for Revenue and Assistant Treasurer
The Hon. Malcolm Thomas Brough MP

Special Minister of State
Senator the Hon. Eric Abetz

Minister for Vocational and Technical Education and Minister Assisting the Prime Minister
The Hon. Gary Douglas Hardgrave MP

Minister for Ageing
The Hon. Julie Isabel Bishop MP

Minister for Small Business and Tourism
The Hon. Frances Esther Bailey MP

Minister for Local Government, Territories and Roads
The Hon. James Eric Lloyd MP

Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
The Hon. De-Anne Margaret Kelly MP

Minister for Workforce Participation
The Hon. Peter Craig Dutton MP

Parliamentary Secretary to the Minister for Finance and Administration
The Hon. Dr Sharman Nancy Stone MP

Parliamentary Secretary to the Minister for Industry, Tourism and Resources
The Hon. Warren George Entsch MP

Parliamentary Secretary to the Minister for Health and Ageing
The Hon. Christopher Maurice Pyne MP

Parliamentary Secretary to the Minister for Defence
The Hon. Teresa Gambaro MP

Parliamentary Secretary (Foreign Affairs and Trade)
The Hon. Bruce Fredrick Billson MP

Parliamentary Secretary to the Prime Minister
The Hon. Gary Roy Nairn MP

Parliamentary Secretary to the Treasurer
The Hon. Christopher John Pearce MP

Parliamentary Secretary to the Minister for Transport and Regional Services
The Hon. John Kenneth Cobb MP

Parliamentary Secretary to the Minister for the Environment and Heritage
The Hon. Gregory Andrew Hunt MP

Parliamentary Secretary (Children and Youth Affairs)
The Hon. Sussan Penelope Ley MP

Parliamentary Secretary to the Minister for Education, Science and Training
The Hon. Patrick Francis Farmer MP

Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
Senator the Hon. Richard Mansell Colbeck
### SHADOW MINISTRY

<table>
<thead>
<tr>
<th>Role</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>The Hon. Kim Christian Beazley MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Education,</td>
<td>Jennifer Louise Macklin MP</td>
</tr>
<tr>
<td>Training, Science and Research</td>
<td></td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate and Shadow Minister for Social</td>
<td>Senator Christopher Vaughan Evans</td>
</tr>
<tr>
<td>Security</td>
<td></td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Minister</td>
<td>Senator Stephen Michael Conroy</td>
</tr>
<tr>
<td>for Communications and Information Technology</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Health and Manager of Opposition Business in the</td>
<td>Julia Eileen Gillard MP</td>
</tr>
<tr>
<td>House</td>
<td></td>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Wayne Maxwell Swan MP</td>
</tr>
<tr>
<td>Shadow Minister for Industry, Infrastructure and Industrial Relations</td>
<td>Stephen Francis Smith MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and International Security</td>
<td>Kevin Michael Rudd MP</td>
</tr>
<tr>
<td>Shadow Minister for Defence and Homeland Security</td>
<td>Robert Bruce McClelland MP</td>
</tr>
<tr>
<td>Shadow Minister for Trade</td>
<td>The Hon. Simon Findlay Crean MP</td>
</tr>
<tr>
<td>Shadow Minister for Primary Industries, Resources and Tourism</td>
<td>Martin John Ferguson MP</td>
</tr>
<tr>
<td>Shadow Minister for Environment and Heritage and Deputy Manager of</td>
<td>Anthony Norman Albanese MP</td>
</tr>
<tr>
<td>Opposition Business in the House</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Public Administration and Open Government,</td>
<td>Senator Kim John Carr</td>
</tr>
<tr>
<td>Shadow Minister for Indigenous Affairs and Reconciliation and Shadow</td>
<td>Kelvin John Thomson MP</td>
</tr>
<tr>
<td>Minister for the Arts</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Regional Development and Roads and Shadow</td>
<td>Senator the Hon. Nicholas John Sherry</td>
</tr>
<tr>
<td>Minister for Housing and Urban Development</td>
<td>Tanya Joan Plibersek MP</td>
</tr>
<tr>
<td>Shadow Minister for Finance and Superannuation</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Work, Family and Community, Shadow Minister for</td>
<td></td>
</tr>
<tr>
<td>Youth and Early Childhood Education and Shadow Minister Assisting</td>
<td></td>
</tr>
<tr>
<td>the Leader on the Status of Women</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Employment and Workplace Participation and</td>
<td>Senator Penelope Ying Yen Wong</td>
</tr>
<tr>
<td>Shadow Minister for Corporate Governance and Responsibility</td>
<td></td>
</tr>
</tbody>
</table>

(The above are shadow cabinet ministers)
SHADOW MINISTRY—continued

Shadow Minister for Immigration
Laurence Donald Thomas Ferguson MP

Shadow Minister for Agriculture and Fisheries
Gavan Michael O’Connor MP

Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow Minister for Banking and Financial Services
Joel Andrew Fitzgibbon MP

Shadow Attorney-General
Nicola Louise Roxon MP

Shadow Minister for Regional Services, Local Government and Territories
Senator Kerry Williams Kelso O’Brien

Shadow Minister for Manufacturing and Shadow Minister for Consumer Affairs
Senator Kate Alexandra Lundy

Shadow Minister for Defence Planning, Procurement and Personnel and Shadow Minister Assisting the Shadow Minister for Industrial Relations
The Hon. Archibald Ronald Bevis MP

Shadow Minister for Sport and Recreation
Alan Peter Griffin MP

Shadow Minister for Veterans’ Affairs
Senator Thomas Mark Bishop

Shadow Minister for Small Business
Tony Burke MP

Shadow Minister for Ageing, Disabilities and Carers
Senator Jan Elizabeth McLucas

Shadow Minister for Justice and Customs, Shadow Minister for Citizenship and Multicultural Affairs and Manager of Opposition Business in the Senate
Senator Joseph William Ludwig

Shadow Minister for Pacific Islands
Robert Charles Grant Sercombe MP

Shadow Parliamentary Secretary to the Leader of the Opposition
John Paul Murphy MP

Shadow Parliamentary Secretary for Defence
The Hon. Graham John Edwards MP

Shadow Parliamentary Secretary for Education
Kirsten Fiona Livermore MP

Shadow Parliamentary Secretary for Environment and Heritage
Jennie George MP

Shadow Parliamentary Secretary for Infrastructure
Bernard Fernando Ripoll MP

Shadow Parliamentary Secretary for Health
Ann Kathleen Corcoran MP

Shadow Parliamentary Secretary for Regional Development (House)
Catherine Fiona King MP

Shadow Parliamentary Secretary for Regional Development (Senate)
Senator Ursula Mary Stephens

Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs
The Hon. Warren Edward Snowdon MP
CONTENTS

WEDNESDAY, 11 MAY

Chamber
Absence of the President.......................................................... 1
Committees—
Finance and Public Administration References Committee—Membership 1
Condolences—
Hon. Albert (Al) Jaime Grassby AM .................................. 1
Sir Johannes (Joh) Bjelke-Petersen ........................................ 10
Sea King Helicopter Accident ............................................. 22
Business—
Rearrangement .................................................................. 31
Family Law Amendment Bill 2005—
Second Reading .................................................................. 31
In Committee ................................................................. 44
Matters of Public Interest—
Anzac Day ........................................................................ 45
Budget 2005-06 ................................................................. 49
Nuclear Weapons .............................................................. 53
Budget 2005-06 ................................................................. 56
Anzac Day .......................................................................... 59
Questions Without Notice—
Budget 2005-06 ................................................................. 62
Budget 2005-06 ................................................................. 62
Budget 2005-06 ................................................................. 64
Distinguished Visitors .......................................................... 64
Questions Without Notice—
Retirement Savings ............................................................ 64
Income Support ................................................................. 65
Budget 2005-06 ................................................................. 67
Budget 2005-06 ................................................................. 68
Budget 2005-06 ................................................................. 69
Distinguished Visitors .......................................................... 71
Questions Without Notice—
Budget 2005-06 ................................................................. 71
Budget 2005-06 ................................................................. 72
Budget 2005-06 ................................................................. 73
Immigration ....................................................................... 74
Questions Without Notice: Additional Answers—
Budget 2005-06 ................................................................. 76
Questions Without Notice: Take Note of Answers—
Budget 2005-06 ................................................................. 76
Immigration ....................................................................... 81
Condolences—
Mr Donald William Maisey ............................................ 83
Petitions—
East Timor ........................................................................ 83
Live Animal Exports .......................................................... 83
Treatment of Detainees ...................................................... 83
Immigration ....................................................................... 84
CONTENTS—continued

Transport ...................................................................................................................... 84
Notices—
Presentation ................................................................................................................... 84
Committees—
Selection of Bills Committee—Report ........................................................................ 88
Leave of Absence ........................................................................................................... 90
Committees—
Economics Legislation Committee—Extension of Time .................................................. 90
Legal and Constitutional Legislation Committee—Extension of Time ...................... 90
Foreign Affairs, Defence and Trade References Committee—Extension of Time .......... 91
Notices—
Postponement .............................................................................................................. 91
Student Unions ............................................................................................................. 91
Senator Ross Lightfoot ................................................................................................... 91
Committees—
National Capital and External Territories Committee—Reference .......................... 98
Anzac Cove ..................................................................................................................... 99
Community Development Employment Projects ......................................................... 100
Committees—
Finance and Public Administration References Committee—Reference .................. 100
Bird Flu ......................................................................................................................... 101
Committees—
Employment, Workplace Relations and Education References Committee—Extension of Time .................................................................................................................. 101
Minister for Immigration and Multicultural and Indigenous Affairs—
Censure Motion .............................................................................................................. 101
Committees—
Public Accounts and Audit Committee—Meeting ....................................................... 124
Breaching Review Taskforce ......................................................................................... 125
Notices—
Presentation ................................................................................................................ 125
Great Apes .................................................................................................................. 125
Committees—
Appropriations and Staffing Committee—Report ........................................................ 125
Budget—
Consideration by Legislation Committees—Additional Information ......................... 125
Consideration by Legislation Committees—Additional Information .......................... 126
Committees—
Treaties Committee—Report ..................................................................................... 126
Public Accounts and Audit Committee—Statement ..................................................... 126
Documents—
Tabling ......................................................................................................................... 127
Telstra: Anticompetitive Behaviour—
Return to Order .......................................................................................................... 132
Committees—
Membership .............................................................................................................. 133
Border Protection Legislation Amendment (Deterrence of Illegal Foreign Fishing) Bill 2005,
Telecommunications Legislation Amendment (Regular Reviews and Other Measures) Bill 2005, and
Migration Litigation Reform Bill 2005—
First Reading .................................................................................................................. .. 133
Second Reading................................................................................................................ 1 33
Documents—
Australian Radiation Protection and Nuclear Safety Agency ........................................... 140
Aboriginal and Torres Strait Islander Social Justice Commissioner................................. 141
Aboriginal and Torres Strait Islander Social Justice Commissioner................................. 143
Adjournment—
Hon. Albert (Al) Jaime Grassby AM ................................................................................ 146
Queensland Agricultural Colleges .................................................................................... 148
Gene Technology.............................................................................................................. 150
Mr Adam Dunning
Lieutenant Paul Kimlin
Lieutenant Matthew Davey .............................................................................................. 153
Documents—
Tabling........................................................................................................................ ...... 155
Questions on Notice
National Competition Policy—(Question No. 32) ........................................................... 156
Sports Grants—(Question No. 95) .................................................................................. 157
Sports Grants—(Question No. 96) .................................................................................. 159
Transport and Regional Services: Advertising Campaign—(Question No. 117) ............. 161
Transport and Regional Services: Advertising Campaign—(Question No. 118) ............. 162
Treasury: Advertising Campaign—(Question No. 124) ..................................................... 164
Regional Partnerships—(Question No. 207) ................................................................ 168
Regional Partnerships—(Question No. 237) .................................................................. 181
Commonwealth Regional Information Service—(Question No. 250) .............................. 181
Trafigura Fuels Australia Pty Ltd—(Question No. 297) ................................................... 195
Australian Maritime Safety Authority—(Question No. 347) ........................................... 196
Pharmaceutical Benefits Scheme—(Question No. 369) ................................................... 197
Australian Technical Colleges—(Question No. 383) ....................................................... 200
Detention Centres—(Question No. 429) ................................................................. 201
Taxation Administration—(Question No. 434) ................................................................ 202
Child Support Agency and Centrelink: Employee Entitlements—(Question No. 437) ....... 202
Veterans’ Affairs: Employee Entitlements—(Question No. 445) ...................................... 203
Partnerships Against Domestic Violence—(Question No. 451) ......................................... 204
National Domestic Violence Hotline—(Question No. 452) .............................................. 205
Supported Accommodation Assistance Program—(Question No. 453) ......................... 208
Anti-Domestic-Violence Advertising Campaign—(Question No. 454) ............................. 209
Australian Centre for the Study of Sexual Assault—(Question No. 455) ........................ 209
Women’s Programs—(Question No. 456) ...................................................................... 210
Women in Detention—(Question No. 468) ...................................................................... 211
Tasmania: Proposed Pulp Mill—(Question No. 472) ......................................................... 211
Australian Broadcasting Corporation: Complaints—(Question No. 475) ........................ 212
Recherche Bay—(Question No. 476) .............................................................................. 212
Therapeutic Drugs—(Question No. 485) ........................................................................ 213
CONTENTS—continued

Gambling—(Question No. 487) ........................................................................................................ 214
Gambling—(Question No. 488) ........................................................................................................ 215
Phishing—(Question No. 506) ...................................................................................................... 215
Unmanned Aerial Vehicle—(Question No. 510) ......................................................................... 215
Treasury: Fraud—(Question No. 517) .......................................................................................... 216
Finance and Administration: Fraud—(Question No. 521) ......................................................... 216
Environment and Heritage: Travel—(Question No. 535) .......................................................... 216
Finance and Administration: Goods and Services—(Question No. 543) ................................. 217
The Senate met at 9.30 am.

ABSENCE OF THE PRESIDENT

The Clerk—Pursuant to standing order 13, I advise the Senate that the President is temporarily absent today and the Deputy President will take the chair and read prayers.

The DEPUTY PRESIDENT (Senator Hogg) thereupon took the chair and read prayers.

COMMITTEES

Finance and Public Administration References Committee

Membership

The DEPUTY PRESIDENT—The President has received a letter from a party leader seeking to vary the membership of a committee.

Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (9.31 am)—by leave—I move:

That Senator Bishop be appointed as a participating member of the Finance and Public Administration References Committee.

Question agreed to.

CONDOLENCES

Hon. Albert (Al) Jaime Grassby AM

Consideration resumed from 10 May.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (9.32 am)—On behalf of the Labor opposition, I would like to support the condolence motion moved by Senator Hill on the death of Al Grassby, former member of the House of Representatives and Labor Minister for Immigration. It is unfortunate that Australian television stations did not move into colour until 1975, the year after Al Grassby left parliament. Our TV images of Australia before that time are generally black and white, and black and white would never do justice to Al Grassby. In the time since his death, he has been almost universally described as colourful. I ran into him at an airport only a few months ago and he had not changed over the years. His choice of tie was still even more outrageous than that of former senator Jim Mc Kiernan, and that is a big claim. We attribute many meanings to the word ‘colourful’ these days, and I think most of them have been applied to Al in the various reports and obituaries that have followed his death.

Al Grassby entered parliament in 1969 as the member for Riverina. He became a minister upon the election of the Whitlam government in 1972 and lost his seat in 1974. In that short time, however, Al Grassby became the face of multiculturalism. He was also emblematic of a broader social change that had found widespread expression in the 1960s but that did not overtake the musty halls of Old Parliament House until the Whitlam ministry took office in 1972. He was part of a government of ideas and action which implemented a raft of changes across policy areas. Postwar Australia, with its focus on reconstruction and recovery from the trauma of depression and war, had been dominated by 23 years of uninterrupted conservative rule.

The politics of the fifties and sixties emphasised the middle-class ideal—that is, high levels of employment, traditional families and a house in the suburbs. By the late 1960s and early 1970s, cracks had begun to appear in this model of Australian life and had become more and more distinct. Responses to Australia’s involvement in the Vietnam War caused widespread friction. The women’s movement and other programs of social change were gathering pace and the economies of developed nations were floundering. In that environment, the 1972 Labor cam-
Campaign theme ‘It’s Time’ had a powerful resonance. The Whitlam government was elected to implement its progressive platform. Al Grassby was a prominent figure in that fresh new government and, in some ways, he symbolised the Australia that had emerged from the upheavals of the late 1960s. Reading about him, you get the sense of his friction with the Australian Anglo-Saxon establishment. He was a colourful, cosmopolitan character, and he certainly left a much stronger impression on me as a young man than most of the ministers of the time did.

Born in 1926, he had an incredibly worldly childhood and early life. His family moved to Sydney, where his father worked on the Harbour Bridge. During the Depression, the family moved around the world to Sudan, Italy, France, Spain and England. Talking to Robert Drewe in the Bulletin in 1981, Al Grassby described this phase of his life:

In my first 15 years I went to 13 different schools in six countries and we never lived anywhere longer than two years. First the Depression, then the war, the constant moving from place to place, learning new languages and attitudes all the time ...

It was an ideal upbringing, perhaps, for the man who would lead the Whitlam government’s immigration and multicultural reforms.

During the Second World War, Grassby served in the infantry in an intelligence unit of the British army. He later attended the University of South West England and trained as a journalist before returning to Australia in 1948. Despite his Australian parentage and birth, Grassby had to be sponsored as a migrant in order to return to Australia. These were the days before the birth of an Australian passport, a travel document that Grassby himself would introduce in 1973. Back home again, Grassby fell in love with rural Australia. He settled in Griffith and was employed at the New South Wales department of agriculture and the CSIRO and made his career in agriculture and communications.

In 1965 he entered the New South Wales parliament as the Labor member for Murrumbidgee. In 1969 he entered the federal parliament as member for Riverina on a massive 22 per cent swing. In the three years to 1972, he became one of the opposition’s most high-profile members. Former Hawke government minister Barry Cohen, who also entered parliament in 1969, shared an office with Grassby. Recently, in the Australian, Barry Cohen recalled Grassby’s personal working style:

When he was in the office there was an endless parade of visitors, from Catholic priests to indigent farmers replete with copious quantities of wine they always spilled on my desk. Sans company, Al would bash away on his ancient typewriter while screaming into his phone in Spanish, Italian or, occasionally, English.

On the election of the Whitlam government, Grassby was a likely candidate for the primary industries portfolio. However, it was felt that he might not be the ideal candidate to negotiate with the rural community and Whitlam instead gave him the immigration portfolio.

In his two years as a federal minister Grassby oversaw a radical shake-up of Australia’s immigration system, doing away with the last vestiges of the White Australia Policy. As such he not only made Australia a more attractive destination for migrants but also ensured that migrants who came here were more likely to remain. He introduced non-discriminatory practices in migration and citizenship policy. He changed the system whereby migrants from outside the UK were subjected to harsher tests than their British counterparts. Similarly, he introduced the Australian Citizenship Bill into parliament in 1973. This legislation set out uni-
form laws for migrants seeking citizenship; previously, there had been different rules for citizenship depending on ethnic background. Grassby made it easier for overseas students to remain in Australia after their studies if they were able to find work and he made it easier for parents of Australian born children to remain here.

In his time as minister, Grassby set out broad parameters for a new approach to racial discrimination in this country. He banned racially selected sports teams from playing in Australia and he made it possible for Indigenous people to leave the country without having to seek special permission. Grassby’s policies were influenced by a progressive idea of what it meant to be Australian. During his short time in office, he laid out a vision of Australia as a thriving multi-ethnic and multicultural society. I think that much of what we see in contemporary Australian society is testament to the timeliness of his vision.

Grassby’s role as standard-bearer for a multicultural Australia, his high media profile and his distinctive style made him a target for conservative forces in the 1974 election. That year he lost the seat he had originally won in 1969. But after federal parliament Grassby continued in public life. He was Commissioner for Community Relations until 1982. At other times he served as a community relations advisor to New South Wales Premier Barrie Unsworth and as a chairman of the National Consultative Committee on Peace and Disarmament.

In later years Al Grassby was at times surrounded by controversy. That controversy has obviously again been highlighted following his death. I do not intend to comment on those matters. But, however history eventually remembers him, it will be in large part for the contribution he made to Australian government and society in the early 1970s. He certainly made his mark. He was an integral member of a government which radically changed this country, a government which embraced a more complex and diverse story of who we are and what this country is about. Through his outlook, the policies he implemented and his own inimitable style, he will be remembered for his service to the parliament and for the multicultural society we enjoy today. I think there are very few people who have served the parliament and been a minister for only two years who are as well known or as recognisable in Australian society as Al Grassby. To his family and friends and all those who were close to him, on behalf of the opposition I would like to extend our heartfelt condolences.

Senator BARTLETT (Queensland) (9.40 am)—I would like to support the condolence motion for Al Grassby on behalf of the Democrats as well as on a personal level. I did not realise until I was at his funeral in Canberra a week or two ago that he was actually born in Brisbane, in New Farm, just down the road from my office. But he did not stay there long; he moved around to many parts of Australia. During the war years, as a very young man, he was in the UK. He then came back to Australia, to the areas of New South Wales whose people he subsequently represented in both the state parliament and the federal parliament.

As was apparent in the contribution I made to the condolence motion yesterday, I think that in motions like this it is preferable to be honest about people’s failings and not be gratuitous. When you are reviewing people’s lives, if you get too focused on the positives in a glowing way it can be excessive, to the point where it almost becomes dishonest, so it is important to acknowledge the failings and limitations in Al Grassby’s approach. Obviously, there was controversy and there were allegations about his alleged links to and support for criminal figures. I
honestly do not know enough about those to pass judgment on how true or otherwise they were, beyond noting a comment that I saw yesterday about how blown out of proportion some of those things can become in smaller communities with antagonisms at the local level. I would also comment that, whilst it is appropriate to have public debate about any actions or failings in those areas, I fail to see why it is of any relevance at all to go blowing people’s private lives all over the front pages of newspapers as soon as they die. I cannot see any public interest or merit in that type of thing.

It is also important to acknowledge in motions like this the totality of people’s legacy. Those aspects of Al Grassby I have mentioned will be part of that and people can debate those—those who know more about them than I do. But I am qualified to talk about the aspects of Al Grassby that I am aware of. He is somebody that I met a number of times in the later part of his life, from the earlier parts of my parliamentary career right through to quite recently, because I have been involved reasonably heavily in immigration and multiculturalism issues on behalf of the Democrats and out of personal interest.

I came across Al Grassby in many different forums, and there is no doubt that his commitment to multiculturalism and to the principles of opposing racism and discrimination were as passionate as ever right throughout his life and that he did have a very positive, direct impact on people’s lives. I have had direct feedback from people since Al Grassby’s death with regard to comments I have made about his impact. They have specifically spoken about the positive impact that he as an individual had on their lives and those of their families, particularly people who came here as migrants and who felt for the first time that Australia was welcoming them, even though they had already lived here for 10 years. That is not to say that they felt Australians were all nasty, racist and horrible; it was more that it was the first time they had been given a strong, unambiguous, positive message about the value of their own heritage and what that brought to Australia—rather than just coming here and leaving all that behind them, fitting in and eating their sausage rolls and meat pies.

It is that value adding that I believe is the biggest asset of multiculturalism, and it is what Al Grassby brought to Australia and to the lives of many individual people and families. It is that value adding, through his continual promotion of and support for multiculturalism, that will be his biggest legacy.

It is important to emphasise how much direct personal benefit can be derived when people in leadership positions, in government or in other positions in the community, send clear, unequivocal signals about key issues. In that respect, his support for and promotion of multiculturalism and his strong opposition to racial discrimination were a major, positive benefit for many people who felt subjected to racism or who felt vulnerable to discrimination in various ways. It is important not to underestimate how significant a benefit can be derived when people feel supported positively, proactively and unequivocally by people in key leadership positions regarding some of those fundamental issues. Rather than ignoring them, leaving them to one side or seeing them as not being important, or saying, ‘We don’t want to talk about it because we don’t want to make people think that Australians are racists,’ I think it is quite possible to strongly promote the importance of opposing racial discrimination without in any way implying that there is some major level of racism in the Australian community, because you are supporting a principle that needs to be positively espoused; you are not just trying to oppose something that is already there.
The same principle applies to multiculturalism. Multiculturalism is a concept that has been a matter of some political controversy—not so much now, thankfully, but it was the case five to 10 years ago, and in part because it was misunderstood or misinterpreted. This is not the time to have a long debate about multiculturalism per se; however, I point out that Al Grassby played a key role—although he was not the only one—in the crystallisation of the concept of multiculturalism and its active promotion, and has left behind an enormous legacy. As Senator Evans said, it is very impressive that someone who was immigration minister for only about 18 months has left such a mark. He reinforced his activities in that role with his activities in subsequent roles, both in government appointments and at the community level.

I reinforce the point that most of my contact with him took place 25 years after he left the parliament, when he continued to strongly, tirelessly and enthusiastically promote those principles. Some of this occurred at a time when those principles were under severe attack, at the peak of the Hanson hysteria, when it was important to have people strongly and unequivocally supporting the value of multiculturalism and what that meant for the inherent value of people. The negative element of the Hanson debates related to how it made people feel. It made many Australians feel worse—it made them feel more vulnerable, less welcome and less positive about their country. Feeling positive about our country is not something to which you can necessarily attribute a dollar and cents value, but it is undoubtedly a massive positive net contributor to our quality of life and to what makes our country fantastic.

If one were to put a dollars and cents value on it, I note that it does help our economic situation as well, particularly in a globalised economy, where we are interacting with people from so many different cultures, ethnicities and religions. For our nation to be so successful in comparison to most others in working as part of a group of people from such a diverse range of backgrounds, and to do that, on the whole, very harmoniously, is a massive advantage for us as we engage with other countries. Al Grassby can take credit for making some of that a reality, and I believe that is a core part of his legacy.

I am not a total expert on everything he put forward in his time as a minister, but I have had cause to look at it to a certain extent during my day-to-day tasks of looking at immigration issues. I note that some of his policy prescriptions and legislative proposals were not workable, but that in itself shows that you can still have a positive impact with your overall message, with the principles that you espouse, and it shows that, even if your policy mechanisms might not always work, that should not cause you to throw out the principles and ideals in their entirety. I do not know whether any of the legislative aspects from his time as minister remain, but certainly the philosophy and ideals from his time as minister not only remain but also are ingrained in Australia’s culture, as well as in our polity to a fair degree. That is an amazing tribute to him.

I was not aware, until I looked at various issues after his death, of his involvement in removing from the law the requirement that Aboriginal Australians had to get permission to leave the country. I do not think it was being enforced anymore at that time, but it was extraordinary to still have it on the statute book. That has been removed, and it represents an important symbolic act. I am sure that that will never be reintroduced. There are bound to be other measures—as everyone here knows, there are many things that we pass and which become law which have a significant impact but which do not get rec-
ognised because they meld with the overall fabric of the legal framework. But the changes are made at the time for good reason, and that means they will continue into the future, even though we might forget who was responsible for them.

So, whilst not trying to whitewash some of the controversies that surrounded aspects of Al Grassby’s life, from my point of view, from my contact with him, I found him to be a person who continued to be an inspiration for many people. In a very cynical society, when people feel disconnected from the political process, we need as many inspirational figures as we can get. I know he provided such inspiration to many people, as was shown by the turnout at his funeral here in Canberra.

He was of course, in his later years, an active member of the community here in Canberra. I am sure subsequent speakers will speak on him from that perspective. I speak in terms of his overall long-term legacy and what it meant for Australia and the lives of individual people. Again, the thing that has struck me even in the short period since his death is the number of times I have seen comments on web sites and have received comments from people that Al Grassby, more than anyone else, was the one that made them feel good about being Australian, that made them feel properly welcome for the first time and that made them feel they had made the right choice in coming to Australia. That is an immensely valuable legacy to leave in economic terms—if you want to reduce things to that level—and obviously in human and social terms, and for the future of our nation. That is a pretty good legacy to leave and I think his family were a key part of the work that Al Grassby did, and to that end they should also bear some of the credit for the legacy he leaves.

Senator HUMPHRIES (Australian Capital Territory) (9.54 am)—I do not believe I can let Al Grassby’s passing go by without making a brief contribution to this debate. I got to know Al Grassby fairly well in recent years. He was, for most of the last 16 years or so, a constituent of mine. In fact, he became a constituent of mine 16 years ago today. I also got to know his wife reasonably well. Ellnor Grassby served in the ACT Legislative Assembly with me for something like six years, and I got to know Al reasonably well through that avenue as well. He certainly remained, until the very end, a figure for whom there was great affection, even reverence, among many in the ACT community, certainly among the members of ethnic communities in the ACT. That is not surprising, because he remained a person with great affection for Canberra, and the ACT remains one of the most multicultural communities in Australia. I think we still have the highest number of people from a non-English-speaking background of any jurisdiction in Australia. The various communities in Canberra are very active and Al Grassby was certainly familiar to all of those communities. He moved among them and was well regarded by all of them, without exception.

Others in the debate today, particularly Senator Evans, have described Al Grassby’s career as a journalist, as immigration minister and as the first Australian Commissioner for Community Relations. I do not particularly want to touch on those areas. I want to make a short contribution on Al Grassby’s legacy to Australian multiculturalism, which is an extremely significant part of what he leaves all of us. It is true to say that Al Grassby did not, as is sometimes suggested, abolish the White Australia Policy.
the legacy of Harold Holt. He did, however, promote what I think was the real corollary of the abolition of the White Australia Policy, and that was the policy of promoting multi-racialism in Australia, which in turn became multiculturalism. That is a policy which has had a profound impact on Australian public and private life. Multiculturalism acknowledges the various strands that are made up by the cultural, linguistic and religious backgrounds of people from different parts of the world who come to live in this country and who enrich and strengthen the fabric of Australian society. Those strands add vibrancy and colour to the Australian experience and have greatly changed, and changed for the better, Australian society in the last 50 or 60 years, particularly since the great waves of immigration following the Second World War. They have changed Australian society very much even in the last 30 or so years since Al Grassby was a public figure. There is now a much greater awareness of the nature of the world.

The Australia of 30 or 40 years ago was a very Anglocentric community. We can see that from the way people talked, the fact that very few Australians who were not born overseas spoke foreign languages and the fact that we ate very English food. We had very little awareness of the cultures, traditions and histories of countries other than Australia and perhaps the United States via television. That has changed enormously in the last few decades and that transition to an outward looking society, to a cosmopolitan society, has been the product of a number of factors and forces. But if any one person could be said to have played a significant role in that transition, more than anybody else it would have to be Al Grassby. His personality naturally led to an eclecticism on his part towards different cultural experiences, and the enthusiastic approach he took towards what was going on in Australian society was quite infectious. It did not take long of hearing him talk about how what he called polyethnism or polyethnicity contributed to Australian society before one also took up that point of view. Many people have had their eyes opened to the potential and the strength of multiculturalism by virtue of that process. Politicians especially fall into that category. I dare say there is no member of this chamber who does not engage regularly with constituents who come to them as members of particular ethnic groups.

That experience was not happening in Australia 30 or 40 years ago. People were expected to blend in; they were expected to be Australians and forget about being Poles, Vietnamese, Lithuanians or Chileans. Their identity was, in many ways, submerged into the broader Australian culture. The fact that people could be proud of their ethnic origins, backgrounds, and cultural and religious traditions was a feature which very much went with multiculturalism. Al Grassby did not invent multiculturalism, but he took it into the mainstream of Australian public policy. He gave it a voice which has not, since then, grown quiet. On the subject of his contribution to multiculturalism, an article written by Mungo McCallum states:

Grassby was not responsible for the policy itself, which had, in a sense, been introduced by stealth—a stealth which some older Australians still resented. But he was its greatest propagandist and proselytiser, and by and large he was successful.

Indeed that is true. He was a controversial figure, and not all aspects of his legacy are as easy to defend as his contribution to multiculturalism. Despite the fact that his period as a minister in the Australian government was exceptionally short, he unquestionably—through that role and through other contributions to Australian public life—changed Australian public life profoundly and forever. In looking at his life and his
contribution, I think we can say that, if any of us were able to leave this place saying that we had made a contribution, a policy or a way of thinking which was to outlast our departure from this place, we would have done well. Unquestionably, Al Grassby achieved that distinction. He was a person whom you looked at and spoke to, and you knew where he stood. You knew what he believed in. In everything he said and did, he imparted a sense of where he was coming from. We would all do well to be as recognisable on the political radar as Al Grassby.

Senator LUNDY (Australian Capital Territory) (10.02 am)—It is with sadness that I, too, offer my condolences to the family and friends of Al Grassby. I was afforded the honour of speaking at Al’s funeral, at the request of his wife, Ellnor, and daughter, Gabriella. Today’s condolence motion provides an opportunity to convey at least some of my thoughts and memories of Al.

The funeral was held in St Christopher’s here in Canberra on 29 April 2005. Father Tony Frey conducted the service and it was, predictably, a very full church. Reflecting on Al’s life was an experience in itself, and there were many kind thoughts, hilarious anecdotes and moving tributes written in the week following his death. These, combined with first-hand insights into Al and Ellnor’s amazing life, provided plenty of inspiration.

Al was born in Brisbane in 1926. His paternal grandfather was a fisherman from Spain, and his father and Irish mother spent many years travelling abroad when Al was young. Their travels took in Sydney and Newcastle here in Australia, and Sudan, Italy, France, Spain and Chile. But it was England where Al grew up, studying at the University of South-West England. Economic necessity after the death of his father in a London air raid in World War II led Al to support his mother, Margaret, by enlisting as a private in the British army. I am advised that his military career was short-lived and he later worked as a cadet journalist. He had been asked to join the Labour Party in the UK and to stand for a seat in the south, but he advised them that he was returning to the land of his birth.

It was on returning to Australia in 1948 that he found that his home was not the land he thought it was, and, with a dream of changing Australia for the better, he joined the Australian Labor Party at age 21. After a brief stint at the Hobart Mercury, Al moved to Griffith in New South Wales. His later insights into the lives of migrants were, in part, a product of his experiences of this time, including his work as an agricultural adviser with the CSIRO. This job brought him into contact with many Italian farmers in south-west New South Wales. In 1962, Al married Ellnor—the love of his life—and beloved daughter Gabriella was born precisely 10 months later. After becoming active in the local ALP, Al was elected the state member for Murrumbidgee in 1965. He was appointed the shadow minister for agriculture and conservation in 1968. Never shy of a stunt, he brought into the parliament a box of oranges to complain about the impact of fruit imports on his constituents. Much to the Speaker’s surprise, he put them on the table and asked, at question time, what the government was going to do to solve this problem. Labor member Kevin Stewart, a close mate of Al’s and a sharp wit, called out, ‘Mr Speaker, I hope the honourable member does not have pigs in his electorate!’

Back in the electorate, not only Ellnor but her family were in active service supporting Al’s obsessive work. Ellnor’s brother, George, with his pilot’s licence, flew the newly-elected federal member around his electorate, and Al would invariably insist that they visit just one more farm before dark. Later, once Al had firmly established himself
as an effective and very vocal local member, he was approached to consider running for the federal seat of Riverina. In Gough Whitlam, Al saw a strong leader with a vision for a more socially just Australia. He was encouraged to make the change, and he won the seat in 1969 with a 26½ per cent swing—the biggest in the country. This ushered in another intense period for the Grassbys. The workload was heavy and Al was tireless. Even a very young Gabriella could be found on election day handing out how-to-votes—an important task, as Labor Party members know only too well. Gabriella would ask people as they came along, ‘Will you vote for my daddy?’

In 1972, Al became Minister for Immigration but, as might be expected, he took a wider rather than a narrower interpretation of his portfolio interests. As befitted a revolutionary, Al had been a big supporter of Eureka and had always wanted it celebrated in a grand way. Three days into government, Al had the bold idea to take a platoon of troops to Ballarat for the big day. He walked into Lance Barnard’s office, who was then the minister for the Army. Al asked Lance for a platoon of troops to take to Ballarat. Lance looked at Al with horror and said, ‘Good God, Al, we have been in government for only three days and we are already under attack!’ Nonetheless, he was very happy to hear why Al wanted the troops, and he granted his wish. That was the start of the great Eureka celebrations, and it was a moving tribute to Al Grassby that the city of Ballarat, upon hearing of his funeral, presented a Eureka flag to Al’s family in his honour. It was draped over Al’s portrait at his funeral and, as a mark of the esteem with which Al was held, the surviving relatives of those who fought at the Eureka Stockade had all signed it.

As a harbinger of the great multicultural revolution he was later to be credited with inspiring, Al took an interest in the wellbeing of not just migrants, through his portfolio, but also Indigenous Australians. As a member of the federal parliament, Al attained the position of immigration minister in the Whitlam Labor government from 1972 to 1974. During this time he introduced a variety of wide-ranging reforms in citizenship, immigration, services for people from non-English-speaking backgrounds and Indigenous affairs. This included introducing community radio in a range of languages for the first time. He banned racially selected sporting teams from playing in Australia and also applied new non-discriminatory procedures for the selection of migrants and the issue of tourist visas.

The government in 1974 was forced to an election and Al lost the seat, but he still had a lifetime to devote to removing discrimination and promoting multiculturalism. Following the passage of the Racial Discrimination Act, Al Grassby was appointed the Commissioner for Community Relations. With two staff, he set about putting it into action. At the launch of the Office of the Commissioner for Community Relations, Gough Whitlam said:

The Racial Discrimination Act wrote it firmly into the legislation that Australia is in reality a multicultural nation, in which the linguistic and cultural heritage of the Aboriginal people and of peoples from all parts of the world can find an honoured place. ... For the first time Australia affirmed its opposition to all forms of racial discrimination ...

Following this appointment, Al continued his lifelong commitment to humanitarian causes. He would go anywhere in Australia, speaking at a dinner or function at his expense—not asking for a fee. If there was a good cause, he would be there, applying himself to many diverse challenges over the years. He was the Director of International Operations for Australian INFO International, which included a special assignment for UNESCO.
with the international schools program in seven countries. He reviewed the multicultural information services of New South Wales health services and examined Aboriginal Australian experience of land management in Northern Australia, which included drafting land management curriculum for Charles Sturt University.

In 1985 Al was awarded an Order of Australia in recognition of his work in immigration. In 1986 he was recognised by the United Nations when he was awarded the UN peace medal. He had changed Australia significantly. He had made a commitment at a very personal level to work to create an Australia free from intolerance and racial prejudice. Time has shown what a precious gift this was and how much it is worth fighting to preserve. I would like to quote his daughter, Gabriella, who I think summed him up very eloquently. She is quoted as saying:

… her father’s legacy was opening Australia up to being a rich, blended and tolerant society. He was the instigator of “so many powerful things we take for granted now” ...

For the rest of his life, Al continued to change Australia and have a positive impact through his participation in many public debates. He wrote and co-wrote a number of books with Marji Hill and Alex Barlow, and he applied considerable energy to personally helping people solve seemingly intractable problems. After making Canberra his home, he became active in the local ALP and held office in the Belconnen sub-branch for many years. He became a life member of the ACT branch of the Australian Labor Party in 1997.

Al also supported his wife, Ellnor, in every endeavour and encouraged Ellnor to stand successfully for the ACT assembly in which she later became a minister. He worked as hard for her as she had for him over the years. As recently as 2001, Al took on yet another challenge when he became the founding director of the Multicultural Business Council. Many people will always be grateful for the ongoing support Al gave to local entrepreneurial endeavours in the community, arts and business sectors.

Al’s commitment to Open Family, a charity devoted to keeping kids off the street, led to another Grassby institution here in Canberra—the monthly lunches held at the Press Club with up to 200 people attending were a legend. Being such a marvellous raconteur, Al would meticulously record and announce the comings and goings of members of the diplomatic corps; community, business and arts initiatives; and the births, deaths and marriages and other noteworthy events in the extraordinarily wide circle of friends that he had. It is testimony to his energy that these lunches continued right up to his death, albeit quarterly rather than monthly.

The Grassbys have faced many challenges together over the years and constituted a couple with personality to spare. I was privileged to gain a personal insight when I attended their 43rd wedding anniversary party at their home earlier this year. It was a typical large, warm, diverse crowd and Al, although his health was suffering, gave a lovely speech in which he paid tribute to his wife, Ellnor. Today my thoughts are with Ellnor, Gabriella and her husband Lionel, and Al’s grandson, Khedra. The Grassby family acknowledge and thank the Prime Minister for granting Al the honour of a state funeral. I would like to take this opportunity to offer my heartfelt condolences to them once again.

Question agreed to, honourable senators standing in their places.

Sir Johannes (Joh) Bjelke-Petersen

Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (10.13 am)—by leave—I move:
That the Senate record its deep regret at the death, on 23 April 2005, of the Honourable Sir Johannes Bjelke-Petersen, KCMG, former Premier of the state of Queensland, and places on record its appreciation of his long public service and tenders its profound sympathy to his family in their bereavement.

It is a solemn moment for me and for people in the government, particularly those of the National Party, as we pay tribute to the life of Queensland’s best-known and most influential Premier, Sir Joh Bjelke-Petersen. For me, Sir Joh was a political mentor and a friend. I entered politics 22 years ago in the prime of Sir Joh’s premiership. My first Senate ticket was led by Lady Flo.

The Joh days were the glory days for the Queensland Nationals. There was confidence going to the people with a strong leader and that saw Sir Joh’s government returned many times with an increasing popular vote for the National Party. The National Party vote rose from 27.88 per cent to 39.64 per cent in 1986. With support built on conservative Christian values and strong rural and small business support, the combined conservative vote hovered around the 54 per cent mark from 1974 to 1986. The Labor vote got to 44 per cent in 1983 and was 36 per cent in 1974. As Joh’s vote increased, he took it as an endorsement of the way he governed. His belief was that his power came from the people. It was not the gerrymander that kept the ALP out and the National Party in government; it was Joh Bjelke-Petersen.

Joh’s loss is indeed a great loss for Queensland as well as for Australia and of course his family. He entered parliament as the member for Nanango in 1946, spending almost 20 years of his 40 years in parliament as the Premier of Queensland. Anyone who knows Australia’s history acknowledges Sir Joh’s strong leadership. He had political skills and made a huge impact on Queensland and on the wider stage of the national politics of his time. People remember the development of Queensland under Joh’s leadership. He took it from an economic Cinderella to an economic powerhouse. Some of the things he did included the Burdekin Dam, the Brisbane Commonwealth Games, modernising and electrifying the Queensland railway system, the Gateway Bridge—all those sorts of achievements. He was the father of the Queensland tourist industry. He developed the airports and the tourism hot spots on the Gold Coast and the Sunshine Coast and took great pleasure in watching high-rise buildings grow in these areas and in Brisbane. One of his measures of success was the cranes on the skyline.

Sir Joh has left a great legacy in the mining industry in Queensland. With the support of Western Australia’s Sir Charles Court, he cut through the black tape, the red tape and any green tape to encourage foreign investment and to get these industries up to their potential. We are the ones who benefit now from his hard work and his foresight. The mining industry paved the way for the great economic success of this nation now. He also built more hospitals and schools and got them running efficiently and effectively, particularly in regional and rural areas. He famously removed death duties in Queensland, forcing their removal throughout the nation. Joh did this because he was concerned that, if farmers and graziers had three losses in the family in quick succession, the value of the property was written right out. So he did it particularly for those people in rural areas. He also refused to put a state tax on fuel, resulting in Queensland having the advantage of lower fuel prices to this day.

These are things that most people know about Sir Joh and they will remember him and they will remember those things about him. I would like to present a picture of the Sir Joh that I knew for 31 years, and I believe that picture deserves to be remembered.
Joh’s political Excalibur was forged on the anvil of Whitlam, who spread horror through the conservative ranks and stimulated activity in many who previously were political agnostics. I was one who rose to the call. Whitlam brought me into politics and introduced me to Sir Joh. There was reassurance from Queensland that Sir Joh’s strength and determination meant he would do what he felt was the right thing. His judgment was not always correct and at times he was loyal when he should have been more circumspect.

He also took on too much by insisting on staying accessible to all constituents and media. I can recall one issue that virtually got me into politics. It was the trading hours issue, which raised its head in the 1980s. I was asked to lead a delegation of all the small business people representing the chemists, the newsagents, the butchers and the hardware stores. I think there were about 18 people. I told the Premier then how unrestricted trading hours would affect the lives of small business people. They would have no extra revenue but would lose market share and the hours would destroy the family. I said to him, and I recall this as if it were yesterday: ‘Joh, if you allow this to happen, the shop assistants and owners will have to work on Saturdays and Sundays. It will destroy their family and the children will be home by themselves. They won’t be able to go to church.’ His immediate reply was, ‘This is a desecration of Sunday and it won’t happen while I’m Premier.’ It never did. Joh did try Saturday afternoon trading at one stage. He always had an open line policy and he received a call from a Redcliffe butcher who said, ‘Joh, I’ve been open all Saturday afternoon and I’ve sold four rissoles.’ That was the end of Saturday afternoon trading. Joh went on to be the first Premier to introduce lease legislation to protect small tenants in shopping centres, against the interests of his big business backers, putting into practice what he believed.

There was never a dull moment with Joh. You could go around Queensland and go around Australia and you could ring him from anywhere. I recall that once I was in Townsville talking to the fishermen. The harbourmaster had prevented them from going in to unload and refuel, so I rang Joh up. He said, ‘You tell the harbourmaster that if he wants to be harbourmaster he should let them in.’ I relayed that message and the harbourmaster told me that he was the harbourmaster. So Joh rang up and told him in no uncertain terms that the fishermen were to be looked after. They were to unload and refuel in the harbour. The result of that was that he built the fishermen a new trawler harbour at Ross River and a new marina complex. You could probably reproach him on the grounds of process but not on justice or resource allocation. He was always ready to help the battlers.

Joh had a soft spot for the self-employed, from kangaroo shooters, fishermen, farmers, beekeepers and small business people to retailers. They could ring him direct, and many of them did. On Sunday afternoon a lot of people rang him. He had an open line policy and he was accessible and responsive to people’s needs. From siting beehives in state forests to the issuing of kangaroo tags, no matter who you were, he listened and acted.

Joh was certainly not an economic rationalist. He saw his role as a builder, a job creator and a wealth provider. If a country school was going to close for lack of numbers he could always find a policeman with five kids to build the numbers up in the school and keep it open. Trains would be run on lines that were underutilised so that we could keep people out in the west to sustain the towns and the schools. Sometimes the rail workers appreciated it; sometimes they did not.
During Joh's premiership, I remember local people in a town in western Queensland found two Labor votes in a ballot box, and they were very suspicious. At the end of the day they realised that the train driver and the guard had both voted, and they were the two Labor votes. At another election in Stanford, a small town, the train came in, the driver voted, the guard voted and, at the end of the day, it was 30 votes to nil in Stanford. So he touched a lot of people, and a lot of blue-collar workers supported him.

Joh was born in 1911 and was a self-made man with little education. However, despite popular belief, he valued education highly. His drive to build, grow, develop and help people pull themselves up nowadays would be dismissed as patronising and picking winners, but in part it came from his early life experience. From talks I had with Joh it appeared that his family lived almost at a subsistence level. They grew corn, sold what they could to the Brisbane carriers that had horses at the time and fed their own horses and cows on what was left. When Joh bought his first tractor he told me that the farmers who came around to inspect it said: 'Joh, how are you going to ever get rid of your corn if you don't have horses to eat it? If you don't keep the horses, you just won't be able to get rid of your corn.'

A lot of criticism has been levelled at Joh's approach to Aboriginal and Islander issues, but that is not the Joh that I knew. At one time Joh conveyed to me how he had established the community of Hopevale after World War II. The former Aboriginal community in the Hopevale area, Cape Bedford, had been run by German Lutheran missionaries. When the war started, the authorities entered the mission and transferred the Aboriginal people to Warrabinda, just outside Rockhampton. A significant proportion died of disease and, at the end of the war, the remaining people asked Joh as a Lutheran and the newly elected member for Barambah to return them to their country, to Hopevale. They asked Joh to take them home.

Joh got the go-ahead from the minister to take them back on the understanding that housing, a hospital and a school would be provided. He rode out into the bush with an Aboriginal friend Leo Rosendale—his son Lester attended and read at Joh's funeral—marked out the new town, identified a water supply, moved war surplus buildings and huts from the Cooktown airstrip, built the new township and arranged for the Aboriginal people to return home. Hopevale was born.

On one occasion I accompanied Flo and Joh to an Aboriginal settlement at Hopevale. When we were out there, one of the Aboriginal people who had worked for Joh during the war greeted Flo, saying, 'Flo, you and Joh were the only people I ever worked for who asked me to sit at their table in the house.' Joh stopped Whitlam from handing over half of the Torres Strait to Papua New Guinea. After independence was declared in 1975, the people wanted to remain as part of Australia. Island elder Getano Lui Sr made a statement at the time: 'Not a spoon of water, not a grain of sand, will be given away.' Tensions built up and Joh flew into the Torres Strait, addressed his fellow Queenslanders and declared Queensland's sovereignty would continue. It did. George Mye, a senior island elder, attended Joh's state funeral, saying he remained indebted to Joh for standing by his people.

There was a time when Joh was campaigning on Thursday Island and he was asked to visit the dying patriarch of the Mills family. The Mills had been the owners of a Torres Strait island, Nahgi, and they left it in 1948. The dying patriarch requested that the title of ownership of the island be transferred back to the family and he said that he could
only die in peace when that had happened. Joh simply told him that he could rest peacefully as he would transfer the title back, and he did. That is the sort of Joh that I knew, and he has been denigrated and kicked for his treatment of Aboriginals. He certainly did not ever let them down when I knew him.

Joh is now put to rest and I mourn the loss of a friend from whom I learnt the values of action and leadership. I learnt from the Joh that the reason for being in the National Party was to wield political power for family values and economic development, because that meant jobs in small business and opportunities for families. From 1974 until the Thursday before his death, I kept in contact with Joh. Even when he was an old man he believed that what he did was right. He made things go, he built new things and he made Queensland, Queensland.

Around 4,000 to 5,000 people from all over Queensland and Australia turned out to farewell Sir Joh at his state funeral in Kingaroy—and I thank Peter Beattie for the courtesy that he offered Joh last Tuesday. This is a good indication of the respect that he commanded from his fellow Queenslanders and his contemporaries in other states. Sir Joh Bjelke-Petersen has crossed the Queensland border for the last time, and with Joh’s passing and laying to rest, I mourn the loss of a long-time friend and a time of certainty. On behalf of the coalition, I would like to extend my sincere condolences and offer my continued support to Lady Flo and the whole Bjelke-Petersen family. I know the loss of Joh will be felt most deeply by them and by thousands of Queenslanders and Australians.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (10.29 am)—I would like to speak on this motion of condolence. I note that it is a bit unusual for us to have a condolence motion on a former Premier. I understand that it is not past practice and also that the motion was not moved by the government but that Senator Boswell sought leave to move it. I want to offer a few words in support of the motion on the death of Sir Joh Bjelke-Petersen, former Premier of Queensland, who died on April 23 this year. Joh Bjelke-Petersen was, if nothing else, an enigmatic political figure who made a huge impression on Australian political life during his 19 years as Queensland Premier.

Interestingly, Sir Joh was actually a Kiwi. He was born in New Zealand in 1911, and his family returned to Australia in 1913. He was unfortunate in his early life in contracting polio at the age of nine. He left school at 13 and worked on the family farm. His work clearing the land on the farm led him into the business of contract land clearing. Later, he acquired an aeroplane and moved into the aerial-spraying and aerial-seeding business. That was followed by mineral and oil exploration and later trading in stocks and shares. So he was very much a self-made man.

Sir Joh entered the Queensland parliament in 1947 as the member for Nanango and served as the member for Barambah from 1950 until his retirement in 1987. He was Minister for Works and Housing from 1963 until 1968, when he became Premier following the death of Jack Pizzey. From 1983 he was also responsible for the Treasury portfolio. Joh Bjelke-Petersen was one of Australia’s longest serving premiers and probably one of the best known political figures of his time. He presided over a period of growth and prosperity in Queensland and many people have given him credit as an agent of that economic success.

On the national stage, he set a trend on the abolition of death duties, supported major infrastructure development and was a champion of states’ rights. He also made a big impression on the national political stage
with his unsuccessful Joh for PM campaign in the lead-up to the 1987 federal election, where in true style he described his campaign with the words, ‘I’m a bushfire raging across the country.’ I think it was one of the few occasions on which the Labor Party appreciated his contribution to national political life, as he destroyed the political chances of the then Leader of the Opposition, John Howard. But, in more normal times, Joh was a very strong opponent and combatant of the Labor Party. As Jenny Macklin, our deputy leader, put it recently, ‘Labor had no more vigorous opponent than Sir Joh.’

Sir Joh obviously had a very distinctive personal style, both in the way he ran Queensland and in his media persona. His manner with the media was often the subject of humour, but it also showed a confidence in himself and in what he believed was best for his state. He was a classic example of a political figure who, as the age of television emerged, largely disappeared from politics, but Sir Joh raged against the dying of the light and kept his very distinctive style.

There is no doubt Sir Joh was a controversial character. People either loved or hated him. Everyone had a view about the Queensland Premier, even those of us in far-flung Western Australia. While I had no personal dealings with Sir Joh, he had a big impact on my political development. His banning of street marches and demonstrations in Queensland was one of the spurs to my early political activity, and I think the first letter I ever got published in the West Australian was protesting against that ban, for which I was attacked vigorously by farmers from all over Western Australia on the following day in the editor’s page. Sir Joh certainly had an impact on my political development, just as he had an impact on Senator Boswell’s, but perhaps for different reasons. That issue of banning the right of people to protest also became a big issue in Western Australia, where we had the WA fuel and energy bill and had a similar campaign about the right of public protest. It was instrumental in my political development and it was my first real political campaign. It politicised a lot of people in Western Australia, and obviously in Queensland as well.

A number of senators, particularly Queensland senators, have spoken before about Sir Joh’s role in their political development. They are either pro or anti him, but he was certainly a character who encouraged people to respond strongly and get involved. As I said, since his death tributes and criticisms have been made about his time as Premier. I do not think it is the time to debate his political legacy. Obviously, following the Fitzgerald royal commission, there was a change of direction in much of what happened in Queensland. But today I think it is important that we recognise that Sir Joh was a larger-than-life character who made a huge contribution to Queensland life and politics and led his state for almost two decades. In particular, the opposition would like to send our condolences to his family, particularly former senator Lady Bjelke-Petersen, who had left the Senate by the time I entered it but who seems to have been warmly regarded as a fine woman by everyone around the Senate. We send our sympathies in particular to her, but also to the rest of Sir Joh’s family and friends.

Senator BARTLETT (Queensland) (10.35 am)—This condolence motion on Sir Joh Bjelke-Petersen that has been moved by Senator Boswell presents me with quite a dilemma. I recognise that there is a time and a place for certain comments and that certain environments and contexts are not ideal to raise various issues. I did not oppose the decision of the state Premier, Mr Beattie, to grant a state funeral to Sir Joh, despite the very strong criticisms I was making at the time about his record as Premier. I have pub-
licly stated that I thought plans to picket his funeral were plain stupid.

However, I also note that in a few key respects it is, if not unprecedented, certainly very rare to have a formal debate on a condolence motion for a former state Premier in the same way as we have been having other condolence motions in the last day or two. To use a fairly recent example: after the death of Jim Bacon in Tasmania—who did not die in office but fairly soon after leaving it—we simply had people making speeches noting his life in an adjournment debate rather than speaking to a formal condolence motion. It is that aspect that gives me concern. I have made strong comments on the record about the negative aspects of Joh Bjelke-Petersen’s legacy to democracy and the rule of law in Queensland and the impact of that legacy around Australia. Passing an unprecedented motion of condolence for a state Premier, when we have not done the same thing for many others, is something that concerns me in the message it sends.

I am quite prepared to, and indeed will in a minute, speak about the positive contributions of Joh Bjelke-Petersen and the interesting aspects of his life which I think are worth looking at, because he was certainly an extraordinary man in many respects. Senator Boswell touched on some of those things. But a person’s legacy—certainly when he has been Premier, like Joh Bjelke-Petersen was—is wider than just his individual life; it is the legacy his government leaves and, in particular, the legacy it leaves to our system of democracy. I do not believe it is helpful for the future health of democracy to be seen to be giving an extra level of endorsement to that aspect of the legacy of Joh Bjelke-Petersen’s government.

As I said in my previous contribution on Al Grassby, I do believe it is appropriate, within reason, not to be simply unstintingly praising of people and looking at all the good bits and just whitewashing all the negatives out of people’s lives. I am sure people can point to plenty of negatives in each of our contributions in debates like this. Obviously it is appropriate to emphasise the positive, but I suppose, particularly because of being a senator for Queensland, having lived my whole life in Queensland and having lived through all of the Bjelke-Petersen era when he was Premier, I feel I have an obligation to put some things on the record from the other side of things, from the negative aspects of his legacy. That is not a personal issue with Joh Bjelke-Petersen, whom I never actually met; I believe it is important because, if we do not express strong views about those negatives—because they were so extreme—then we really run the risk of giving tacit approval to their being repeated.

As Senator Boswell pointed out, quite rightly, it is one of the myths of the Bjelke-Petersen era that the so-called gerrymander kept Labor out of office and kept him in. I think it is pretty clear that the gerrymander, or malapportionment, or a bit of a combination of both, disadvantaged the Liberal Party in Queensland in a way that they still have not recovered from, but at no stage did Labor get even near the 50 per cent of the primary vote that could enable them to complain about being robbed. That does not mean that it was a fair electoral system, but I think the point should be made by critics of the Bjelke-Petersen era that Labor simply did not get sufficient primary votes to get into government and people should not assume that it was just because of the gerrymander or the malapportionment that that happened.

There is also no doubt that, over time, and particularly in his last two elections, Joh Bjelke-Petersen got more popular with Queenslanders—a source of immense frustration to those of us with whom he was immensely unpopular. But he did get that sup-
port. It still was not majority support. When he did get majority government, it was on the basis of a primary vote that was, I think, 39 per cent, which was about the level that I think Mr Hawke got elected with once—perhaps in the 1990 election. Certainly it was not majority support, but it was not outside the realms of examples in other states. I say that not to excuse the electoral system, which was totally unacceptable and has thankfully been changed—although not in the way I would have liked—but simply to say that people should not overstate the suggestion that he was kept in by some dodgy system and for no other reason. In looking at his record, it is appropriate for those of us who were opposed to key aspects of what he did to acknowledge he did have significant public support and ask ourselves why. When looking at the negative aspects of his legacy, we should take such questions into account and try to ensure that the same things do not happen again.

There is no doubt that Joh Bjelke-Petersen contributed significantly to Queensland’s economic prosperity, and that is an important thing. There is no doubt that, in doing that, he brought about a fair bit of environmental damage, but he was certainly not unusual for people of his era, from all states, in the way he went about opening up agricultural areas, building a great number of dams and doing large-scale land-clearing. That caused a lot of damage, but it certainly was not something that was out of character for the times. It was interesting reading an interview in the *Weekend Australian Magazine* the weekend before last where Joh Bjelke-Petersen was speaking to somebody about his early years on properties around Kingaroy. It was quite an extraordinary lifestyle that he lived—years of basically living on his own on a property, just clearing the land, tree by tree, with axes, saws and horses. It is a lifestyle that I do not think many of us could imagine, in an area which now seems close to Brisbane but which, at the time, would have been seen to be a long way from the city.

That gives an idea of the different era and also the extreme determination and particular character that Joh Bjelke-Petersen had as a person, and I guess his single-mindedness. With all of us, single-mindedness in certain contexts can be a very desirable quality and in others it can be very undesirable. It depends on what you are being single-minded about. I think those aspects of his life and his character are ones that are worth noting and making ourselves aware of. We benefit from studying the pros and cons of historical figures that have had significant impacts on the political systems in all states.

As I said at the time, I think the key issue for me, when looking at the legacy of Joh Bjelke-Petersen and his governments, is that economic prosperity happened—there is no doubt about that. There are one or two things I would specifically say that I was concerned about at the time, not the least being Expo 88 because of its potential impact on the surrounding communities—which I lived in at the time, around West End. Nonetheless, that did have a very significant positive impact in opening up Brisbane and modernising it. That is something which, I now concede quite willingly, was a good move for Brisbane. My fears, broadly speaking, did not bear fruit.

The fact is you can have economic prosperity without subverting the rule of law, without subverting democracy and without subverting the proper operation of the police force. That subversion did happen and it happened in a very extreme way. I suggest that he was not the only state Premier of Queensland or the only state Premier around Australia who had aspects of his administration which, if looked back on now, would be heavily criticised. But I do believe there
were some specific aspects, certainly in the Queensland context from my knowledge, that were sufficiently extreme that they should always be mentioned in contexts like this to guard against them happening again. They were beyond the dodgy electoral system and beyond even cops on the take from prostitution and gambling. Sadly, they are not uncommon aspects of Australian history. However, it was the utilisation of the police force for political purposes, the willingness of the police force to be bent and to be used literally as a political arm of the government, that has had an immensely traumatic effect on many Queenslanders. I do believe I have a duty to them to put that on the record now.

It was very different in those days. As I said, I lived through the Bjelke-Petersen era. I was four, I think, when he became Premier, I was 23 when he stopped being Premier and I was 25 when the Country Party finally ceased being in office. That had an immense impact on me and on many of the people in the circles in which I moved at that time. There are obviously plenty of other people for whom the era had a positive impact, and it is appropriate for that to be acknowledged as well. But the intimidation, violence and harassment of people who were seen as political enemies of the government by the police—the special branch and the like—was very real and very deep. It did have a very big impact on people and it was completely inappropriate. That has to be put on the record.

I point people to a very good article written by Liz Willis, whom I knew from that time and know now, which was published in the *Sydney Morning Herald* a few days after Joh Bjelke-Petersen’s death. That article was about Joh’s unintended positive artistic legacy. Perhaps the artistic legacy of Joh Bjelke-Petersen is not something that people would immediately think of. The oppositional culture, if you like, that was generated by different groups in the community that felt oppressed, opposed or concerned by the Bjelke-Petersen government brought them together in quite a significant way that has not happened since. I am not recommending that style of government to generate more artistic frisson. Nonetheless, I think it should be marked; it was a key part of Brisbane’s cultural development over that era—through music, theatre, the arts, media, comedy and satire.

It also had an effect on politics. Many Queenslanders, from all sides of politics I think, were driven to become more interested and engaged with politics, not just in political parties but by being involved in political issues. For better or for worse, they were made aware that politics was important, it could affect people’s lives and you should stand up and be counted. That aspect of Joh Bjelke-Petersen’s impact, I would also say, was a positive as well as a negative. He did say what he thought. He was very black and white. He would continue to push something that he was convinced about, and that perhaps also helped engender some extra determination in those who were opposed to him.

I was heavily involved through much of the eighties in community radio station 4ZZZ FM, which was very active in getting and supporting political involvement for those who were opposed to aspects of the government of that time and a lot of marginalised groups in the community. Sure they were minorities, but minorities have rights as well, and that was what people were concerned about. The ability of that radio station to broadcast views and information to people in the notorious, now closed-down, Boggo Road prison, for example, was a very valuable role. I think perhaps, if anything, the most significant aspect that that radio station was able to generate from that era was the involvement of the Murri people, the Aboriginal people, and the Torres Strait Islander
people from Queensland. It gave them a voice through radio and the media and it gave them empowerment at a time when many of them felt strongly oppressed.

I note Senator Boswell’s comments about Joh Bjelke-Petersen’s experiences with and attitudes towards Indigenous people. I do not know about that because I do not have those experiences, but I do know of situations such as the continual fight against Johnny Koowarta in the cape to prevent him from taking over a pastoral lease. That fight went all the way to the High Court. Eventually that land was turned into a national park to prevent Johnny Koowarta and the Aboriginal people from getting hold of it. I think moving people around Arukun and the New Mapoon area so their homes could be used for a mine was very inappropriate. There were certainly different sides to this, but I do accept that it is appropriate to put all the sides and not just put a totally black or a totally white view on it.

Concern amongst many of the Indigenous communities in Brisbane at the time was very strong and there is still a legacy there today. That legacy is not just pinned solely on that era, of course; there is a legacy that goes back centuries in relation to the continual feeling of disadvantage and disenfranchisement of Aboriginal people in Queensland. However, the Bjelke-Petersen era played a part in that and it still has echoes in some of the terrible things we are seeing on Palm Island.

The ability of the Murri people in Brisbane to have a voice through 4ZZZ radio—which started off as just one hour then went on to have more time and which has eventually become radio station 4AAA, which I am sure has more listeners than 4ZZZ did—has provided a really valuable legacy. It is an inadvertent one but one nonetheless generated by that time. It is an example of some of the richer aspects and some of the less-recognised aspects of the impacts of the approaches in that era.

Issues like the demolition of the Bellevue Hotel and Cloudland in particular are ones that will always leave a mark on me. I can look out my back window every night at where Cloudland was. I think it is an absolute tragedy that that was lost. That was perhaps also a sign of the way things were done at the time, but that is not going to stop me criticising it as being the wrong thing to do.

I come back to the fact that we are clearly talking about a unique person who certainly had an indelible impact on people of my generation and older. If you are a Queenslander, you talk about people who lived through the Joh era and people who have come since. It was a very different place then. Not all of the changes are for the good, and I certainly do not suggest that we do not have political favouritism and nepotism in Queensland or at government levels around the country now. In some respects Joh was just more blatant about it and did not bother with the slick veneer of trying to pretend that that sort of favouritism was not happening.

People not feeling able to express their views and speak out is something that is still there. It is not something that was unique to the Joh Bjelke-Petersen era. It is a danger that occurs with any government that is in place for a long time. His government was in place for a long time. It is a danger for and a criticism I have made of this government—the longer they are in there, the more blase they get about rewarding their friends, attacking critics and being dismissive of differences of opinion. It is something we must always guard against.

But, in the same way that there was something special about Joh Bjelke-Petersen in his determination, his single-mindedness and his enormous strength and energy, there is
also something unique about the negative aspects of his government. I do believe it is essential to put that on the record, because I believe it is important to make that point strongly. More than anything else, above any individual policies, my involvement in politics has been about giving support as a democrat in the true sense of the word—with a commitment to democracy and participation. I believe that anything that so strongly works against that should have a bell put on it to make sure that we do not repeat those mistakes or see them as just unfortunate consequences of the way things happen sometimes. It is because of the unique aspect of the motion that I have problems supporting it.

I do give my condolences to the family. I unequivocally acknowledge the strong role of Flo Bjelke-Petersen, someone I have heard very few criticisms of from my Democrat colleagues who were here when she was in this chamber. She was clearly a fine person. Clearly Joh Bjelke-Petersen was loved by his family.

Senator HILL (South Australia—Leader of the Government in the Senate) (10.56 am)—I rise to associate the Liberal Party with the motion of condolence that has been moved by my colleague Senator Boswell. He has well and comprehensively set out the record of the late Sir Joh Bjelke-Petersen. I think there is no doubt why Joh is still so well regarded in Queensland: it is because of his focus on building the infrastructure and economic prosperity of the state, which has flowed to the benefit of the Queenslanders of today and which will benefit the Queenslanders of tomorrow. Whilst there can be a debate about aspects of his legacy—and Senator Bartlett has entered that debate—there is a lot on the positive side which should also be remembered and which, as I said, is really the cornerstone of the economic strength of Queensland today.

In a personal sense, I knew Sir Joh only as the spouse of Lady Flo. In fact, the only times I ever met him were when he came to Canberra as a spouse rather than as a Premier. I do not think he enjoyed coming to Canberra, but he did so as a dutiful husband. So my personal contact has been very different from that of many others. However, I not only knew Flo as a colleague but regarded her as a friend, as no doubt all of my colleagues did. So, with the passing of Joh, we particularly think of Flo and their children and others in the family who have personally suffered a great loss.

There is no doubt that it has not been an easy time for the family since the retirement of Sir Joh, but the family have managed these issues with dignity. His passing is just a further burden upon them in itself. It is with great sincerity that those on my side of the chamber wish to extend condolences to Flo and to their children, remembering that Sir Joh left a legacy which has contributed to improved opportunities for and the economic wellbeing of so many of the people of Queensland. I think that is an aspect they should look back upon in a proud way.

Senator McGAURAN (Victoria) (10.59 am)—I offer my condolences to the Bjelke-Petersen family, particularly to former senator Flo Bjelke-Petersen, whom I had the pleasure of calling a colleague in this parliament. Flo has lost her husband and we have lost a political giant not only in the National Party but also in this country. I attended Sir Joh’s funeral along with thousands of others. It was his son John who so well summed up his life from the early days of utter struggle. He described how the man was shaped by his humble beginnings, etching out a living in the bush, ever true to his faith and unhindered by his polio handicap.

He was one who used his life’s experiences in politics to build what every speaker
at the service agreed is a modern Queensland. That explosion of growth in Queensland had a wave effect on the rest of the country’s economy. The Queensland boom greatly affected Victoria. It really did begin the great Victorian exodus of people to Queensland along the Gold Coast. I can say that at least we got a good football team out of it. It was Joh who led Queensland tourism to become an industry of huge proportions today. He was the first one to go on television and sell that great slogan that epitomises Queensland and still holds strong today: ‘Queensland: beautiful one day, perfect the next’.

I thank Joh and Flo, who in 1987 made special trips to Melbourne to campaign for me when I first ran for the Senate. I was running against the odds, and their very high-profile intervention, as you could imagine, without doubt helped in a big way to get me elected. Trying to explain the situation at the time is very difficult. You would have to know the machinations of the political arena at the time. One word that does come to mind is Byzantine, meaning that it had many layers and was surely complex. Victoria, like every state, was caught up in the coalition split, the rupture within The Nationals and a federal election to boot. The Victorian party made the decision to have its Senate ticket linked with Joh’s push for Canberra, while The Nationals candidates for the House of Representatives remained separate. This decision was made in the name of unity of the Victorian and federal parties. By appeasing both sides, we hoped to stop a breakout of members and candidates. The decision, or gamble, was proven a success, with all members of the House of Representatives returned and a senator elected—a historic achievement in itself. So, from the rubble of 1987, I arose.

That was only a phase in Joh’s career. The year before that, 1986, saw his greatest election victory. It was his crowning glory in politics. The campaign’s sheer brilliance lay in its simplicity in whipping up Queensland pride. Many of you will remember that that was the election that he was predicted to lose. The media had written him off and he used that famous line, ‘I’m going to buy you all a brush so you can wash the egg off your face.’ One of the deciding points—and, as I say, brilliant in its simplicity but strong in its message by whipping up Queensland pride—was to produce a map of Australia showing Queensland as green and the rest of the country as red, beholden to Labor state governments and a Labor government in Canberra. Of course, the message was to keep Queensland away from the red menace.

Remarkably, Joh was in politics for over 40 years. He was first elected to the Queensland parliament in 1946, a tiring thought for some but not for Sir Joh—he never tired. He became leader in 1968, and it was said that he was a temporary compromise candidate, but he shone in leadership. It could never be said that he did not know how to lead. He always got way out in front and was always stretching his supply lines. His political style was loved and hated. That is because he had no bluff in him. His style can be summed up by the phrase said to be a Sir Joh original. He was having trouble with a certain political party, which is not unusual in Queensland. To resolve the matter, Joh simply said, ‘If you give me a problem, I’ll give you a bigger one back.’ The matter was resolved. His leadership and style is what the people of Queensland knew him for and why he was so popular and is so well remembered by so many. We remember him today in the Australian Senate.

Question agreed to, honourable senators standing in their places.
SENATE  
Wednesday, 11 May 2005

SEA KING HELICOPTER ACCIDENT

Senator HILL (South Australia—Leader of the Government in the Senate) (11.05 am)—I move:

That the Senate—

(a) records its deep regret at the death of nine servicemen and women and serious injuries to two further servicemen on the island of Nias, Indonesia, on 2 April 2005 as a result of a helicopter accident;

(b) notes that these men and women were engaged in a humanitarian mission to provide medical assistance following a devastating earthquake;

(c) expresses its sincere condolences to the families and loved ones of those who died and wishes those injured an early and full recovery;

(d) recognises that there are inherent risks in military service, whether in war or peace operations; and

(e) acknowledges with gratitude the commitment and contribution of our service personnel.

One of the great honours I have had as defence minister is the chance to visit ADF troops in the field to see them at work on all types of tasks in theatres of operation all over the world. In January I had the privilege to see the men and women of the ADF engaged in the largest humanitarian mission in the history of our Defence Force. They were going about their task of providing aid and comfort to the poor people of Indonesia with the usual Australian good humour and resourcefulness. Front and centre in that relief effort was the crew of the HMAS Kanimbla and her Sea King helicopters. I was able to view the devastation at Banda Aceh from on board the Kanimbla’s Sea King and, as always, I was struck by the professionalism of the helicopter crews. I was also able to meet medical teams at the ANZAC hospital and see first-hand the difference they were making in people’s lives.

To our great sorrow, some of those magnificent young men and women were lost in the crash of one of the Sea King helicopters on the island of Nias on 2 April this year. The blow was doubly cruel, as the Kanimbla had been on her way home from Aceh when she was recalled to assist in the earthquake disaster which had once again afflicted Indonesia.

Lieutenants Matthew Davey, Matthew Goodall, Paul Kimlin and Jonathan King; Petty Officer Stephen Slattery; Leading Seaman Scott Bennet; Squadron Leader Paul McCarthy; Flight Lieutenant Lynne Rowbothom; and Sergeant Wendy Jones would no doubt have described themselves as ordinary Australians. A glance at their life stories, though, shows us that every single one was a high achiever, a young person of enormous potential. What also sets them apart is that they were doing good deeds in the name of Australia. They were doing things in our name to help the people of Indonesia who were afflicted by disaster, and they were doing so with the spirit and courage for which the Australian Defence Force is justly famous.

This tragedy reminds us of the risks faced by all our service personnel, who stand ready to deploy at any time in the service of this nation. The nine victims and two survivors of this terrible accident were carrying on the traditions established by so many Australians before them. We send our best wishes to the survivors for a quick and complete recovery. We honour the sacrifice of those who died. We send our inadequate words of condolence to those they left behind and we trust that their families may draw some small comfort from the fact that all of them died doing what they loved. They did it well, and what they did was important to those in need. On behalf of honourable senators, I acknowledge with gratitude the service and sacrifice of our
Australian Defence Force personnel. I commend the motion to the Senate.

Senator MARK BISHOP (Western Australia) (11.09 am)—The opposition join the Minister for Defence and the government in supporting the motion before the chair, on the Sea King accident in Nias. Our hearts go out to the families of these fine young people. They were doing their duty in the service of Australia. We very much regret their loss. Their cause was not war; it was peace. It was about caring for people in circumstances of total loss, destruction and calamity. But the circumstances do not really matter: death does not discriminate.

Our region has seen much natural destruction in the last six months. Our defence forces have at short notice been thrown into a number of situations in recent years. They have all entailed supreme commitment and devotion to service. It goes without saying that in every situation there have been risks. Those risks are understood and are thoroughly taken into account. Nevertheless, there are times when the unforeseen happens. In this case the circumstances seem to have been pretty straightforward—a relatively routine helicopter trip, something that was an everyday event. There would have been no inkling that anything at all was amiss, nor would there have been the slightest concern about safety. The total focus of those men and women would have been on doing the job in front of them.

We all have total faith in our Defence maintenance teams. They know that the upkeep of equipment is always a matter of life and death. That is a traditional attitude and discipline which has never been lacking. But it does make the shock greater. Unfortunately, sometimes perhaps we assume too much—and that might equally apply to any form of transport. In this case these people were simply focused on the job before them. They were totally innocent and trusting and, just like the entire complement, there to do their job as part of a team. It is therefore perfectly natural that the entire team has been so affected by this tragedy.

It is also tragic that from time to time there have been other accidents like this one, with similar outcomes. We remember the 18 men who were lost in the collision of the two Black Hawk helicopters outside Townsville. We remember the crew of the RAAF 707 which crashed into Bass Strait, and the F111 lost in Malaysia. They were all terrible accidents, all in the service of our nation.

Service in the Australian Defence Force clearly can be hazardous, but, no matter when it happens, the result is the same: we all grieve for the loss of these young lives. As in Nias, there often may be little perception of risk. Unfortunately, accidents do happen. No doubt the current inquiry will identify the likely cause, but that is not something that is worthy of speculation at this time. Indeed, the attribution of blame is pointless.

We on this side join the government in expressing our sincere condolences to the families of the deceased. I know at times like this each one of us considers our own family circumstances; we all know how deeply affected we would be if our loved ones were lost to us forever. We regret the passing of these young men and women and we recognise that it happened in the line of duty—and that duty on this occasion was helping others in less fortunate circumstances on our behalf as good neighbours. We support the motion.

Senator SANDY MACDONALD (New South Wales) (11.13 am)—I rise today to speak on the condolence motion for the Australian Defence Force personnel killed in the Sea King crash on Nias island. On 26 December 2004, Boxing Day, tragedy struck South-East Asia when an earthquake created
a devastating tsunami affecting Indonesia, Thailand, Sri Lanka, India, Mauritius, Myanmar, Bangladesh, a number of smaller islands in South Asia and other countries as far west as East Africa.

Australian personnel were deployed to Indonesia in Operation Sumatra Assist to undertake humanitarian relief efforts. Around 1,000 ADF personnel were involved in this deployment, among them medics and engineers, and the efforts were supported by the crew of HMAS Kanimbla. The HMAS Kanimbla left for Indonesia on New Year’s Eve last year and remained to assist the tsunami-ravaged communities in Aceh until late March. Tragedy struck again in Indonesia when in March an earthquake struck the tiny island community of Nias, which was badly affected. HMAS Kanimbla, which was about to return to Australia, was redeployed to undertake further humanitarian efforts in Nias and the surrounding area.

We should all recognise the tremendous work undertaken by not only the troops on HMAS Kanimbla but all Australian troops who assisted with the humanitarian efforts in South-East Asia. In fact, that continues today, with Australian Federal Police disaster identification personnel still working in Phuket in Thailand.

While undertaking their normal duties on Nias on Saturday, 2 April this year, a Navy Sea King helicopter from HMAS Kanimbla crashed. Eleven military personnel were on board the aircraft, including four aircrew and seven members of the ADF Joint Medical Element, who were providing emergency medical aid to survivors of the earthquake off the west coast of Sumatra. Nine of the 11 ADF personnel on board the helicopter died in the accident, and I extend my condolences to their partners, children, parents, grandparents and friends.

The ADF personnel who died were Lieutenant Matthew Davey from the ACT, Lieutenant Matthew Goodall from New South Wales, Lieutenant Paul Kimlin from the ACT, Lieutenant Jonathan King from Queensland, Petty Officer Stephen Slattery from New South Wales, Leading Seaman Scott Bennet from New South Wales, Squadron Leader Paul McCarthy from Western Australia, Flight Lieutenant Lynne Rowbottom from Queensland, and Sergeant Wendy Jones from Queensland. These men and women died in the service of their country, helping others in a time of need, and their contribution cannot be overstated and will not be forgotten. Our thoughts should also be with the surviving crew of the Sea King helicopter and also the remainder of the crew of HMAS Kanimbla, who have lost friends and workmates.

The professional commitment of the Australian Defence Force, the Department of Foreign Affairs and Trade and security personnel generally cannot be overestimated. Australia is indeed fortunate to have such a high level of professionalism and decency in the people who undertake these difficult tasks on our behalf. These people lost their lives doing a job that is important—a job that they loved, a job that they were trained for and, most importantly, a job that needed to be done. May their memories remain strong and may their families gain strength from their worthwhile lives, lost in the service of humanity. God speed to them.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (11.18 am)—On behalf of the opposition I join with Senator Bishop in supporting the condolence motion moved by Senator Hill following the death of nine Australian Defence Force personnel on the island of Nias on 2 April. We all extend our heartfelt condolences to the families and friends of those who lost their lives, and we honour the ser-
vice and the sacrifice of those nine brave Australians.

As a parliament we have a responsibility to the ADF personnel who serve this country, who serve all of us, in dangerous circumstances, both at home and overseas. I do not think anyone in this parliament underestimates the responsibility that we all share when ADF personnel are asked to serve on our behalf, because while we as parliamentarians and politicians take the decision to deploy those personnel, they take the risk. I think all parliamentarians are aware of the great obligation that places on us. It is certainly one that I, as a former defence spokesman, take very seriously. I think it is one that all parliamentarians take very seriously, most particularly at times like this, when lives are lost and loved ones are left to mourn.

On the first sitting day of this year, back in February, the Senate passed a motion in memory of those who had lost their lives during the devastating Boxing Day tsunami. We expressed our thanks for the sacrifices and efforts of the Australian personnel—military, civilian, medical professionals, from all walks of life—who had responded so quickly and selflessly to that unfolding human tragedy. The scale of the destruction wrought by the Boxing Day tsunami was awesome. I doubt that any one of us was unaffected by those events.

The shock we felt, of course, returned after the second quake off the coast of Sumatra on 28 March. The worst of the second quake was felt on the Indonesian island of Nias and nearby islands, as well as the Sumatran mainland. The quake caused many hundreds of deaths and widespread destruction of buildings and other infrastructure. Coming so soon after the Boxing Day event, the quake also caused fear and panic among the local population, many of whom feared another tsunami.

The second quake also meant a further call to service for the crew and personnel of HMAS Kanimbla. The Kanimbla had already been deployed to the area for three months following Boxing Day, as part of Australia’s response to the tsunami disaster. Following the second earthquake, it was again asked to redeploy to the waters off Nias, ending its return journey to Australia via Singapore. It returned to Sumatra to provide humanitarian assistance to the people of Nias and surrounding islands.

Late in the afternoon of Saturday, 2 April, a Sea King helicopter, codenamed Shark O2, crashed on a sports field while transporting medical personnel to the village of Amandara. Eleven people were on board; nine were killed. Mercifully, two survived. I would like to recognise each of the dead individually in order to honour their service to their country. Most of this information is taken from media reports.

Petty Officer Stephen Slattery was originally from my home state of Western Australia but more recently was living in New South Wales. He grew up in the south-west town of Bridgetown and later in the Perth suburb of Applecross. As a young man, Petty Officer Slattery had travelled around WA with Ashtons Circus before joining the Navy at the age of 18. He had served as a gunner and a clearance diver before becoming a medic. He was 38 years old.

Squadron Leader Paul McCarthy, originally from Queensland, was based at RAAF Pearce, to the north-east of Perth. He was a senior medical officer. He was passionate about his outdoor activities—I think putting all of us to shame. He was a regular kite surfer at Scarborough beach. I have watched them on many occasions and have decided that it is not for me. In 2001, Squadron
Leader McCarthy rowed about 5,000 kilometres from the Canary Islands to Barbados. During the journey of more than 40 days he survived on dehydrated food and desalinated seawater. He was obviously a man of very strong character. He also played the guitar, and he was only 30 years old.

Leading Seaman Scott Bennet came from the town of Tomerong in New South Wales and was 36 years old. He was the father of two young sons aged seven and nine. He was originally from New Zealand and at his funeral the Haka was performed as well as the Karanga, a traditional Maori song to call his spirit. I think he is indicative of a large number of New Zealanders who join the Australian services and serve us well. Lieutenant Matthew Davey was an intensive care registrar here in Canberra as well as a Navy doctor. He was only 31 years old. In addition to his medical work, he was the author of scientific papers and maintained several web sites. Lieutenant Davey was also a St John’s ambulance volunteer, a judo instructor, a ballroom dancing instructor and a paragliding pilot. Navy Lieutenant Matthew Goodall was only 25 years old. His grandfather, Phil, reportedly said:

He had the world at his feet. He has got a lovely fiancee and he just bought a new home at Nowra.

Lieutenant Paul Kimlin, one of the helicopter pilots, joined the Navy in 1996. He had served in Christmas Island and Indonesia. He appeared on the Enough Rope program on the ABC last year to talk about the way in which we celebrate Anzac Day. He talked of his pride in helping people while serving in Iraq and East Timor. Lieutenant Kimlin was 29 years old. Lieutenant Jonathan King was the other pilot of the helicopter. He came from Nambour in Queensland. He loved surfing, got a lot of pleasure out of life and loved his job. At his funeral his father, Rod, said:

If anyone truly valued the beauty of the earth and skies, it was Jonathan.

He was 32.

Sergeant Wendy Jones was a medic with the Air Force. Originally from Broken Hill, she had served around the country in Victoria, Western Australia and the Northern Territory before more recently being stationed in Queensland. She apparently returned from leave to assist the earthquake victims. She was fond of gardening, DVDs and family. Flight Lieutenant Lynne Rowbottom was a senior nursing officer with the Air Force and had served in East Timor in 2003. She joined the Air Force in 1996 and had gained skills in field nursing and helicopter underwater escape. She was described as ‘a professional, deeply respected and well loved’. She had a son and lived outside Townsville. She was 43.

These were all highly dedicated service personnel who had long lives in front of them and who lost those lives in the service of their country. We join with the government in paying our respects to the nine who died and expressing our humble gratitude for their service. To their families, husbands, wives, children, parents, brothers, sisters, loved ones and friends we send our heartfelt condolences. Our service personnel and their families make great sacrifices for this country, and these people made the greatest of all. We should all be grateful.

It never ceases to amaze me when I go to a farewell of a deployment how willingly our service personnel volunteer to serve, how willingly they go and how enthusiastically they go, knowing the risks. They see it as their job, their vocation and their duty. As I said, I never fail to be impressed by their commitment and their willingness to take on the dangers that they know are inherent in any deployment. I would also like to mention and send the parliament’s best wishes to
Leading Seaman Shane Warburton and Navy Communication Operator and Leading Aircraftsman Scott Nichols, an Air Force paramedic, both of whom were injured in the crash but who thankfully survived. We are extremely grateful for their survival and appreciative of their service, and we wish them well for full recoveries and good future careers.

The role of our Defence Force personnel in humanitarian missions is of increasing importance to our national security. Over the last 16 years or so we have seen a radical shift in the international security environment and the emergence of new threats to stability. I think there has also been an increasing acknowledgement of non-military threats to peace and stability, which are not new but which have come to greater prominence. Transnational crime, poverty, disease and, of course, terrorism require new and innovative responses. ADF operations such as those in the Solomon Islands and East Timor have the direct effect of helping to stabilise our region. Humanitarian missions such as Operation Sumatra Assist not only provide essential relief to people on the ground who have experienced great personal suffering but also contribute to the stability of our northern neighbours, building goodwill and Australia’s soft power in the region. In today’s circumstances such outcomes are essential for Australia’s ongoing security.

I suppose it is an irony that our most recent losses of Defence personnel have been in the peacekeeping operations in Indonesia and the Solomon Islands rather than in the warlike situations of Iraq. We know that there are dangers but it is surprising that that is where we have unfortunately lost so many of our people. But I think we all wish all personnel serving overseas the best and hope for their safe return, both those in Iraq and those on other missions. They deserve and will continue to enjoy our full support. We also support the decision to extend the humanitarian overseas service medal to those who have lost their lives. This in no way can compensate families for the loss they have suffered but is some small recognition of the services their loved ones have tendered.

In closing, I also want to mention that I had the opportunity to attend the ceremonies at Anzac Cove in Turkey last month commemorating the 90th anniversary of the landing at Gallipoli. It was a truly moving event, and one that is tied up with so much about how we understand ourselves as Australians. We have also recently remembered the end of World War II in Europe and the horrors perpetrated on civilian and military populations during that terrible conflict. In both of these, and in other conflicts, service personnel have made incredible and grave sacrifices. We have them to thank for the freedoms we enjoy today. As a nation we have always made enormous demands on our servicemen and women, and they do not let us down. As a parliament we have a responsibility to those who are called to serve. I would like to reaffirm the support of the opposition for the condolence motion for those lost off Nias and offer to their families, friends and loved ones our most sincere condolences.

Senator FERGUSON (South Australia) (11.29 am)—I rise to support the motion of condolence that was moved by Senator Hill in relation to the tragic and devastating crash of the Navy Sea King helicopter in Indonesia on 2 April. Young Australians choose our defence forces as a career in the knowledge that their lives may be put in danger at times. We have them to thank for the freedoms we enjoy today. As a nation we have always made enormous demands on our servicemen and women, and they do not let us down. As a parliament we have a responsibility to those who are called to serve. I would like to reaffirm the support of the opposition for the condolence motion for those lost off Nias and offer to their families, friends and loved ones our most sincere condolences.
numbers, they knew that their lives were at serious risk because of the nature of the conflicts and the enormous numbers of casualties during those wars. Many young Australians who joined the defence forces post the Second World War did not see active service. Nevertheless, they chose it as their career and, as time has gone by, the nature of the service required of our defence forces has been ever changing. These days, we seem to have smaller numbers of personnel in conflicts in various places around the world but, on top of that, we have taken on an increasing humanitarian role. Our defence forces are called upon, quite often at short notice, to perform wonderful humanitarian services wherever they are needed—whether it is in times of tragedy, unrest or, as in this most recent case in Indonesia, natural disaster, when thousands and thousands of lives may be lost.

Our Australian defence forces have taken up this role willingly and have served outstandingly—in Indonesia, in particular. Sadly, those people who had served so well in Indonesia were returning home when they were asked to again return to Indonesia to perform yet another humanitarian service—before they had even set foot in Australia. They did it willingly, and the work that was done by all of those on the Kanimbla has been well documented and appreciated by Australians.

When there are large hostilities and many wartime casualties, people half expect that someone they know and love may be lost as a result of war. But the shock of losing loved ones when the armed forces are performing peaceful, humanitarian operations is no different, in many ways, to losing one’s best friend in a car accident or in some other way—when it is least expected. These nine young Australians were performing a service and lost their lives when their families would have least expected it. That is why I think it would have been such a tremendous shock to them. I know that when I first heard of the crash of the helicopter it was a shock for me, and I did not know anybody on board. But I knew of the impact it would have on families and young children who were members of those families.

We as Australians are indebted to our young service men and women for the way in which they enthusiastically and voluntarily give of their time, whether it is in peacekeeping or whether it is in humanitarian work—as these young people were doing. I have had the opportunity, along with my colleague Senator Payne, to see our peacekeepers at work, maintaining law and order in areas like the Solomons and East Timor. We know of the outstanding work they have done. This is a particular tragedy because of its unexpected nature, while on a humanitarian mission, and nine of our young Australians have lost their lives.

I join with my colleagues in expressing my condolences to the families and friends of those who lost their lives. They, like others who have lost their lives in the service of our nation, will always be remembered. The awarding of medals for their service is a wonderful gesture. The award was not for bravery, as for some of our wartime heroes, but for serving their country in a time of need and serving another country suffering from a disaster. We will never forget their contributions. I support the motion of condolence moved by Senator Hill and express my sincere sympathy to the families of all of those who were involved.
peacetime. I spoke yesterday, in the motion commemorating the 60th anniversary of VE Day, about the pain and heartbreak caused by war. This is a reminder that pain and heartbreak for members of the defence forces and their families can always be hovering—even during peacetime. The Democrats pass on our sympathy to the families of those who died—Lieutenant Matthew Davey, Lieutenant Matthew Goodall, Lieutenant Paul Kimlin, Lieutenant Jonathan King, Petty Officer Stephen Slattery, Leading Seaman Scott Bennet, Squadron Leader Paul McCarthy, Flight Lieutenant Lynne Rowbottom and Sergeant Wendy Jones—who all lost their lives in that crash on 2 April this year. We also wish a speedy recovery and send our support to Leading Seaman Shane Warburton and Leading Aircraftman Scott Nichols, who were seriously injured in the incident.

The Australian humanitarian mission in Indonesia, which is in response to a massive tragedy, has been marred by a tragedy of its own, albeit it on a much smaller scale. These nine young men and women—six from the Navy and three from the Air Force—died whilst delivering aid and helping victims of the devastating Sumatra earthquake. They had also been involved in the Boxing Day tsunami relief effort. It is a reminder that our defence personnel are involved in a wide range of activities beyond the traditional ones that people might perceive that the armed forces are involved in. They do play an important role in that region and in other regions around the world, as I said yesterday.

The Sea King helicopter crash has actually claimed more Australian military lives than missions in the Solomons, East Timor, Iraq and Afghanistan combined. I guess we could say that, in one perverse way, the fact that the casualties have been low in all of those other areas is something to be thankful for but it is also an indication of the relative scale of this particular tragedy.

Just last week, on 5 May, it was the seventh anniversary of the HMAS Westralia tragedy, where four young crew members lost their lives. Whilst we must always strive to avoid such tragedies wherever possible, it is crucial that the government provides greater support to serving personnel and their families when they do happen. As tragic as these events are, they should serve as a reminder for the Australian Defence Force and the government to always strive to do better in helping families deal with the loss of loved ones. This is an area where I believe we have fallen down collectively in the past. When we are dealing with debates around war commemoration, I often speak of the failings we have had with proper assistance to war veterans. Those who are injured or the families of those who die in peacetime activities in the defence forces also have legitimate grievances. I certainly do not seek to politicise this condolence motion, but I do think that we should take the opportunity and get the signals from incidents and motions like this to make sure that they are not simply a lot of nice-sounding words and to reinforce our commitment to do better wherever possible in helping the families and victims of tragedies like these.

There are issues that need to be looked at, such as compensation payments to serving military personnel and the impact they may have. Words need to be backed with action. We need to ensure that what should be done is done. Proper recognition and support for survivors, victims and their families are equally essential. I take this opportunity to again draw attention to aspects of the Clarke review, handed down more than two years ago, which talked about the interpretation of ‘peacekeeping service’, which could still do with some re-examination by the government. Similarly, the current Senate inquiry
into military justice, which is soon to report, has provided an opportunity for families of defence personnel to reveal some of the problems they have had as a way of trying to ensure we can improve our operations in the future.

I have not been heavily involved in that inquiry, but I have been involved at the margins. The parts that I have been involved in are reminders that we are not just talking about words. We are not just indulging in rhetoric; we are talking about individual people. We are talking about families who are immensely affected by incidents like these. I remember the hearing at which people involved in the *Westralia* tragedy spoke, still immensely traumatised some time after the event. That cannot be wiped out simply by wishful thinking. It is an inevitable consequence, but it is also a sign that we have a particular duty and we have to make sure we do what is possible, wherever possible, with that duty.

It is a sad fact that some of our troops come home—whether from war zones like Iraq or zones like Indonesia—less healthy than when they left. As we have learnt from this tragedy and from the *Westralia* and *Voyager* tragedies and the Black Hawk helicopter crash in Townsville, peacetime service personnel are not exempt from dangers and risks and they are not exempt from injury. We need to make sure that they are properly assisted and compensated for if the worst does happen.

I believe we need to take this opportunity not just to pay tribute, as we should, to the sacrifice that these people have made and send our condolences to their families, who are still grieving and will grieve for a long time, but also to reaffirm our commitment to improving the assistance we provide to defence personnel, whether injured in peacetime activities or in conditions of war—for there is no doubt there can be improvement in that area as well. Along with the recognition that has rightly been given them, that would form part of a more fitting tribute for the sacrifices that these people have made. I add my support and the Democrats’ support to this motion. I also add specifically our condolences, sympathy and support for the families of those who lost their lives as well as those still battling with injury.

Senator PAYNE (New South Wales) (11.42 am)—On 2 April a very tragic accident took the lives of nine of our service men and women when their Sea King helicopter crashed in Indonesia en route to delivering humanitarian assistance. The Sea King crashed on the island of Nias, where Australians were performing earthquake relief for the island’s community. To the families of Leading Seaman Scott Bennet, Lieutenant Matthew Davey, Lieutenant Matthew Goodall, Lieutenant Paul Kimlin, Lieutenant Jonathan King, Petty Officer Stephen Slattery, Sergeant Wendy Jones, Squadron Leader Paul McCarthy and Flight Lieutenant Lynne Rowbottom, the Senate expresses its deep regret and its condolences through this motion.

It has already been remarked upon that the humanitarian nature of the task that these men and women were undertaking makes even more compelling and poignant the fact that they paid this extraordinary sacrifice. I think it is important to note in the chamber today that the people of Indonesia, through their representatives in Australia and through their President, Susilo Bambang Yudhoyono, have also acknowledged this sacrifice paid by the men and women of the Australian defence forces in helping the people of Indonesia.

With all Australians, I salute the sacrifice of these young men and women who selflessly served our national interest, who self-
lessly served in our region and who paid this price for their courage and commitment in so serving. Our thoughts and sympathy are with their families, their loved ones and their friends, and also with their fellow crew members of HMAS Kanimbla, who no doubt are experiencing great grief at the loss of their colleagues. We wish Leading Seaman Shane Warburton and Leading Aircraftman Scott Nicholls a very speedy return to health with all the strength and support they can derive from their families and, most importantly, from the organisation to which they belong, the Australian Defence Force.

This is both a timely and tragic reminder of the importance of our support for our troops, no matter where they are serving and no matter what they are doing, in all of their deployments. We can in fact all take this moment to reflect on the men and women who serve both domestically and abroad and the risks that they take every day, and also to acknowledge the fine Australian military legacy that they carry.

I had the honour, with you, Madam Acting President Knowles, of attending the national commemoration service in the Great Hall of this parliament on Friday, 15 April, held after the accident. In closing, I want to pay tribute to the dignity and the strength of the families present at that service—family members in great number being able to participate in whatever way they could in that service as some demonstration of their grief and with some recognition by this place of that grief and the sacrifice their family members had paid. I want to pay tribute to the dignity and the strength of their colleagues in attendance. There must be no more acute reminder of the risks that they take every day than attending a commemoration service for their own colleagues lost in this very tragic way.

I also particularly want to acknowledge the Australian Defence Force and the organisers of that national service of thanksgiving. I imagine that it is never easy to formulate a presentation for such a service—so many priorities, so many sensitivities. There must be so many difficult judgments to make, but as an observer of and a participant in that service I think it was the most appropriate, most fitting tribute, combining the strength of the Australian defence forces with participation from representatives of the Indonesian government and the Australian parliament. And it being held in the Great Hall of the Parliament of Australia says so much about the acknowledgment that the Australian people, via the Australian parliament, paid to these young men and women. It was my great honour to be present on that occasion, and I acknowledge all those who participated. Again I express my support for the motion put forward by the Leader of the Government in the Senate today, and again I express our deep regret at this tragic accident.

Question agreed to, honourable senators standing in their places.

BUSINESS

Rearrangement

Senator KEMP (Victoria—Minister for the Arts and Sport) (11.47 am)—I move:

That intervening business be postponed till after consideration of government business order of the day no. 3 (Family Law Amendment Bill 2005).

Question agreed to.

FAMILY LAW AMENDMENT BILL 2005

Second Reading

Debate resumed from 16 March, on motion by Senator Ellison:

That this bill be now read a second time.

Senator LUDWIG (Queensland) (11.47 am)—The bill in question today, the Family
Law Amendment Bill 2005, is very similar to an earlier bill that was introduced in the last parliament. That bill was examined by the Senate Legal and Constitutional Legislation Committee, which took the opportunity of hearing evidence from various submitters and produced a report that made a number of recommendations. That was not in respect of this bill but it did make a series of very useful recommendations in respect of the previous bill in the parliament which are still germane to this bill. Labor is pleased to see that the government has clearly taken on board many of those recommendations in the preparation of this bill. It gave the opportunity for the government to take a look at the committee report in respect of the previous bill, provide input into the preparation of the new bill and take on board many of the recommendations, suggestions and issues that were canvassed during that report process in the last parliament.

One of the examples of the effectiveness of the Senate committee process is how a Senate committee itself can facilitate constructive work, particularly bipartisan work, on important policy matters. This is but one example of that. As with the last bill, Labor welcomes this bill as a positive contribution to improving the existing Family Law Act and, more particularly, acknowledges the ways in which it can help Australian families in the unfortunate position of having to use the Family Court. All of us in this place would know of the anguish faced by many of our constituents going through the process of family separation who, for a whole range of reasons, have not been able to work through the situation in a more amicable way and are forced to rely on going through the process of contesting the matter in court.

This particular bill is an omnibus bill dealing with amendments in 16 parts. Minister Ellison outlined in his second reading speech when the bill was tabled some of the key provisions of the bill and the ways in which the amendments would improve the act. It is not my intention to go through all 16 parts in the time I have available today. Many are technical changes that will ease practical difficulties faced by the courts and court users. Part 10 deals with such things as terminology. This may seem trite but in fact it is very important that the Family Law Act makes use of plain English. This is, after all, an area of law that touches more people than almost any other. It is also an area with many self-represented litigants. If ever there were a case for making an effort to clean up arcane language, I think this stands out as one of those areas in our statutes. It is always helpful for parliamentary counsel and the minister to ensure that their staff take a good look at such legislation to ensure that it is in plain English where possible, for the very reason that there are in many instances self-represented litigants who use this legislation.

Part 5 would extend the range of matters that can be dealt with through private arbitration. This creates a welcome new pathway for certain cases that do not require the expense and delay of litigation but cannot be resolved through mediation alone. Part 16 clears up a gap in the recently passed Bankruptcy and Family Law Legislation Amendment Act 2005 to ensure that the Family Court of Western Australia has the same jurisdiction as the Family Court of Australia in the areas of crossover between family law and bankruptcy law.

However, there are some parts of this bill which are controversial. The most controversial part of the bill in Labor’s view is part 14, which would allow a claim for the retrospective recovery of maintenance by a person who later finds out that they are not the child’s biological parent. Labor support the intention of this provision but we have serious reservations about the sorts of outcomes it could produce if applied too rigidly. In
most instances we are talking about cases where a mistake has been made: one person was thought to be the father and a maintenance order was made requiring them to pay maintenance to the mother to support the child. Everyone has shared in the mistake—the mother, the father and even the court in that instance. The question is really about who should bear the cost of the mistake, and a good argument can be made out, I suspect, from both sides.

The male can rightly say that the maintenance order should never have been made and he should never have been required to pay for a child that is not his. I suspect that the mother could also argue, convincingly, that she is incapable of paying all the money back while continuing to support herself and her child or children, and that it was a mistake that was unknown to her at the time. There could also be a time in the future where it becomes difficult to sort out what happened. The Family Court of all institutions cannot be required to force a mother and her children into poverty to correct an honest mistake. That would seem a logical place to start.

Labor thinks there is only one fair way to deal with this dilemma, and that is judicial discretion. Every case could be different. The scenario I have outlined could be a rare one, and there might be others which are more pressing and more telling. In some cases, mothers might be doing it and can be doing it tough, and recovery of the full amount could be disastrous for both them and their kids. In other cases, the mother might have fared well and the man may have battled. So in some cases it could be a mistake and in others it could be indeterminate as to what in fact had happened.

In some cases, the man will have acted quickly upon finding out that he is not the biological father. In others, the situation may have been left for years and sometimes it will be difficult, at least from this side, to examine why—the reasons for it. That is why, sitting in the chamber, it is very difficult to predict all the permutations that will arise and devise a formula that is fair in all the circumstances. Therefore, it is one of those areas where we are best placed to trust the courts to closely examine each case and make an appropriate order. For this reason, Labor have been very keen to ensure this bill provides the courts with adequate discretion over the amount that is recovered and how it is to be paid. We will be supporting an amendment to that end.

Labor has also been keen to ensure that, where a mother has been required to repay maintenance under these provisions, she is able in turn to recover maintenance from the actual father of the child. It would hardly be fair that mothers could be liable to retrospectively repay maintenance where biological fathers cannot. Moreover, in many cases, the mother will have forgone other income from reliance on the maintenance. In particular, she will have received different benefits from those that would have been available to her under social security, and over time other benefits may have been forgone as a consequence. Unless the government is prepared to pay back social security benefits in these cases and review those lost or forgone opportunities, which I suspect it is not, it becomes a difficult issue to work through. But, more importantly, the mother should then have the right to retrospectively claim maintenance from the biological father.

Labor raised these concerns with the Attorney-General’s office and we were advised that the Family Law Act already provides the court with the power to award backdated maintenance. The correspondence we received from the Attorney-General’s adviser says:
I am advised by the Department that a right for
the mother to claim maintenance from the bio-
logical father already exists under division 7, part
VII of the Family Law Act in respect of children,
to which the new section 66X would apply. Under
section 66G of the act, the court has a wide dis-
cretion to make any child maintenance order it
considers appropriate against the parent of a
child. The period covered and the amount of that
ordered would be a matter for the court—
I stress that: it would be a matter for the
court—
considering the principal object in division 7 to
ensure that children receive a proper level of fi-
nancial support from their parent.
Both of those issues are important—that the
court has the discretion and that that is to
ensure children receive a proper level of fi-
nancial support. Labor is satisfied with this
explanation. I think it is plain within the leg-
islation. It is the case that section 66G pro-
vides a wide discretion for the court to make
orders for maintenance, and nothing seems to
prevent them from making backdated or ret-
rospective orders if that is appropriate. This
goes a long way to allaying some of the con-
cerns Labor had with that particular provi-

The remaining part of the bill that might
be controversial is part 1, concerning the
parenting compliance regime. Provisions in
this part would do two things: firstly, provide
that the court can order parents to participate
in paid counselling or parenting programs
before making orders in enforcement pro-
cedings; and, secondly, provide the court
with the power to amend the parenting orders
where enforcement proceedings have been
brought but either no contravention was
found or there was a reasonable excuse for
the contravention.

With respect to the first of these provi-
sions, it is already possible for the court to
order a couple to participate in counselling or
parenting programs and other types of pro-
ceedings. This change is extending that
power to enforcement proceedings. This is,
in Labor’s view, a positive move, as counsel-
ing and parenting programs have proven
very successful at getting to and solving the
issues at the heart of noncompliance. Coun-
selling is not appropriate in all cases, espe-
cially where there has been a history of vio-

The second change in this part allows the
court to vary parenting orders in enforcement
proceedings, even if no contravention is
found or there was a reasonable excuse for
the contravention. This will allow the court
to iron out the practical or other problems in
parenting orders that gave rise to the compli-
cance or noncompliance. In some cases, it will
also allow a reasonable excuse for noncom-
pliance, such as an apprehension of violence,
to form the basis of a substantive change to
the orders. Currently these changes require
separate proceedings for variations of orders.
It makes a lot of practical sense for the courts
to be given the power to deal with variation
at the same time as hearing enforcement pro-
cedings. I note that the National Women’s
Network of Legal Services has recom-

This was pursued in the Senate committee
inquiry into the 2004 bill—not this particular
bill but the same provision that arose in the
last parliament in that bill. The Attorney-
General’s Department advised the committee
that the court’s power would be effectively
limited by the considerations the court must
always have when making parenting orders:
that the best interests of the child and the
factors set out in section 68F(2) of the Fam-
ily Law Act would apply. Labor, having un-
derstood and being familiar with that provision, is comfortable with that response.

This is a useful bill containing several practical reforms to the working of the family law system. Labor’s only remaining concerns are with part 14. Though we support the intention of that part, we are concerned that it fails to provide sufficient discretion to the court in dealing with the complex issue of deciding who should bear the costs of a mistake. We will be foreshadowing today that, in the committee stage, we will be moving a provision that goes to this part. I expect the government to carefully examine this provision and to accept the amendment so that the bill can pass as soon as possible.

Senator GREIG (Western Australia) (12.01 pm)—The Family Law Amendment Bill 2005 makes a range of recommendations to substantive and procedural aspects of the family law regime. Many of the changes proposed in the bill were previously contained in the Family Law Amendment Bill 2004 but then lapsed with the proroguing of the 40th Parliament. That bill was the subject of an inquiry undertaken by the Senate Legal and Constitutional Legislation Committee, which made a number of quite constructive recommendations.

The Democrats are pleased to see that the government has taken up some of those recommendations and removed a number of the more controversial aspects of the bill. In particular, we welcome the decision not to proceed with the proposed changes to costs rules which would have required one party to bear the costs of another party in proceedings under the act. These amendments represented a departure from the principle that each party bears their own costs, which is one of the underlying principles of the Family Law Act. Many stakeholders at that time expressed understandable concern regarding these amendments and the committee further recommended that they not proceed.

The fact that the changes are not in the bill before us is a testament to the value of the Senate committee system and its role in facilitating community participation in the legislative process. Making sure that we get feedback from stakeholders and from those with strong interests is invaluable to us as legislators. These people and organisations are often at the coalface of the issues we are debating and they are therefore able to provide incredibly helpful information about the very likely impact of proposed legislation. While the government does not always implement the recommendations of Senate committees, it has in this case, and the Democrats welcome that decision very much.

I turn now to what remains in the bill before us. Given the length of the bill and the non-controversial nature of most of the amendments, I propose to touch briefly on the effect of each part. Part 1 of the bill deals with the parenting compliance regime and empowers the Family Court to vary the terms of an unworkable parenting order during contravention proceedings. This amendment addresses the reality that many parenting orders made by consent run into practical problems and that this may result in one of the parties initiating a contravention application when in fact it may be more appropriate to simply vary the original order. Part 2 makes relatively non-controversial amendments to provisions concerning costs and offers of settlement.

Part 3 enables the court to suspend a sentence of imprisonment in cases where a person has breached a court order and to revoke the suspension of that sentence. These changes will, I hope, give the court broader discretion to determine an appropriate penalty for a breach of a court order and give the offender the opportunity to avoid imprison-
ment if he or she maintains good behaviour. Part 4 of this bill makes changes to the procedures for enforcing community service orders or bonds where a person has failed to comply with a parenting order.

Part 5 expands the range of matters which may be amenable to private arbitration. Part 6 invests with the court a discretionary power to change the venue for family law proceedings or a part of those proceedings. Part 7 expands the definition of ‘disposition’ and inserts a comprehensive definition of ‘interest’ into the act. Part 8 extends the situations where a single judge may hear an appeal regarding a procedural matter. Part 9 enables property proceedings commenced in a state magistrates court to be transferred to the Federal Magistrates Service. Currently it is only possible for such matters to be transferred to the Family Court or state supreme courts.

Part 10 makes numerous amendments to the act with the object of replacing outdated terms such as ‘dissolution of marriage’, ‘decree nisi’ and ‘decree absolute’ with the terms ‘divorce’ and ‘divorce order’. Part 11 simply sets out in table form the existing requirements for leave to appeal. Part 12 enables the court to stay or dismiss an appeal if the notice of an appeal does not disclose proper grounds for an appeal. Part 13 provides that appeals from the full court of the Family Court to the High Court will require the special leave of the High Court. This amendment implements one of the recommendations from the Australian Law Reform Commission, with the agreement of the High Court and the Family Court.

Part 14 is unquestionably the most controversial aspect of the bill. It will enable person who discovers that they are not the parent of a child for whom they have made child maintenance payments to apply to the court to recover those payments. I will return to the Democrats’ concerns with aspects of that in a moment. Part 15 enables judicial registrars to vary parenting orders in contravention proceedings where contravention without reasonable excuse is not proved. Finally, part 16 amends the Bankruptcy Act to provide that certain provisions which currently apply to the Family Court apply equally to the Family Court of Western Australia. This is because of the unique situation of the Family Court of Australia having no jurisdiction in WA, my home state. All family law matters there are dealt with by the Family Court of Western Australia.

It is clear then that many of the changes proposed by this bill are non-controversial and indeed welcome. This was reflected very much in the evidence of various organisations and individuals who made submissions to the committee inquiry into the provisions of the bill in 2004. The committee’s report indicates that no opposition was expressed in relation to a majority of the provisions in the bill. Serious concerns, however, were expressed in relation to the power to order the repayment of child maintenance to a person who has wrongfully paid such maintenance believing that they are a parent of the child when in fact they are not. We Democrats have some deep concerns about these changes. While we are not saying that people who have been mistaken, or perhaps in some cases misled, about being a parent of the child ought not to have an entitlement to recover moneys that they have wrongfully been asked to pay through child maintenance, we are nonetheless concerned about the potential adverse financial impact this may have on the child concerned.

The New South Wales Commission for Children and Young People expressed concern about the significant financial burden that such a repayment order might have on the parent and the family and argued that there was a need for the court to ensure that
the best interests of the child are safeguarded. The National Network of Women’s Legal Services made this point:

... it seems unfair to bring in this provision when women cannot claim back payments of retrospective child support. Therefore, while a woman could be made to pay back a wrongly identified man who is not the biological father she cannot then make a retrospective claim against the real father.

The National Council of Single Mothers and their Children recommended:

... that this provision should only apply where it can be established, on the balance of probabilities, that the misidentification of the paying parent has knowingly and without duress involved a deliberate course of deception for the purpose of claiming child support.

As I spoke of, and detailed in my minority report to this bill, I am not satisfied that this recommendation would address the issues we are concerned about. Clearly there is a distinction in the minds of many between situations in which the mother of a child has been deceptive about the child’s father and situations where there is a genuine mistake. Nevertheless, I think there are compelling reasons not to enshrine any such distinction in the legislation. For example, I note that there is already scope for a person who is not a parent of the child to recover financial loss and damages if they have paid child maintenance in circumstances involving deception.

The Australian Law Reform Commission quite expressly addressed this in its report entitled Essentially yours: the protection of human genetic information in Australia. It documented the case of a Victorian man who successfully sued his ex-wife for fraud after discovering that two of the children born during their marriage were not his biological children. In that case, the Victorian County Court awarded the man $70,000 for general damages and economic loss. In other words, in cases involving fraud there is scope to seek more than just repayment of child maintenance. This suggests that the government’s proposed changes are directed more at situations involving mistaken paternity than at situations involving deception.

A second and particular concern we have is that it will often, I think, be incredibly difficult to establish deliberate deception and this could generate volumes of litigation. Let us not forget that this is litigation which is likely to be very distressing for the child, even if the child is not directly involved in the proceedings in the sense of providing evidence for the court.

Finally, and most importantly, whether or not deception is involved is really quite irrelevant when we are considering the financial impact on a child of an order to repay a significant amount of child maintenance. That is the primary concern that we have. The vital issue for the chamber to consider here and to remember when we are dealing with this legislation is that we are talking about child maintenance. This money has been paid for the express purpose of maintaining a child, and any repayment is likely to have an impact on that child. For this reason, the Democrats take the view that the court must—and I stress ‘must’—be required to consider the likely impact that its order will have on the maintenance of the child. In fact this must be the primary consideration. We find it quite extraordinary that there is no such requirement in the bill. If the court is not required to put the interests of the child first, there is a risk that the changes proposed in this bill will simply fuel divisive litigation between the parent and the mistaken parent of the child, with no consideration of the impact that that might have on the child concerned.

We are very concerned by the prescriptive language used in the bill, which I note the government is seeking to further tighten by
way of fresh amendments. This leaves some confusion about whether the court has any discretion to decide not to make an order for repayment in circumstances where that would be the most just and equitable outcome. We note that the court is already empowered to make retrospective child maintenance orders against a person who is a parent of the child. We Democrats believe that the court should be required to turn its mind to the potential for such an order against the biological father if it proposes to make an order for repayment of maintenance to the mistaken father. Clearly this is a relevant consideration which will impact on the court’s determination of what is just and equitable in the circumstances. Of course that will vary on a case-by-case basis. For example, it may be considered manifestly unjust for the court to make an order for repayment of a large sum of child maintenance by a low-income mother. However, if the court is aware of the identity of the biological father and there is scope for recovering the sum of money from him, this will no doubt affect the court’s position as to whether a repayment order should be made. In these circumstances the court could even adjourn the mistaken father’s application for repayment pending the outcome of the application for a child maintenance order against the biological father. For those reasons the Democrats believe it is very important for the court to consider the possibility of a child maintenance order against the biological father before making an order for repayment under the new provisions.

We do acknowledge that this is not an easy issue to grapple with. It is a difficult area of law and there is a need for the court to have power to order the repayment of child maintenance to mistaken parents in cases where this would be just and equitable and there would be no significant adverse impact on the child. However, fundamentally, we believe it is essential that such a power be accompanied by appropriate safeguards. Those safeguards are absent from the current bill. Our amendments quite specifically are aimed at rectifying that. We find it very disappointing that a bill which makes so many constructive improvements to the Family Law Act is marred by provisions which have the potential to significantly threaten the maintenance of the wellbeing of some Australian children. I ask the Senate to give serious consideration to these issues and to work constructively in the committee stage to try and bring about the reforms that I have spoken of.

Senator STOTT DESPOJA (South Australia) (12.15 pm)—I wish to speak on the Family Law Amendment Bill 2005 that is before the Senate today. I will not reiterate the comments and concerns that have been outlined by my colleague Senator Brian Greig. He has done so on behalf of the Australian Democrats. I acknowledge that this is an emotional area of the law and a particularly complex one. Let us be honest: it is a fraught area. It is, at the best of times, an emotionally charged area of legislation, policy and indeed reality. Those of us in this chamber who have had dealings with the Family Court, whether as adults or as children, can recall and know very well just how hard this area of law is. I say that specifically in relation to the amendments that we are talking about today in part 14 of this legislation—that is, the area relating to the recovery of maintenance payments. I wish to put on the record very briefly, before going on to discuss another issue, my concerns about some of the aspects of that provision.

While I acknowledge Senator Ludwig’s comment that it is difficult to predict, for example, the permutations of how this particular provision will be played out and what it will result in—and I also acknowledge that it is very important that the law and the
courts in particular have the power of discretion in order to make the right judgments—I do think this is a provision that may have unintended consequences. Some of those consequences will be emotionally charged. I hope some of them will not indeed be vexatious. I hope they will not be devastating, particularly for the single mothers in our community—single mothers who seem to be finding it particularly difficult in recent days as a consequence of policy changes.

Today I wish to talk about the science involved in this legislation—that is, the scientific issues around parentage testing: the very issue that underpins part 14 of this bill. When we are talking about cases that will involve recovery of maintenance payments as a consequence of parentage testing, we must ensure that the tests used to determine parentage are as accurate as they can be. We do this through strict technical regulation and it has to be conducted in an appropriate manner under strict ethical guidelines. My concern is that some of these guidelines and regulatory mechanisms are missing. That is an area of our law that the ALRC have pointed out, and it is an area of law with which I hope most of my colleagues in this chamber have some familiarity.

We know that the Family Law Regulations 1984 currently provide guidance for parentage tests conducted as a result of a court order under section 69W(1) of the Family Law Act 1975. The government updated these regulations late last year to require a recent photo of a donor of a bodily sample to be provided and to establish new consent forms. These changes were positive and they addressed some of the concerns raised in Australian Law Reform Commission report No. 96, Essentially yours: the protection of human genetic information in Australia. It specifically responded to recommendation 35-6 of that report. I talk about this report with some fondness because my work in relation to genetic privacy and discrimination helped to initiate and bring about that ALRC and AHEC investigation and report. I commend the report to senators in this chamber. It is a comprehensive, world-class—and very big—report surrounding the issues of genetic testing.

Despite this first positive step by the government, the government has only implemented one of the seven recommendations on parentage testing contained in that report since the report was tabled in May 2003. That is two years ago now and time is getting on, not to mention that technology is advancing at a rapid rate. One particular recommendation in that report, 35-3, calls on the government to review part IIA of the Family Law Regulations 1984 to:

... ensure that the requirements for parentage testing meet the highest technical and ethical standards, particularly in relation to consent to testing, protecting the integrity of genetic samples, and providing information as to counselling.

It is my understanding that this has not happened as yet. Madam Acting Deputy President, through you, I ask questions of the government to the minister on duty about this, particularly about the government’s time line in relation to the implementation of these ALRC recommendations. Has the government considered the recommendations? Will the government be reporting on these recommendations? Why hasn’t the government considered the recommendations within the context of this bill? If ever there was a bill that raised some ethical issues in relation to genetic testing generally and parentage testing specifically, this is it.

At the moment, the Therapeutic Goods Administration does not regulate DNA identification kits used for parentage testing. There is no legislative requirement for DNA parentage testing to be conducted only through NATA—that is, the National Association of Testing Authorities—accredited
laboratories in this country. We do have accredited labs in this country, but there is no legislative requirement that DNA parentage testing in Australia be performed only through those NATA-accredited laboratories. The consent of mature age children aged 12 and over is not required under legislation for genetic testing in this country and, perhaps most concerning of all, there is no provision for parentage tests which do not comply with the relevant Family Law Regulations 1984 to be inadmissible in proceedings under the Family Law Act 1975.

I do not know how my colleagues respond to this, but these seem to me to be quite grave matters. They raise issues about how we acquire a sample of a person’s DNA for the purpose of testing—and for DNA parentage testing in particular. Are we seriously talking about going up to children—and we have reports of this happening—and taking a saliva sample, a strand of hair or whatever it may be, sending it off to a non-accredited lab and using it to determine whether or not a particular person is the father, as in the case of the legislation being dealt with today? That is admissible in court. Do we want to regulate this? Isn’t it important that we consider this now, in the context of this bill?

We have seen the high-profile cases on 60 Minutes and other programs, but when it gets down to it I am terrified in some respects that this legislation will open the floodgates in a way that does not protect ethical and other issues. But I am so concerned about the science because I think, as my colleague has pointed out generally and publicly, if not in this place, you may be able to determine who is not the father but it is incredibly difficult to determine who is the father. Yes, these are legal issues, but they also have huge emotional, personal and familial consequences. I really wish that this were being considered in the context of this legislation.

Some people have considered this. ALRC report No. 96 does consider these issues, and has done so with a wide range of submissions, consulting the best authorities not just in Australia but in the world. They have done the work that we have longed for them to do, and now it is time for us and the government specifically to take account of those recommendations. Those recommendations are referred to in my second reading amendment, which I put to this chamber in the hope that the government will at least respond to, if not implement, six of the seven recommendations relating to parentage testing in the ALRC report. One of those seven has been implemented, and I commend the government for that. There are six to go. Let us at least look at them, if not implement them. I hate to foreshadow the response of other parties, but I understand from the opposition that that amendment is not supported. I thank the opposition for outlining their reasons.

However, I put on notice to the government, the opposition and other members in this place that we are dealing with legislation which, as we have all said today, is emotionally charged, complex and fraught with difficulties. Yet there are some simple things we could do to ensure that there are regulatory mechanisms in place that deal with some of the complex issues. There is nothing more complex than science when it comes to legislation keeping up with some of the technological advances that have taken place. So I urge my colleagues to at least consider the recommendations and to consider my amendment, which is in a second reading form today. ALRC report No. 96 notes that parentage testing:

...is not an area in which it is especially useful to draw on the language of ‘rights’—whether that be a child’s ‘right’ to know his or her biological parentage, or a man’s ‘right’ to know who are his biological offspring. This is an area that requires a careful balancing of interests of mothers, fathers
and children in different biological and social relationships with each other. To privilege the interest of one party by accepting a claim to an absolute right fails to give adequate regard to the interests of others involved in the equation.

That is from section 35-13 of the report. I agree wholeheartedly with those comments. I hope the courts—and I am sure that they will—will take those issues, those so-called rights and that debate into account in a discretionary manner through the power that we have just ascribed to them in this area. But we could provide some guidance in the legislation before us here today. Certainly one of Senator Greig’s amendments, which urges, compels or at least asks the court to take into account the interests of the child, would surely provide further guidance and further security in the complex web of issues, both scientific and legal, with which we are dealing today.

One of the reasons I initiated the ALRC’s inquiry into human genetic privacy was to address the difficult issues that we find are arising when genetic technology is utilised in certain situations and in particular in its interaction with the law. The reality is that this is the tip of the iceberg. These issues will keep on appearing in various areas of our law and society. If the government had implemented or at least considered and reported on all the recommendations in ALRC report No. 96 in a timely fashion—two years after the report was tabled in parliament we are still waiting on the government’s response; that is how far we are lagging behind—we would be well on the way to addressing many of these complex issues. It would not be all, because the consequences of science and technological change are going to keep throwing up new, complex ethical and other issues. But I think we would be well on the way by now if we had responded to that report two years ago.

I should welcome one aspect of the government’s commitment to the issue of genetic technology. I notice that in last night’s budget the government finally announced $7.6 million over four years for the establishment of a human genetics advisory committee under the auspices of the NHMRC. I am quite over the moon about this announcement by the government, because it is something I have been campaigning for for a long time. Recommendation No. 1 of the ALRC report is the establishment of a human genetics commission. This is a belated response but a good one. I thank the government for implementing this important advisory committee. I would have liked a statutory independent body, but I will take whatever we can get. This is a really important implementation. I hope people are conscious of this recommendation. I do not think it is quite as sparkly as the tax cuts and other things that seemed to capture attention last night, but it is a really important step.

But are we really going to wait for that advisory committee to make a judgment and recommendations on the kinds of issues we are dealing with today, or are we going to proceed with these changes in law first? I can read the numbers in the Senate, so I realise that these changes will go through. I think we are all mindful, if not wary, of the consequences of the element of part 14 of this bill before us in relation to parentage testing and the recovery of maintenance payments. I can envisage some very unpretty scenarios, and I hope they do not come to fruition.

But, in the meantime, there is no reason today for us not to consider and pass a second reading amendment that puts very clearly on the record those six remaining ALRC recommendations in relation to parentage testing. I think it is irresponsible not to do it at a time when genetics is racing ahead of law. We are failing to catch up, but this legislation shows that the consequences
can be incredibly hurtful, quite devastating and, I have no doubt, very expensive. I move the second reading amendment on sheet 4578 standing in my name, on behalf of the Australian Democrats:

At the end of the motion, add:

“but the Senate:

(a) calls on the Government to implement the remaining six (of the seven) Australian Law Reform Commission (ALRC) recommendations relating to parentage testing, and specific to the Government, in the ALRC report, Essentially Yours: The Protection of Human Genetic Information in Australia (ALRC 96) (tabled in May 2003); and,

(b) urges the Government to implement, as a matter of urgency, the ALRC report recommendations relating to:

(i) amending the Therapeutic Goods Act 1989 and its regulations to enable Therapeutic Goods Administration regulation of DNA identification test kits (recommendation no. 11-6);

(ii) enacting legislation to provide for DNA parentage testing to be conducted only by laboratories accredited by the National Association of Testing Authorities (recommendation no. 35-1);

(iii) reviewing Part IIA of the Family Law Regulations 1984 to ensure parentage testing meets the highest technical and ethical standards (recommendation no. 35-3);

(iv) enacting legislation to provide that parentage testing reports are not admissible in family law proceedings unless the testing complies with regulations (recommendation no. 35-4);

(v) enacting legislation providing for children’s consent to genetic testing where the child is over 12 years of age (recommendation no. 35-7), and

(vi) enacting legislation providing, in the case of insufficient maturity of a child, for genetic testing to only be conducted with the consent of all responsible parties (recommendation no. 35-9)”.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (12.30 pm)—Firstly, I thank those senators who have contributed to the debate on the Family Law Amendment Bill 2005. It is a very important bill which will affect many Australians. I thank those senators for their support for the bill, although a number of amendments have been foreshadowed by the opposition and the Democrats. We had best deal with those during the committee stage. I will deal first with the second reading amendment proposed by the Democrats. I will not go through that in detail, but it does call upon the government to implement the remaining recommendations of an ALRC report entitled Essentially yours: the protection of human genetic information in Australia and also urges the government to implement as a matter of urgency the ALRC report recommendations relating to the Therapeutic Goods Act and a number of other matters dealing with family law regulations, genetic testing and the like.

At the outset, I say that the report that is mentioned in the second reading amendment of the Democrats is complex. It addresses many issues of great substance. The government share the community’s concerns that genetic information should be treated with sensitivity. That is why the ALRC and AHEC inquiries were initiated. Wide-ranging recommendations covering privacy, protection against unfair discrimination in employment and insurance, the use of genetic information in forensic investigations and parentage testing were made. The recommendations are
directed at the Commonwealth, state and territory governments, as well as statutory authorities, and legal and professional associations. That gives you some idea as to the broad aspect of the issue at hand and also its complexity. The recommendations in the report that are directed at the states and territories are being considered by the Standing Committee of Attorneys-General. That is the appropriate body to be dealing with it. I can say that the government hope to finalise their response to the report shortly. We do not believe that now is the appropriate time to deal with these issues. We are dealing with the Family Law Amendment Bill. The reports mentioned cover a wider range of very sensitive issues, and we do not believe that the second reading amendment proposed by the Democrats is appropriate. We are going to respond to these recommendations; however, this is simply not the time to do it, and I have outlined the reasons for that.

The Every picture tells a story report was quite rightly described by the Attorney as one which could deal with generational change in family law and with issues which cover many, if not all, Australians indirectly. We all know someone who has been touched by family law in some shape or form. This bill is more confined. It contains a number of technical amendments that are designed to streamline and strengthen many areas in the Family Law Act. Included within those areas are some that are quite familiar. We are changing the term ‘dissolution of marriage’ to ‘divorce’ and we are doing away with the terms ‘decree nisi’ and ‘decree absolute’. They were longstanding terms that I became quite familiar with in my family law practice many years ago and have been around for a very long time. I think that the change of this terminology is in keeping with today’s thinking. I think that it is a step forward which demonstrates that this bill is about progress and addressing issues in family law. I think that is a good thing.

In addition, the bill will provide a court with the power to vary a parenting order on its own motion without there needing to be another application. Often, parties apply to enforce an order, such as a contact order, even when the problem is that the order itself simply does not work for a whole range of reasons. There have been many who have experienced that. Many of these orders are actually made by consent without the full ramifications of the orders being appreciated by the parents and are sometimes done in the heat of the moment or with other pressures being exercised. This bill will allow the court to change that order without the need for a party to go back and apply for a variation separately, which has caused a great deal of frustration for many parents and, I might add, a good deal of cost as well.

The bill also overcomes a problem that has led to unnecessary delays whereby a matter is transferred from a state or territory magistrates court to the Family Court only for that court to then transfer the matter to the federal Magistrates Court. I think that that is a good thing to be addressed. This bill allows for transfers directly between those lower level courts. It is a very good initiative indeed. This bill also contains a range of what might be called minor and technical amendments that deal with the powers of the Family Court in relation to areas such as the effect of offers of settlement on possible cost orders, change of venue once proceedings have been commenced, powers to dismiss appeals and the power of judicial registrars of the court.

The bill also closes a major loophole in the Family Law Act by making it clear that a person who is not a parent or a step-parent of the child can recover amounts paid by them from the person who received those pay-
ments. An earlier version of this bill was considered by the Senate Legal and Constitutional Legislation Committee, which made some recommendations for change. The government has responded to those recommendations by removing two of the original schedules to the bill and making changes to the provisions in part 14, dealing with recovery of amounts paid under maintenance orders.

In addition to that summary of the bill, I would like to foreshadow three government amendments that will be moved during the committee stage. One of those amendments will reinsert a provision designed to limit the right of third-party creditors to be parties to family law proceedings where a bankrupt’s trustee is already a party. The other amendments relate to proposed section 66X in part 14 of the bill, dealing with recovery of child maintenance, where a person is found not to be a parent or step-parent of a child. The first will allow a court to recognise that in exceptional circumstances it might be appropriate to reduce the amount to be repaid. The second is designed to make it clear that, where the provision talks about a person to whom child maintenance has been paid, this does not relate to the Child Support Agency.

This bill will address the anomalies we have seen to date in family law. It will progress it and I think there are many aspects of it which will serve the Australian community well. I appreciate that there are some areas of contention in relation to the payment of maintenance moneys and the question of parentage. The government, I can foreshadow, cannot see its way clear to support the amendments which I understand are being proposed by the opposition and by the Democrats—but, as I say, it is best that we deal with those in the committee stage. I commend the bill to the Senate.

**Senator LUDWIG** (Queensland) (12.39 pm)—I wanted to speak briefly on the second reading amendment to the Family Law Amendment Bill 2005. I spoke to Senator Stott Despoja briefly, but it is worth reiterating Labor’s position. We do not support the second reading amendment, not because of its content but because of our inability to address it in detail in the short time we have had to deal with it. In addition, we wanted the government’s response to the matter to have fuller consultation through SCAG and we wanted the government to provide the full report—hopefully that will be this year. The minister might want to respond to that during the committee stage. In these circumstances, we do not propose to support the second reading amendment, notwithstanding its content.

Question negatived.
Original question agreed to.
Bill read a second time.

**In Committee**

Bill—by leave—taken as a whole.

**Senator LUDWIG** (Queensland) (12.41 pm)—In the time available before we get to the substantive amendments that will be put forward in the committee stage, I would like to explain that Labor foreshadowed an amendment. However, we have had an opportunity to look at the Democrat amendment and we can indicate that we will not be proceeding with our amendment, as it is in the same terms as the Democrat amendment. So we will in that instance be supporting the Democrat amendment. That then puts Labor in a position where we do not have any amendments to move during the committee stage, but we will certainly be speaking to other amendments moved. I will not give Senator Greig false encouragement. We do not support all of the amendments that you have put forward, but we will deal with those when we come to them.
There were concerns raised in the previous committee stage for the old bill, if I can call it that—the 2004 bill, which was dealt with in the Senate Legal and Constitutional Legislation Committee but not in this parliament. This bill has now been brought forward and all of the provisions are now contained in it. One of the issues is whether the government is aware of any cases that are being or were endeavouring to be litigated under the Child Support Agency legislation, but were unable to be, and that may be inclined to now pursue their recovery under this legislation—whether the government is in fact aware of any cases that may have failed because they could not be pursued under the CSA legislation due to lack of jurisdiction and whether any have indicated at least in some way to the government that they are looking forward to these amendments to be able to pursue these cases again. The government may or may not have information on that, but it would be worth checking.

Another concern—I think it was highlighted during the second reading debate—was that this may have consequences for some people, and in some instances it would be worth knowing exactly what those consequences might be. But it is also worth knowing if there are people out there who have been identified as waiting for this amendment, who might be pursuing such cases, and if the government knows of them—it is an extension of the pre-1989 issue—and of course those cases that are subject to family law rather than the CSA legislation.

One of the provisions which we will deal with in due course relates to bankruptcy. I foreshadow that we will be seeking from the government a reasonable explanation of how that provision would work—what its impact would be on family law as opposed to bankruptcy law—so we can understand its full import. There are a number of other matters that I was going to go to before 12.45 pm, but I think time has beaten me.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (12.45 pm)—I table a supplementary explanatory memorandum relating to the government amendments to be moved to this bill. The memorandum was circulated in the chamber on 10 May 2005.

Progress reported.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Marshall)—Order! It being 12.45 pm, I call on matters of public interest.

Anzac Day

Senator SANTORO (Queensland) (12.45 pm)—Today I want to speak about Anzac Day and the place that gave it birth, the Turkish peninsula of Gallipoli. Gallipoli truly holds an iconic position in Australia’s national life. It is a wellspring of national sentiment. It defines us in so many separate ways: as unwilling, larrikin warriors who, nonetheless, will seize the day; as mates who will do anything except let someone down; and as a people of tenacious vision and sure purpose.

It would hold no meaning for us, or for our cousins across the Tasman, if it were not for the exigencies of war and the demands of strategy that placed Australians there on Turkey’s European shore in 1915. The Australians and New Zealanders of the Australian and New Zealand Army Corps who first went to Gallipoli had thought, when they left home some short months before, that they were headed first for England and thence the battlefields of the Western Front. Instead they were sent on a military misadventure that grew out of Turkey’s entry into the Great War on the side of Germany. At Gallipoli, the men of ANZAC—the acronym is said to have been invented by an overworked army
clerk in Cairo, fed up with typing out the whole phrase—became a legend and altered our way of thinking, and arguably our future, forever.

I dare say every Australian knows something about the legend of ANZAC and Gallipoli. Those young men who went off to war more than 90 years ago—and, as the Prime Minister so memorably said at this year’s ceremonies at Gallipoli on Anzac Day, they are all gone now so once again they are young men—wrote a glorious page in our history. That history is a living thing. It is as evocative today as it must have been to Gallipoli correspondent CEW Bean when he was writing his frontline diary. Incidentally, I recognise in this speech Mr Ray Perry, the hardworking and effective head of the Australian Defence Force Parliamentary Program, who so kindly lent me his copy of the book as an aide-memoire for my trip.

History was heavy in the air on 25 April this year, when I had the great privilege and the immense honour to be present at the dawn service on that fatal shore. It gets into your very being; its grip is visceral. It is certainly not to be missed. Anzac Cove is a place of ghosts: ghosts of daring and brave Australians and New Zealanders, and equally of daring and brave Turks who so tenaciously and at such huge cost defended their homeland. They say to us today:

We have a covenant, we and you: we gave our tomorrows so you could have today in freedom and in peace: honour us and pay homage to our spirit.

We do honour them; we do pay homage; and we always will. At Anzac Cove this year, I carried with me some words reported by the Bulletin magazine’s national affairs editor, Tony Wright. They came from a young Turkish man named Korcan, with whom Tony was having a beer some years ago. Wright reported Korcan thus:

You know why you go to Gallipoli, don’t you. That’s where your people learnt they were different from the English. You found your soul there, so you have to keep coming back to pay your respects. Your country started there, and so did our country.

Korcan went on to say:

You know about Attaturk? If he hadn’t fought your grandfathers at Gallipoli, he wouldn’t have become the man to save Turkey and make it a new independent country. That’s why we like each other so much, the Aussies and the Turks. We made our own futures in the same place. Cheers mate.

There is indeed a special relationship between Australians and Turks, one that grew out of the Gallipoli experience. At Anzac Cove on 25 April, I was very moved by the sincerity of the young Australians—overwhelmingly the crowd was Australian—who waited through the night for the dawn service. As the Prime Minister said at the time, and afterwards, these young people do us proud. It is very pleasing from a national point of view—and comforting, too, for our future nationhood—that so many young Australians have made Gallipoli their own.

From conversations I had with many of them there at the end of last month, it seems that the great Australia Remembers program was an impetus in getting more and more young people to consider paying homage at Gallipoli. That very creditable program was ably administered by the then Minister for Veterans’ Affairs, Con Sciacca, a fine Queenslander—and I pay tribute to him today and to the program he oversaw.

As honourable senators well know, there was a bit of a row about rubbish at Anzac Cove this year. The Prime Minister said some sensible words about that, too, in relation to the fact that, wherever modern crowds go—Australian or not—rubbish is the inevitable travelling companion. It is difficult to dispose of rubbish when there are
big crowds and a very small place in which those crowds can be accommodated. An additional factor at Anzac Cove was that there were very few bins. I am told that bins were not abundantly provided for security reasons. But I feel bound to say this: when I returned to Anzac Cove later on the afternoon of Anzac Day, the rubbish was well and truly on the way to being cleared away by Turkish clean-up crews.

There was also some adverse comment about people sleeping or lying on graves while waiting overnight for the dawn service. I reiterate that it was a very crowded place. You cannot travel to Anzac Cove just for the dawn service. You often need to leave the afternoon before from a major city or town in Turkey and then camp and wait for the dawn service. Perhaps a camping ground nearby would be a good idea to accommodate people, who would then be handily placed to attend the dawn service. While I was at Gallipoli I also attended the Lone Pine service where, along with my esteemed colleagues from the other place the members for Mackellar and Braddon, I had the privilege of placing a wreath as a personal tribute.

One thing that did cast a shadow over the occasion of the 90th anniversary of the Gallipoli landing was the wholly artificial row about the road the Turkish authorities have upgraded to ensure better access for visitors to Anzac Cove on Anzac Day and throughout the year. As I said in this place yesterday while we were dealing with more Labor whinges—and, dare I say, whingers—after question time, I spoke to many Turks while I was in their country and found that no-one had any problems with the road or, for that matter, with Australia’s internal politics on that account. It seems to me that the Turks have an equal amount of reverence for Gallipoli as do we Australians, and I do not believe the road disturbs our ghosts or theirs or the feelings we share about that old place of death.

The issue of ongoing archaeological work to ensure that the undiscovered dead of both sides are properly honoured is something I know concerns Australians deeply, and Turks too. There is a very effective Office of Australian War Graves in Canakkale, where such matters are dealt with as a matter of course. In fact, the director of this office was honoured by the Prime Minister with an Order of Australia—a ceremony which my colleagues and I had the privilege of witnessing while we stood in one of the cemeteries overlooking Anzac Cove on Anzac Day.

To be at Anzac Cove for the dawn service this year was a tremendous honour and the experience of a lifetime. I do, however, have this to say: I was displeased—in fact, I was distressed—to hear what the New Zealand Chief of Defence, Air Marshal Bruce Ferguson, said in his address at the dawn service. The views that he and later his Prime Minister, Helen Clark, expressed publicly on that occasion were inappropriate. They were political. They were revisionist. They were rude and, in my view, they were plain wrong. Regrettably, the New Zealanders made a political event of a solemn 90th anniversary, and that is so inappropriate on the special day that Australians and New Zealanders share and on which, uniquely, they honour all who have fallen in war, all who have been wounded in the service of their country and all who have served in war.

The most offensive of Air Marshal Ferguson’s remarks at the dawn service—and I have thought long and hard before applying the strength of the language used on this topic in this speech—was:

As today progresses, all of us will learn something more of our heritage. By simply being here we are already doing that. This land is sacred to all nations who fought here. Australia and New Zealand realised the high water mark of imperial
subservience; we learned that we must shake off the shackles of colonial dependence; we must stand for what we believe in; and we must be prepared to defend our ideals whatever the cost.

That is what Air Marshal Ferguson said. I would not presume to speak for New Zealand, but I feel bound to say that historical revisionism of this sort is very unhelpful to understanding our past, is destructive of the heritage that has made us what we are today, and in the circumstances, is downright rude.

I read with interest an article by the writer Frank Devine in the *Australian* just after Anzac Day. He wrote that Air Marshal Ferguson’s speech was one of the finest speeches for an occasion that he had heard on any occasion. As will be clear, I fundamentally disagree with Mr Devine’s assessment. In Mr Devine’s view, Air Marshal Ferguson:

... peopled Australia and New Zealand with the noble ghosts whose presence one senses in modern societies with deeper pasts: samurai and sorcerers, scholars and maharajas, princes and pathfinders, courtesans and revolutionaries.

So he did, and all credit to Mr Devine for writing those fine words. But the fundamental error in the air marshal’s argument—beyond the crassness of its delivery to an audience containing people, the British, whom he deliberately set out to insult—is that he revealed himself to be a willing victim of the modern fad of reinventing history. This pernicious practice is not nurturing of our society or even of our myths. It is, indeed, destructive of them. Great events from the past must be judged and understood from a perspective drawn through time. Unless they are popular movies fictionalising historic events like, say, the Australian film *Gallipoli* or the British movie *Gandhi*, it is invidious to rescript actual drama as if, but for the uniforms, it happened only yesterday and involved people whose responses to events would be the responses of those of our time.

New Zealand might have been at the height of its imperial subservience in 1915—although I seriously doubt that presumption, or that the New Zealand nation of 90 years ago even thought about whether it was in that predicament—but Australia certainly was not. War is a desperate and tragic business whether large or small and by whom ever it is organised. Air Marshal Ferguson also said, and he was absolutely right in this instance, that there was no glory 90 years ago. In fact, there is no glory on any field of death. But portraying one’s country as an unthinking self-victim of someone else’s war is a cop-out. Australians and New Zealanders, Newfoundlanders—we should remember that they were not Canadians until 1949—Britons, Indians, the French, Africans from French territories on that continent and, overwhelmingly, Turks and other subjects of the Ottoman Empire fell at Gallipoli. It is their sacrifice we honour, not the fortunes of war or the failures of diplomacy that led them there.

I was at Gallipoli this year as a very temporary member of the ship’s company of HMAS *Anzac* while taking part in the Australian Defence Force Parliamentary Program 2005. I want to tell the Senate about the benefits of that program and of participating in it aboard this fine ship, and will do so in far greater detail at a later date. I also want to talk about the great diplomatic work that results from the activities of the captain and his crew during such tours of duty. But today I want to briefly pay tribute to the commanding officer of HMAS *Anzac*, Captain Richard Mehinick, and all the officers, non-commissioned officers and sailors of his ship. They are a fine body of people and they are absolutely dedicated to working as a team and to doing their jobs. They are a credit to the service and to the country. They made me and my two colleagues also on board, the members for Mackellar and Brad-
don in the other place, extremely welcome. It cannot have been easy in a crowded and busy ship to find space, either physically or mentally, for three rookie parliamentary sailors who were there to watch and learn—that is, to watch their step and to learn to keep out of the way.

From Gallipoli, aboard HMAS *Anzac*, I had the opportunity to observe the ship’s company at work on exercises with foreign navy vessels and in port at Marmaris, on Turkey’s coast just above the island of Rhodes, where an international maritime festival was being held. Again, those fine people did an exemplary job for their ship and for our country. From Marmaris we sailed to Malta, another place where Australians and New Zealanders served with distinction in past conflicts. The island, which won the unique honour of being awarded the George Cross in World War II, has a strong Anzac link. In World War I, as a British colony, it was the ‘nurse of the Mediterranean’, the place to which many Gallipoli wounded were evacuated.

There are 228 Australian service casualties whose last resting place is Malta, the earliest a Salvage Corps member from 1906 and the last a Royal Australian Air Force member killed in a flying accident in 1954 during the 1952-55 deployment there of No. 78 Wing with Meteor and Vampire fighters. Anzac Day has been marked in Malta since 1916. From last year, in addition to the remembrance service, a dawn service has been added to the annual observance. I am grateful to our High Commissioner in Malta, Richard Palk—who as well as being His Excellency is also a lieutenant colonel, retired—for his interest and energy in explaining to me this additional link between Malta and Australia. I also wish to recognise the very fine work that His Excellency performs on behalf our nation in the very special and historic place called Malta.

It would be remiss to talk about Anzac Day this year without making reference to ongoing reviews into the level of recognition of service awarded to Australian troops who served in Korea from the armistice in 1953 until 1957. There were around 5,000 of them. The review panel is investigating whether it is appropriate to award these veterans the Australian Active Service Medal 1945-75 with the clasp ‘Korea’ and the Returned from Active Service Badge for the period 1953-57. I believe, and I go on the record as saying, that it would be entirely appropriate to recognise service in a war zone under armistice in a military environment in which immediate risk of hostilities was present as warranting such an award. I commend the government of which I am a member for initiating such a review.

**Budget 2005-06**

Senator LUNDY (Australian Capital Territory) (1.00 pm)—There are many things that are unfair in the budget that was announced last night. Its character is lazy and complacent. It is these two words—‘lazy’ and ‘complacent’—that describe well how the Howard government has squandered an ideal opportunity to give Australian manufacturing much needed attention. The Howard government has failed to recognise that Australian manufacturing is a crucial driver of export growth, a provider of stable employment and an important source of innovation and technological development. The manufacturing sector urgently needs support to boost skills training, encourage innovation, modernise transport infrastructure and build export markets. The government has not addressed any of these issues, which are pressing priorities, in the budget. In fact, it has not only not addressed them but also not addressed them at all. It is quite disgraceful that the government has not just blatantly ignored calls for the introduction of a national manufacturing policy from the Labor
opposition, unions and industry groups but also consistently ignored them for many years. Leading up to the last election, Labor put forward a comprehensive strategy for manufacturing in Australia, and one would have thought that would have at least helped focus the Howard government’s mind on the issue.

The issue is this: Australian manufacturing is ailing under the government. Between 2000 and 2004—that is, over the last four or five years—over 50,000 jobs have disappeared. Recent figures have shown that manufacturing growth continues to decline, now reaching record lows. That means a lot of jobs and a lot of families are directly affected. The trend in manufacturing exports is also on the way down. From being a main driver of export growth under Labor in the 1990s, manufacturing is now struggling to build export markets at all. Export volumes in the early nineties rose by 12.5 per cent per year, and since 2000 growth in manufactured exports has slowed right down to 3.8 per cent per year. I have to say that this reflects the overall trend in the decline in exports since the Howard government came to office and highlights the Howard government’s neglect to invest in the drivers of productivity growth and exports—investments that Labor made, which I will touch on later.

Between 2000 and 2003, the value of our manufactured exports fell by more than $7.8 billion and the share of Australian manufactured goods sold overseas fell from 26 per cent to 21 per cent. This chronic situation has developed through years of neglect and it will now take years to fix. However, there is little sign that the decline, as I have described it, is even viewed as a problem. Evidence of that is that the Howard government continues to pursue bandaid measures to fix our deepening skills shortage, which is one of the substantial problems facing manufacturing. Particularly, there is the point about importing skilled migrants—having turned away 178 extra skilled migrants, as we now know, and having turned away more than 270,000 Australians from TAFE. So it seems that the Howard government has been prepared to put an ideological aversion to funding our public vocational training authority—the TAFE system—before the needs of industry. That is quite disgraceful. Even when you look at the proposals to introduce tech colleges, what sort of response is that to the underinvestment in TAFE over so many years? Besides that, tradespeople will not come from those institutions for another five or six years. I will touch on that again later as well.

In the midst of all this, the Labor Party are continually putting forward positive suggestions. We want to train Australians to solve the country’s skills crisis, and we believe that apprentices should receive incentives to complete their training. We know that at present 40 per cent of apprentices do not complete their apprenticeships. Last week the Labor Party were calling on the Howard government to make an immediate start on addressing this skills crisis, and in particular the poor completion rate in apprenticeships, by introducing a $2,000 trade completion bonus for traditional trade apprentices who complete their training. This trade completion bonus is a short-term measure, I have to say, because we are dealing with a long-term problem, but it is one measure that the Howard government could have introduced immediately, with a cost of around $80 million, to encourage more Australians to complete their apprenticeship training.

I do not understand why the Howard government chose to ignore this. Some people might say that $2,000 is not much and that it is not going to change anything, but my recollection is that as a young person it would have meant a lot. My contact with trade apprentices currently working in the building
and construction industry shows that they
certainly would value any type of completion
bonus such as this. If this incentive increased
completions from the current 60 per cent to
80 per cent in the next two years then that
would be a tremendous surge in our skilled
labour numbers—in fact, to the tune of about
8,000 tradespeople entering the labour mar-
et every year.

Our priority is clear: we need to make that
investment in training our young people.
Right now we have 2.5 million people who
are not participating in the work force as
they would like to—people who are not in
jobs or perhaps not doing the hours of work
that they would like to do. We should be har-
nessing this resource and not ignoring it.

Very many issues in the current budget pay a
lot of lip-service to getting people back into
the work force, but we have had nine years
of a Howard government that has not been
investing in training people to help them get
back into the work force. In fact, we have
seen backward step after backward step and
a great withdrawal of funding from those
training to work initiatives that the Labor
government put in place prior to 1996,
which, we now know, so fundamentally un-
derpinned the Australian economy for so
many years.

Senator Ian Macdonald interjecting—

Senator LUNDY—We now know that
since the benefit of those policies washed
through the economy, in around 2000, indus-
tries like manufacturing have been in dire
straits. Senator Ian Macdonald might sit over
there and laugh at these things, but manufac-
turing workers are not laughing as they see
their jobs disappearing. Working people out
there and businesses who are trying to em-
ploy people so that they can reach their po-
tential are not laughing about this issue. They
see a government that makes lazy and com-
placent decisions about the future of the
economy and closes its eyes to the needs of
industry, skills development and the public
education system, which it has worked very
hard to undermine. We are seeing the effects
of that now. The Howard government, in
choosing not to adopt the very straightfor-
ward measure of a trade completion bonus
that Labor very helpfully suggested prior to
the budget, is just increasing the evidence
against it that it does not care.

I mentioned before that the technical col-
leges that the Howard government have now
funded in this budget will not deliver any
trained tradespeople for another five or six
years. That might be part of the long-term
solution, but why was that investment not
made in our TAFE colleges when they had
the capacity many years ago to start training
these people? We are looking at an ideology.
Why was the money for the technical col-
leges spent on private colleges? Why was it
not invested in existing public education in-
frastructure? Surely that would be a far more
efficient way to do it.

Senator Ian Macdonald—They were not
doing the job.

Senator LUNDY—Senator Ian Mac-
donald says that they were not doing the job.
You know what? They were starved of funds.
There is no full circle in the government’s
argument on these issues. They starve public
education and vocational education, and then
they say that it is not working. That is an old
conservative trick when it comes to under-
mining the public sector per se and is com-
pletely unacceptable in the context of now
trying to hold up some excuse for the state of
the skills shortage. The Howard government
are responsible for the skills shortage, and
therefore they are responsible for inhibiting
and undermining the potential of crucial
Australian industry sectors like manufactur-
ing.
Manufacturing has a special place too. It sits in that unique place where manufacturing allows for value-adding to so many of our natural resources. It allows us to reap even greater economic benefit from any booms in the areas of commodities and natural resources. The other aspect of manufacturing is that it underpins any value-adding from the provision of services. If we do not have manufacturing as a substantial part of the scope of industry in Australia then we are weakening all aspects of our capability and capacity to drive growth, to be competitive and to participate effectively in the global market.

The government have also announced nothing new to solve another problem plaguing manufacturing, and that relates to infrastructure, particularly transport infrastructure. It is very well documented that infrastructure is having an inhibiting effect. In fact, you do not need to look any further than the major industry and employer organisations, who have been saying this for a great deal of time now. But, no, there is nothing there. This is one of the biggest economic issues facing Australia and our capacity to be productive and competitive, and there is nothing at all there from the Howard government. I suppose that is not surprising when you see that the Department of Transport and Regional Services have been flat out channelling vast sums of money, trying to shore up—or should I say buy up—coalition support in marginal seats through the Regional Partnerships program. That has been well and truly exposed. Again, it is a characterisation of how the Howard government are willing to spend taxpayers’ money. The coalition government say: ‘Let’s make it a political rort. Let’s just use this money to shore up our own jobs and our own future in marginal seats. Let’s not bother about the big questions and the hard questions about our participation in the global economy and our future competitiveness.’ They do not ask those questions, and it is that appalling short-term thinking that has led to the difficult situation that industry sectors like manufacturing now face.

It is not surprising that, with all that focus on marginal seats, slush funds, the transferring of residual Regional Partnerships funding into new slush funds and all that exercise that is going on, the department has lost focus. I often wonder how fortunate we would be if the Leader of The Nationals or indeed some of The Nationals marginal seat holders happened to live in the same seat as an important port facility in Australia. I suspect that we would not be in such a dire situation if this were the case. If the geographic locations of all those Nationals and Liberal Party marginal seat holders coincided with those of important transport and port facilities then I suspect Australia would not be in such a bad shape. We shall see over time how the ongoing story of this lack of focus in investment and in addressing the chronic problems of infrastructure shortfalls and capacity constraints unfolds. We will watch with interest the emerging evidence of the ongoing rorts of the Howard government. You can imagine the frustration of our manufacturing exporters when they see this type of outrageous behaviour going on, when for years they have been very specifically calling for urgent improvements in infrastructure.

Moving on from infrastructure, I think it is worth having a bit of a look at the trade imbalance and the overall statistics. Over the past 12 months, the overall export growth forecast has been cut from eight per cent to four per cent and is now down to two per cent for 2004-05. The crisis in export growth is especially being felt in the manufacturing sector. As I mentioned, the growth in manufactured export volumes since 2000 has been lacklustre, with growth in exports nearly 25 per cent lower than our global competitors.
Our performance has been weak, especially when compared with the experience of the early 1990s. This is not a sustainable position. If manufactures as a proportion of exports continue to decline and R&D as a proportion of our gross domestic product continues to decline, Australia’s future is to try to remain globally competitive with an ever-decreasing range of manufactures and an ever-decreasing range of opportunities. (Time expired)

Nuclear Weapons

Senator ALLISON (Victoria—Leader of the Australian Democrats) (1.15 pm)—As senators will be aware, the five-year review of the Nuclear Non-Proliferation Treaty is under way in the United Nations in New York as we speak. In fact, it goes until 27 May. I was privileged to be there for the first week of this review and to hear Mr Downer’s presentation for Australia. It was also good to be part of the rally that took place in Central Park in New York.

I was somewhat disappointed to be refused my request to have observer status at this important conference—for reasons, I understand, of delegation manageability and size. But, given that I was the only Australian member of parliament attending, I found this reason short of compelling. I was, however, able to meet up with the many parliamentarians from New Zealand, Canada, Mexico, Belgium and elsewhere who share my concern that the non-proliferation treaty is under threat and that this review would be very critical. There were also 100 Mayors for Peace and their representatives there from around the world and thousands of Japanese citizens who came as living witnesses to the last time nuclear weapons were deployed, at Hiroshima and Nagasaki. They urged the conference to make progress on disarmament so that they could return to their cities and assure their people that destruction on this massive scale would never occur again.

This is a big ask given the fact that there are almost as many nuclear weapons in the world today as there were at the start of this treaty 35 years ago. The bombs dropped on Hiroshima and Nagasaki by the United States in 1945 were roughly one-seventieth the size of those in current arsenals. At Hiroshima 80,000 people died immediately and a further 200,000 died eventually. In 1995 the Mayor of Nagasaki told the International Court of Justice:

Nagasaki became a city of death where not even the sounds of insects could be heard. After a while, countless men, women and children began to gather for a drink of water at the banks of the Urakami River, their hair and clothing scorched and their burnt skin hanging off in sheets like rags. Begging for help, they died one after another in the water or in heaps on the banks. Four months after the atomic bombing, 74,000 were dead and 75,000 had suffered injuries, that is, two-thirds of the city population had fallen victim to this calamity that came upon Nagasaki like a preview of the Apocalypse.

The non-proliferation treaty is the only legal safeguard against the global proliferation of nuclear weapons and the only hope of us being able to be certain that a nuclear apocalypse can be prevented. Put briefly, the NPT is a treaty in which non-nuclear weapons states signatories agree to not take up nuclear weapons and the nuclear weapons states agree for their part to not take up new nuclear weapons and to get rid of those that they have.

It could be argued at this point in time that the NPT is a hopeless failure. Pakistan and India have joined the nuclear weapons states, with around 100 nuclear weapons each. North Korea has opted out of the NPT and claims to have developed nuclear weapons. This is confirmed by United States intelligence agencies that estimate that Pyongyang...
has enough fissile material for somewhere between two and eight bombs, and, by re-
ports in recent days, a pit is being prepared for a nuclear weapons test. And the Bush
administration says that Iran, that other axis of evil, is developing them too.

For its part, the United States today has around 4,500 strategic offensive nuclear
weapons deployed, 8,000 active or operational and 2,000 on hair-trigger alert ready to
be launched at 15 minutes warning. A few weeks ago, Mr Bush asked congress to agree
to a 2006 budget that would include funding to enable a study to be done of nuclear tech-
nology that would allow nuclear warheads to penetrate deeper underground before explod-
ing—known as robust nuclear earth penetra-
tors. He asked for $US6.6 billion to fund the
weapons activities of the Department of En-
ergy’s National Nuclear Security Administra-
tion; nearly $US1 billion to power nuclear
navy vessels; $US25 million to ensure nu-
clear weapons testing could take place within18 months of a decision to do so; and
$US7.7 million for a modern pit facility to
build new warhead cones, known as pits, to
replace those in which plutonium has de-
graded over time. This facility will process
125 pits a year.

Robert McNamara, former adviser to the
Kennedy administration, says that the current
US nuclear weapons policy is ‘immoral, ille-
gal, militarily unnecessary, and dreadfully
dangerous’—and he should know. He helped
President Kennedy to avert a nuclear catas-
trophe during the Cuban missile crisis: He
says:

In my time as secretary of defense, the com-
mander of the U.S. Strategic Air Command ... 
carried with him a secure telephone, no matter
where he went, 24 hours a day, seven days a
week, 365 days a year. The telephone of the com-
mander, whose headquarters were in Omaha,
Nebraska, was linked to the underground com-
mand post of the North American Defense Com-
clared that nuclear weapons have a vital role in their security. Mr Downer claimed the greatest threats to the NPT were al-Qaeda and North Korea, and Iran's possible development of weapons grade material. In other words, we want to focus on weapons that do not yet exist or may exist rather than the 28,000 that do. The hypocrisy is breathtaking; the balance is entirely missing. We heard nothing from Mr Downer about when Russia and the United States will take disarmament seriously—the deep, verified and irreversible cuts that are required to progress to total elimination—because it was much easier to point the finger at those two other countries. The United States and Russia have between them 96 per cent of the world's arsenal.

We have a likely stalemate, and if the NPT unravels we could be facing a proliferation of nuclear weapons that will lead to the use of those weapons again. It is disappointing that Australia has not joined other non-nuclear weapons states in helping to pressure the nuclear weapons states to agree to time lines for disarmament. Our government refused to attend the Nuclear Weapons-Free Zone Conference at the request of the Mexican government just ahead of the NPT Review Conference in New York to discuss nuclear-free zones. The government boycotted that meeting, arguing that the nuclear weapons states had not been officially invited. That was despite Mr Downer knowing that the nuclear weapons states cannot be signatories to this group while they possess nuclear weapons—10,000 in the case of United States—and that they were offered observer status.

Australia was once a very strong voice for nuclear disarmament. We set up the Canberra Commission on the Elimination of Nuclear Weapons in 1996 but now apparently we do the Bush administration’s bidding. Neither did Mr Downer mention the fact that the Bush administration has new nuclear weapons on the drawing board. Speakers at the conference stressed the need for peaceful uses of nuclear material—in other words, nuclear energy—but the examples of North Korea and Iran show the risks involved in the ready availability of technology that makes clandestine development of weapons grade materials possible. Nuclear power plants and some research reactors can produce plutonium. The IAEA has called for multilateral control over sensitive parts of the nuclear fuel cycle: enrichment, reprocessing and the management and disposal of the spent fuel. However, it may be time for us to take another look at the right of all states to enrich uranium for energy. We say that the safest option is to leave this material in the ground and to phase out nuclear energy as soon as we can.

Australia has again alienated fellow non-nuclear weapons states and turned its back on the efforts by the New Agenda Coalition and the Middle Powers Initiative. Right now at the review, parties are still bogged down in arguments about what will and will not be on the agenda for the review. We call on the Australian government to show greater leadership at the review in pressing for the verifiable, irreversible global elimination of nuclear weapons; Israel, India and Pakistan to be brought into the NPT; and better systems of accounting for fissile materials.

The United States claims to have dismantled thousands of nuclear weapons, and no doubt it has, but there remain enough nuclear weapons to wipe out the planet many times over. The United States has nuclear weapons at bases right across Europe. The Democrats join other countries in urging Mr Downer to push for annual meetings of the state parties so that they can respond more quickly to threats to the NPT, such as the North Korean withdrawal, and to measure progress on disarmament. All weapons states should be pressed to ratify the comprehensive test ban
treaty—the United States has not yet done so. An estimated 433,000 cancer deaths have been induced by testing, and there is an accumulation of cesium 137 in the sediment at the head of Port Phillip Bay from the French tests in the Pacific and others. This was brought to my attention quite recently as a result of the deepening of the channel in Port Phillip Bay. Of course, we also have a legacy of plutonium contamination at Maralinga.

We want immediate steps taken to lower the operational status of nuclear weapons. We need to see good-faith implementation of obligations under international law to get to a total and unequivocal elimination of nuclear arsenals. We need to push the 13 steps of the final declaration of the 2000 NPT Review Conference. The United States needs to abandon its development of new nuclear weapons. The nuclear weapons states need to acknowledge that nuclear deterrence is and always has been a myth. All of the evidence contradicts this theory. Those weapons did not prevent wars in Korea, Vietnam, Afghanistan, the Falklands and Iraq and they certainly did not prevent terrorists from attacking the World Trade Centre in New York in 2001. The fact that the United States has 8,000 nuclear weapons did not stop nuclear North Korea wanting to acquire its own, or India or Pakistan or Israel. Rather, the fact that the nuclear weapons states have not disarmed is a provocation, not a deterrent.

The Middle Powers Initiative Chairman, Douglas Roche, called on the review to find balance in non-proliferation and disarmament, to bargain in good faith for the elimination of nuclear weapons and to build a bridge between nuclear weapons states and non-nuclear weapons states which can agree on a pragmatic agenda for implementation of key priorities: disarmament and non-proliferation. I urge the Australian government to show some backbone in this review. As former President Carter said just recently, there is no more important subject.

**Budget 2005-06**

Senator IAN MACDONALD (Queensland—Minister for Fisheries, Forestry and Conservation) (1.29 pm)—I will use these unexpected few moments to emphasise some of the benefits of the budget last night for Australia’s primary industries and country communities. The announcement in the budget last night of funding for country roads is very significant. I am particularly pleased that up my way, in North Queensland, some $80 million has been allocated to flood-proof the Bruce Highway just south of Tully. That is an area of North Queensland which has had substantial difficulties in the past in times of heavy rain, and has held up the national highway for days and sometimes weeks at a time. The government’s commitment of $80 million towards flood-proofing that highway is certainly very welcome news. The federal member for Herbert, Mr Peter Lindsay—a major advocate for the Townsville area, obviously, but also a very successful advocate—has obtained money for a ring-road around Townsville.

I am also pleased to see the government continuing its commitment to the outback highway: a road right across the centre of Australia that links Winton, in western Queensland, with Laverton, in Western Australia. The government has committed some funds, albeit small amounts. But—together with contributions by the states of Queensland, Western Australia and the Northern Territory—that road will one day become a reality.

In the agriculture area, our government has a number of initiatives in relation to water and land conservation issues which will be of particular significance. It makes contributions to greater marketing and better exporting of our products around the world.
The government is very conscious of the severity of the drought in Australia presently and that if we do not get decent rains in the very near future in parts of New South Wales and Queensland, in particular, Australia will be facing unchartered waters as we look at one of the worst droughts since European settlement of this continent. That is something that the government obviously keeps in mind. Its drought assistance is ongoing and funded to whatever level is needed to meet the commitments the government has made to those land-holders the drought has an impact on.

In my area of fisheries, forestry and conservation, I am delighted that the government has confirmed additional funds to continue our Southern Ocean patrol boat working beyond the initial period of two years for which it was funded. A couple of years ago the government announced $90 million for an armed Southern Ocean patrol boat to get down into some of those very difficult seas of the Southern Ocean. Our patrol boat is currently stationed in waters close to the Antarctic. It is shadowing three fishing vessels fishing in waters where we are concerned they are not legally allowed to fish. We are gathering evidence as we speak and we are approaching the Japanese government to clarify the position of some of those boats.

That has all been possible because of our fisheries patrol boat, the Oceanic Viking, which, as I said, was funded for two years to an amount of $90 million. The budget last night extends that funding, and we will now be able to continue those patrols until at least 2010. That is good news for Australia’s border security, and it demonstrates quite clearly that the Howard government is serious about Australia’s borders and serious about protecting our fish stocks—particularly our very special marine ecosystem, which we believe we have an obligation to the world to look after.

The patrol has been successful in more or less eliminating illegal fishing in Australia’s waters not only around our coastline but around the Australian territories of Heard and McDonald islands in the Southern Ocean. The patrol boat is working with the French to protect those waters—the French because they have an island fairly close to Heard and McDonald islands. In addition to that, the Australian patrol vessel is able to patrol international waters under the control of the regional fisheries management organisation, the Commission for the Conservation of Antarctic Marine Living Resources, referred to as CCAMLR. Australia as a good international citizen is patrolling CCAMLR waters as best it is able, to play its part in trying to ensure that the rules made by CCAMLR for regulation of those waters are upheld.

I was also delighted to see in the budget an allocation of money for a direct air link between Hobart and the Antarctic mainland. That is something for which my colleague Senator Ian Campbell has been fighting for some time and something that I was very keen on when I was in charge of the Antarctic Division several years ago as Parliamentary Secretary to the Minister for the Environment. That funding is certainly good news for Australia’s scientific research efforts on the Antarctic mainland.

In time, I am hopeful that flights between Australia and the Antarctic mainland, used to convey scientists and researchers more quickly down to the icy continent, will be able to be used to help in the surveillance of those Southern Ocean waters and will help Australia’s fight against illegal fishing. I was also delighted to find that in last night’s budget there is about $90 million committed for protection of our northern borders—against all sorts of things but particularly, from my point of view, against illegal fishing.
from the north—and dealing with those whom we have arrested.

Senators will be well aware of a major effort which the government organised a couple of weeks ago called Operation Clearwater. The Australian Army, Navy, Air Force, Customs, Fisheries, Quarantine and Immigration were all involved in a massive exercise to attack illegal fishing in the north of our country. That resulted in some 29 boats being apprehended and over 240 illegal fishermen being taken to Darwin for investigation and perhaps prosecution for breaches of Australian laws. That was a very successful exercise, and it really demonstrated how significant, capable and courageous our Australian officials are. It also demonstrated how all of those agencies—Army, Navy, Air Force, Customs, Coastwatch, Fisheries, Immigration and Quarantine—could all work together to bring about a very significant result. Last night’s budget continues the efforts that the Australian government will make towards that end.

There was also $3 million set aside for further research into the southern bluefin tuna. The southern bluefin tuna is, of course, a major export from Australia. It is worth something like $300 million a year and provides close on 3,000 direct jobs in the South Australian community of Port Lincoln. So it is very important that we do our part to continue the scientific research into that fish to make sure that it is sustainably harvested; that we understand how it works; that the fish stock is there forever to assist the Australian economy and, particularly, the South Australian economy; and that this very special species is not overfished in the world’s oceans. So there was a lot of good news in the fisheries area.

There was also a lot of good news in the forestry area, for which I also have responsibility. I was delighted to be able to ensure that the 12-month rule, which provides incentives for investment in plantation forestry—and which a couple of years ago the Labor Party, capriciously I think, put a sunset clause on so that it would conclude in June 2006—has been extended by the government for another two years. In that time, the government will be conducting a major inquiry into tax impediments and other impediments to investment, not only in short-term rotation plantation crops but also in, importantly, longer-term rotation crops for saw logs. That will be very useful. I am confident that that investigation and major review will bring up some new initiatives for this government to ensure that our plantation industry is very successful and useful to Australia and it will do something about stopping the very significant balance of payments deficit we have in forest products in our country.

There were another couple of pieces of good news. Weeds are one of the real problems in Australia at the moment. They cost Australia something like $4 billion annually. Last night’s budget honoured an election commitment to pour another $40 million into the eradication and control of weeds in Australia. Weeds are something that, constitutionally, the states and local governments are supposed to be looking after, but the Australian government understands the severity of the problem and has shown some national leadership with a contribution of something like an additional $40 million to the fight against weeds so as to defeat the weeds menace. There was also money for the Great Artesian Basin capping and piping initiative. That is very important in my state of Queensland and in New South Wales and South Australia. So across the board it was a very good budget outcome for rural and regional Australia and for the important industries that really do make a major contribution towards the welfare of this nation.
There is a lot of media comment about an announcement on the Tasmanian forest issue being imminent. That is something that I have been predicting for some time, and hopefully within the next week or so the Prime Minister and the Tasmanian Premier will be making an announcement on the forestry issue. This results, of course, from the coalition’s commitment prior to the last election, where we guaranteed to get a very good outcome: we guaranteed to reserve an additional 170,000 hectares of old-growth forest in Tasmania and committed ourselves to doing that in a way that did not cost jobs and did not hurt rural and regional communities—very much unlike the Labor Party proposal, which would have decimated jobs and rural communities and, quite frankly, done little for the environment.

Our commitment was to achieve good environmental and economic outcomes, and hopefully the results of that will be available to be seen by everyone in the next couple of years. We are quite sure that there will be the normal sorts of criticisms from the Greens and the other radical environmental groups, but I think sensible environmental groups—groups that are genuinely interested in the environment rather than the political argument—will warmly endorse the proposals that we promised in the election and will be announcing very shortly. All in all, it was a very good budget that really did deliver on the commitments that we made at the last election and set the scene for further progress in our country in the years ahead.

Anzac Day

Senator MARK BISHOP (Western Australia) (1.43 pm)—During the last sittings, I spoke about the government’s reckless behaviour in the construction of new roads at Anzac Cove in Turkey and about the culpability of the Minister for Veterans’ Affairs and the Prime Minister. Anzac Day at Gallipoli has now come and gone. As one who attended all three services there on 25 April, I would like to comment on the controversy which has arisen. In particular, I would like to address the principles of commemoration: where they have gone wrong, why and what should be done to retrieve the situation. The roads issue, though, is another matter that I will address separately in the future. The issues concerning heritage and war graves on the peninsula are also in need of a thorough examination at another time.

The main comment I make about the commemorations at Anzac Cove, Lone Pine and Chunuk Bair this year concerns the sense of disappointment. In themselves, the ceremonies were fine. They were as they should be: reverent and deeply respectful. They each separately created a deep impression upon those who attended. It is, indeed, a deeply moving experience—it is for one of the most important events in our history.

I also put on record some praise for the young Australians who attended there. In their own way they were exuberant. So, of course, were the young Australians who fought and died there some 90 years ago. As we know, the facilities for those attending, regardless of age, are quite inadequate. Nevertheless, given the distances travelled and the privations of the previous night, I share the pride at seeing them there and offer no criticism. Indeed, I think we should discount much of the reaction from those who were not there. After all, their only source of information was the rather sensational and exaggerated media relayed back home. I will say no more than that, except that there was a more sinister political undertone to Gallipoli this year, which I now turn to address.

The reporting of Gallipoli this year and the government’s approach begs serious questions about the conduct of commemoration in this country. For at least the last four
years Gallipoli has been covered with some controversy. The issue of rock music played through the preceding night has been the subject of significant complaint every year and it has continued, to the ludicrous stage now where the Minister for Veterans' Affairs has confessed to being the DJ. Crowd behaviour, especially amongst the young, has also featured amongst the complaints, although I must say that this year, with alcohol at last banned from the site, this is no longer a substantive criticism. Much of the criticism in the past has been disputed by the Office of Australian War Graves—in this area it is now the new government impresario—and that is on the record from past Senate estimates hearings, but it has been roundly contradicted by many who found the behaviour offensive. This year I saw none of that, to everyone's credit.

Unlike previous years, security, while clearly a continuing concern, was not topical. The presentation, however, did make one enormous escalation, with a sound and light show commissioned and presented at great cost. As a display, I thought it was well done. It was evocative and professionally conducted. Whether it was appropriate for a program of remembrance, however, is a moot point. Overall, the reaction of the media and the commentariat in Australia seems to have been one of disapproval. The program was treated under the umbrella of entertainment. The overriding impression has been one of celebration rather than commemoration. Perhaps that reflects our own contradictions socially as to how the dead should be farewelled and remembered. Given this very strong reaction, it is the opposition’s view that this issue must be addressed.

The most important point to be made about the various commemoration programs run by the government in the last decade is the new level of awareness which the running of those programs has created. It is an awareness by the new generation of the feats, endurance, hardship and commitment of their forefathers and foremothers.

World history in the last century was indeed tumultuous. It is very easily forgotten. But it is more than something which ought to be confined to the dwindling number of schoolboy and schoolgirl historians. If we accept the maxim that history repeats itself, in this instance we ought to ensure that it does not. We now have unprecedented prosperity on this earth and we cannot afford to allow world affairs to lapse again. New generations need to understand that—hence the justification and need for programs of ongoing commemoration. They need to exert their influence in the future to make sure that leaders exhaust all options before military action is seriously contemplated. At the same time, younger generations need to be cautious. They need to understand the Realpolitik of the world and the need for balance of power and strong defence in the long-term interests of peace. The history of the last century shows us what a massive cost war has been to our society. That is the second point regarding commemoration.

However, the real issue so evident at Gallipoli this year and the sole cause of all the controversy was political capture. As many commentators have said, ‘Perhaps it’s time that politicians butted out.’ After all, they all agree that politicians cause war; they are not so good at preventing it. The real cost of war is to the people involved, and it is that very human message which is so moving at Gallipoli. It does not need sound effects, lighting, grand highways or VIP car parks, nor does it need prime ministers strutting the stage, basking in the reflected glory. Above all else, my take on Gallipoli this year is that the political manipulation sullied the spontaneity of the whole day.
But that is also true of the government’s entire approach to veterans matters. Veterans, of course, are chuffed at the recognition and that is perfectly natural, although they say the glory has been diminished by the triviality of new medals and public relations stunts. Veterans say repeatedly that commemorations are designed with only political promotion in mind. That is not what commemoration is about or what it should be about. In fact, this year at Gallipoli it backfired. As I have said, the only impression created in Australia from Gallipoli this year has been one of controversy. First, it was the roadworks—which have destroyed the remaining unspoiled sections of Anzac Cove—and the political deceit and blaming of others. Then there is the despoliation of an important World Heritage site, which is in fact one huge cemetery. Over 4,200 Australians still remain on that faraway peninsula, never recovered. Nothing was done to address those concerns until after the event. It is too late, Prime Minister—the damage has been done. Then there was the music chosen by the minister responsible and a complete ignorance that anything was amiss. The damage to the cliffs at Anzac Cove was trivial, she said. And so it goes on.

The opposition believes this must not happen again. Perhaps it is time that commemoration programs were removed from the political arena where they can be so easily manipulated, as they are now. It is certainly not the job of the Office of Australian War Graves, whose charter is to bury the dead, care for their graves and care for the relevant cemeteries. In fact, it must be said that under this government the Office of War Graves has become just another tacky piece of the Howard government’s self-serving public relations apparatus. There is no point in shooting the messenger. The government is where the buck stops. It is the government which allocates the funds and, as we know, it is the only policy issue on the veterans’ agenda. The millions spent here would be much appreciated by disabled veterans and war widows struggling to make ends meet. A more balanced approach needs to be found. We need to exercise some humility and, perhaps, the more considered and respectful approach of New Zealand and Turkey. After all, at Gallipoli, their losses were proportionately much higher than ours. It is relevant to note the pleasant contrast between the Australian dawn service and the quiet reverence of the midday service at the New Zealand memorial at Chunuk Bair, which the Australian Prime Minister could not bring himself to attend.

I believe it is time this whole approach to commemoration was reviewed. It needs to be removed from the direct control of the minister and the Prime Minister of the day. We also need an agency more relevantly and appropriately equipped to manage commemorations on an ongoing basis. My suggestion is that all commemorative activity should be consolidated within the Australian War Memorial. It should form part of the memorial’s duty to public education and formal remembrance. To assist, the views of the ex-service community need to be tapped more vigorously. Consultative forums, which currently exist, ought to be drawn into this process as well. Commemoration is about recognition but it is also about remembrance. Currently these essential elements have been swamped by political exploitation all done with a degree of mock sincerity and phoney self-righteousness. From the experience at Gallipoli this year, we can see just how transparent this is. The opposition believes there has to be a better way and that it is appropriate for a review to be conducted.

Sitting suspended from 1.56 pm to 2.00 pm
QUESTIONS WITHOUT NOTICE

Budget 2005-06

Senator SHERRY (2.00 pm)—My question is to the Minister for Finance and Administration, Senator Minchin, representing the Treasurer. Is the minister aware that the Reserve Bank warned last Friday that ‘strong demand conditions domestically are contributing to significant upstream price pressures’? Can the minister explain why the Reserve Bank’s concern about strong demand fuelling inflation would not have been heightened by yesterday’s new tax cuts and spending of $39 billion? If the RBA were concerned about upward pressure on interest rates last Friday, wouldn’t they be even more concerned today?

Senator MINCHIN—The opposition seems to be the only entity in Australia that has not noticed that, in fiscal terms, this is a contractionary budget. We are producing record surpluses: $9.2 billion in 2004-05, $8.9 billion in 2005-06, and substantial surpluses forecast for the out years of the forward estimates. These surpluses are substantially in excess of the surpluses forecast in the last budget and in MYEFO. Because of the strength of the economy, and because of the profitability of the corporate sector, corporate tax revenue means that the government is actually taking substantially more out of the economy than it is putting in. The government is contributing to net savings in a way that exceeds the forecasts in the last budget and in MYEFO. So there is absolutely no doubt—and virtually every commentator has referred to this—that we are acting responsibly to keep the pressure on interest rates. We do acknowledge the importance of managing the economy and the government’s fiscal position in such a way as to minimise the pressure on interest rates. That has been a founding condition for the government in its approach to this budget.

The point is that the revenue that we are receiving from the corporate sector, which is so strong, is in effect a rearrangement of the revenue side of the budget, so we are able to ease the burden on the personal income tax side in such a way as to not put any pressure on interest rates. In fact, the result is greater surpluses, greater savings by the federal government and, therefore, less pressure on interest rates.

Senator SHERRY—Mr President, I ask a supplementary question. Is the minister further aware that the $6 a week tax cut for average Australians has already been wiped out by the average increase of $12 a week on the family mortgage as a result of the latest one-quarter per cent increase in interest rates? Isn’t it the case that what the government has given as a tax cut in the budget only partly covers the cost of its broken election promise on interest rates?

Senator MINCHIN—It really is amazing that the Labor Party have the gall to come in here and complain about the level of interest rates, having left Australia with record disastrous interest rates that ruined small businesses, families and farmers throughout Australia. Their massive deficits put huge pressure on interest rates and resulted in interest rates in the teens. It is unbelievable. We now have interest rates down at 5.5 per cent of the official cash rate. Australians paid no interest rate increase throughout 2004. There was a one-quarter of one per cent increase in March of this year, and there have been no further interest rate increases, because of the tremendous record of economic management of this government which is ensuring that Australian families can borrow, invest and substantially increase their real wealth.

Budget 2005-06

Senator FIERRAVANTI-WELLS (2.04 pm)—My question is to the Minister for Finance and Administration, Senator Minchin.
Will the minister inform the Senate about how the 2005-06 budget delivers important benefits for the Australian people? Is the minister aware of any alternative approaches to economic management, in particular relating to taxation?

Senator MINCHIN—I thank Senator Ferravanti-Wells for her outstanding maiden question and welcome her warmly to this side of this august chamber. I hope that she stays on this side for many years to come.

One of the defining features of the Howard government has been our commitment to keeping taxes as low as possible, consistent with good economic management and the delivery of essential services. And this budget does deliver lower taxes. This budget reduces the lowest marginal tax rate to 15 per cent to assist low-income earners and it improves the taper rates of benefits in order to increase the incentive to enter the workforce.

Changes to the thresholds—the 42 per cent and 47 per cent rates—will ensure that over 80 per cent of taxpayers face a marginal rate of no higher than 30 per cent and that by 2006-07 this top rate will apply to only three per cent of Australian taxpayers. These cuts do amount to fundamental reform because they make Australia more competitive internationally, they will improve workplace participation, they will improve productivity and they will build a stronger economy. And they should not be seen in isolation. Over the last three budgets we have delivered successive waves of personal income tax cuts, starting with taxpayers on the lowest incomes. In 2006-07, the combined effects of all these tax cuts mean that we will return to taxpayers almost $13 billion in that year alone, or 11 per cent of the total revenue we would otherwise have collected without all these tax cuts.

In this budget we have also abolished two taxes which were introduced to help clean up the fiscal mess left by the Keating-Beazley Labor government: the superannuation surcharge and the three per cent tariff on business inputs. Their abolition will increase personal savings and make our manufacturing industries more internationally competitive, so this budget represents real and substantial reform of our tax system. Remarkably, the Labor opposition has decided to oppose our personal tax cuts—

Opposition senators interjecting—

The PRESIDENT—Order! Senators on my left, come to order. There is too much noise.

Senator MINCHIN—and our super surcharge abolition. Really, this is an extraordinary example of the hypocrisy of those opposite and of the negative mindset of a party of long-term opposition that opposes for opposition's sake. Labor created the great fiscal black hole that we had to fix. We had to fix it by introducing, in particular, the surcharge, the introduction of which they actually opposed—they tried to stop us cleaning up the mess. Now that we have cleaned up the mess, they are going to oppose us getting rid of the surcharge. This is the most extraordinary, inexplicable, crazy position ever adopted by any opposition.

Having complained repeatedly about the low threshold at which the top personal tax rate cuts in, Labor are actually going to vote against legislation to raise that threshold. Are Labor seriously proposing to oppose the legislation to reduce the lowest tax rate to 15 per cent, which represents a cut for every single Australian taxpayer? If Labor delay the introduction of these tax cuts then they will be deliberately damaging Australian families. These cuts are worth $3.1 billion in the coming financial year. So for every week Labor delay these tax cuts, they will cost
Australian families some $60 million. Tax reform in this budget is an investment in participation, productivity and a stronger economy. Labor should get out of the way and let us get on with securing Australia’s future.

Budget 2005-06

Senator CONROY (2.09 pm)—My question is also to Senator Minchin, the Minister for Finance and Administration and the Minister representing the Treasurer. Is the minister aware that the Reserve Bank Governor warned as recently as last Friday that demand pressures and skills and infrastructure shortages are pushing up inflation? Is the minister aware that, since the budget was announced, the Reserve Bank’s interest rate concerns have been echoed by independent commentators Chris Caton and Saul Eslake, with the latter stating, ‘There is a real risk now that the RBA will feel the need to lift interest rates again’? Can the minister explain why there were no new measures in last night’s budget to ease these capacity constraints and reduce upward pressure on interest rates?

Senator MINCHIN—It is obvious that this miserable opposition are praying desperately that the Reserve Bank will lift interest rates. That is what they are really saying: ‘Please increase interest rates.’ This budget has been deliberately framed, as I said to Senator Sherry, on the basis that we will minimise the extent to which fiscal policy puts any pressure on interest rates by running probably the largest surpluses we have ever seen in this country—unlike those opposite, who ran the largest deficits we have ever seen in this country, putting upward pressure on interest rates and resulting in the highest interest rates seen in generations. We now have very stable and relatively low interest rates. This budget will assist in ensuring that we keep the pressure off those interest rates by these very substantial surpluses, which represent savings by the federal government and a substantial contribution to ensuring there is no pressure on interest rates.

Senator CONROY—Mr President, I ask a supplementary question. Is the minister aware that independent commentator Alan Wood described the budget as a wasted opportunity for reform, Tim Colebatch described it as ‘not the budget Australia needs’ and Ross Gittins says it puts ‘popularity ahead of responsibility’? Minister, hasn’t this budget put further upward pressure on interest rates and squandered the opportunity for real reform?

Senator MINCHIN—I wonder if Senator Conroy saw that Terry McCrann had described it as the best budget in 30 years. For every one you cite who might have some particular complaint, there are another 10 who say this is an absolutely outstanding budget, deliberately aimed at the problems that Australia faces over the next 10, 20 and 30 years—problems Labor totally ignored but we are addressing by ensuring that this is a productive economy able to support Australians in the years ahead.

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw to the attention of honourable senators the presence in the President’s Gallery of an Australian Political Exchange Council Delegation from the International Youth Cooperation Development Centre of Vietnam, led by Mr Nong Quoc Tuan. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators—Hear, hear!

QUESTIONS WITHOUT NOTICE
Retirement Savings

Senator FIFIELD (2.12 pm)—My question is to the Minister for Communications, Information Technology and the Arts and the Minister representing the Minister for Reve-
nue and Assistant Treasurer. Will the minister please advise the Senate how the Howard government is helping Australians save for retirement? Is the minister aware of any alternative policies?

Senator COONAN—Thank you, Senator Fifield, for a very timely question. As we have shown time and time again, the government are committed to helping Australians save for their retirement and giving them both flexibility and choice. In the past few years, the government have made major strides in advancing the ability of Australians to actually save for their futures. For most Australians, superannuation is the biggest investment they have after their family home. After years of opposition in this place from Senator Sherry and others, the government have been able to deliver to Australians the right to choose where their superannuation savings are invested. We have given low-income earners encouragement and support—

Senator Sherry—Have you talked to any businesses lately?

The PRESIDENT—Senator Sherry, you are continually interjecting today. I ask you to come to order.

Senator COONAN—in saving for their future with the superannuation co-contribution. I am very pleased to say that, thanks to the government’s strong economic management, we are now in a position to do more to help Australians save for their retirement. From 1 July the superannuation surcharge will be completely abolished for new contributions and termination payments. The superannuation surcharge was introduced at a time when the government had been left with a legacy debt—a massive $96 billion of Labor’s debt. That debt will be slashed to just $6 billion by June 2006, thanks to this government’s efforts in running a sound economy.

We have been reducing the surcharge rate since the 2003-04 financial year. But unfortunately, as many would recall, last year’s attempt to reduce the surcharge rate to 7.5 per cent for 2005-06 and later financial years was also opposed in this place. Labor decided it was more politically expedient to play the politics of envy than to encourage those Australians who can save for their future to do so. We now know that Labor are saying they would oppose tax cuts. As Senator Minchin said, it is almost unbelievable. Mr Beazley has been saying he will oppose the government’s $21.7 billion in tax cuts and will also oppose the abolition of the surcharge. Unfortunately, Labor are running true to form. When Labor are in government they run up massive deficits, they drive up unemployment and interest rates and they certainly do not deliver wages growth. Then from opposition they stand in the way of reform and stymie tax relief for Australian families. No wonder they are hanging their heads over there.

It is about time Labor decided just what they stand for. We know they do not stand for tax cuts. We know they do not stand for economic responsibility. We know they do not stand for strong retirement incomes. It is about time that, after 10 budgets, Labor got behind this government’s initiatives and supported policies to help Australian families and to help keep the economy strong.

Income Support

Senator CHRIS EVANS (2.16 pm)—My question is directed to Senator Abetz, the Minister representing the Minister for Employment and Workplace Relations and the Minister for Workforce Participation. Can the minister confirm that, because of changes announced in the budget last night, vulnerable low-income families applying for income support after 1 July 2006 will have their payments cut by up to $44 a fortnight
when their youngest child turns six? Does this mean that the sixth birthday present for a child in these families will be a cut of $22 to the weekly family income? Aren’t these families by definition already amongst the most disadvantaged in the Australian community? Why has the government decided to punish these families and their capacity to care for their children? Isn’t it the case that the creation of a single-parent dole does nothing to provide the assistance needed to help single parents to increase their work force participation?

Senator ABETZ—We as a government make no apology for the announcements in last night’s budget about work force participation. Indeed, we say that we need to encourage and enable the participation of those who are currently on payments who have a capacity, but are currently outside the work force, to be engaged in employment. That should not be a surprising statement for those opposite because that is in fact what Messrs Swan and Albanese said in a joint press release. But the Leader of the Opposition in the Senate comes in here and tries to claim that what we are seeking to do is somehow inappropriate. He needs to come forward and indicate to the Senate what his policy would be in the absence of ours. For nine years or so the Australian Labor Party have spent all their time criticising our policies without coming forward with their alternative policies.

In relation to the specific matters that Senator Evans raised, which he talks about very conveniently but also very misleadingly, or out of complete ignorance, and I will allow him to take his pick on that one—chances are the latter—the simple fact is that, on top of the payments that Senator Evans referred to, there will be new and enhanced allowances that have been completely ignored by Senator Evans in his referencing. For example, the new taper and the new tax rates: of what benefit are they going to be to these people? What about the lower income tax rate, conveniently overlooked by Senator Evans? I indicate to Senator Evans that the real challenge for Australia, recognised by, I think, both sides of politics, is that there is a need to increase work force participation within our community. If that is accepted then it is beholden on those that would seek to lead this country to come up with policies to actually achieve it. That is what the Treasurer outlined last night. We have a policy to achieve the increased work force participation; Labor does not.

To ensure that it is sensitively approached, we have ensured that the changes come into place after 1 July 2006 along with enhanced entitlements. I remind Senator Evans that these people will receive yet again for their children the $600 payment that Mr Latham said was not real money. I think the former member for Braddon, the defeated member for Braddon, Sid Sidebottom, acknowledges now that it was real money. What would the Labor Party do with that $600 payment? Would you take that off the poor families that you are suggesting in your question you are championing? Of course you would. You would remove their Medicare safety net as well. When you add up all the extra benefits that we as a government have delivered, not only will individual families be better off but the Australian community and the Australian economy are going to be better off as well.

Senator CHRIS EVANS—Mr President, I ask a supplementary question. The minister says he will not offer an apology but he does not offer an explanation either. I take him back to the core question; he seemed to want to discuss everything else but that. How does moving people from the pension to the dole with a cut of up to $44 a fortnight actually help those people who are severely disadvantaged to get work? Aren’t you actually punishing the families and reducing their capac-
ity to feed and clothe their kids by reducing the income you pay them? Week after week they are going to be $22 a week worse off because you are cutting their payments when their child turns six. What is the explanation for that measure in last night’s budget?

Senator ABETZ—Senator Evans, of course, is on very shaky ground talking about punishing Australian families—when you have one million of your fellow un-Australians on the unemployment benefit and then claim this is the recession we had to have, that is punishing Australian families, especially lower income earners. We as a government will not tread your path. What we have done is ensure that the capacity to participate in the work force is made easier, because we unashamedly say that the best social welfare policy any government can deliver to an Australian is a job. We have shown that already by the huge increase in the employment level in this country and, what is more, we are going to enhance that even more for the benefit of all Australians.

Budget 2005-06

Senator ALLISON (2.22 pm)—My question is to Senator Minchin, the Minister representing the Treasurer. In the last two budgets your government has increased the take-home pay of someone earning $100,000 by at least $7,000, but for someone earning $30,000 that increase has been a mere $300. How can you possibly justify such an unfair and elitist policy? Why is it that the tax-free threshold, the level at which people pay tax, is only $6,000 when the Henderson poverty line is around $12,500? Why does the minister think that it is reasonable for people living in poverty to be paying income tax?

Senator MINCHIN—There are several questions there. I think what the question in relation to the tax changes ignores is the very substantial tax that will continue to be paid by higher income earners. As I have said in this chamber repeatedly—

Opinion senators interjecting—

Senator MINCHIN—They find it funny. As I have said repeatedly, the top 25 per cent of income earners in this country carry the burden of some 65 per cent of the income tax revenue of this government. As NATSEM recently showed, through Ann Harding’s research, the first 60 per cent of Australian taxpayers are net beneficiaries of the tax and welfare system—in other words, they are net recipients of largesse from the government. Forty per cent carry the whole burden for the 100 per cent.

I think the Senate has cited the example of a taxpayer on $100,000. That taxpayer, after the tax cuts come into effect on 1 July 2006, will still pay nearly $30,000 per annum in tax—they will be paying nearly 30 per cent of their income in tax. But a taxpayer on $50,000 will only pay just over $10,000 in tax, or one-fifth of their income, and a taxpayer on $30,000, after 1 July 2006, will only pay under $5,000 tax, or one-sixth of their income. So the progressive tax system is still in operation. It still works; it still means that people on higher incomes pay a higher proportion of their incomes in tax than people on low incomes. All we are doing is reducing the extent to which the progressive system penalises those who are on higher incomes.

I think the Democrats continue to ignore the necessity to have a tax system which recognises the global nature of our world economy. The fact is we are in a competitive situation with our tax system. Young Australians are free to go and work wherever they like in the world. We want to try and retain young Australians in Australia. We want to try and attract the best and brightest from around the world to come and work in Australia. We have to have a competitive tax
system. The fact that our highest tax rate has been cutting in at such relatively low incomes—a factor cited by the Labor Party in the past—has been a substantial disincentive to many Australians to even stay in the country, let alone to work hard, aspire to earn more and take on greater responsibilities in their working lives.

The Australian tax system is still substantially biased towards those on lower incomes. Indeed, if you refer to the figures in the budget overview, which sets out cameos of family situations, it shows that families with two children receive more in benefits than they pay in tax, up to an income of around $45,000—in other words, they are net beneficiaries. The Democrats are ignoring the impact of our very generous and substantial changes to the tax benefit system and they forget that the real wage increases experienced by families under our government have meant that Australian living standards have never been so high.

Senator ALLISON—Mr President, I ask a supplementary question. Isn’t it dollars in the pocket that make a difference to people on low incomes? Do you agree that, if the 2001 tax-free threshold of $6,000 had been indexed in each year by the CPI, the 2005-06 threshold would now be $7,064? Why does the Treasurer not understand that indexing tax scales, particularly the tax-free threshold, is the most basic fairness measure of all?

Senator ABETZ—We have another line now being run by another opposition spokesperson desperate to try to punch a hole in this very good budget which is concerned with forward planning for this country. In relation to people with disabilities, Senator Wong has made exactly the same mistake, and has repeated the mistake, as Senator Evans by refusing to talk about all the enhanced entitlements, such as the new taper and the new tax system. Also conveniently overlooked and forgotten, in looking after people with disabilities, is the very important aspect of the Medicare safety net, which Labor would abolish. People with disabilities can be assured that we as a government would, in looking after their interests, keep the Medicare safety net.

Before the Labor Party come into this place and seek to portray through their leader
and Senator Wong that they are somehow concerned about people with disabilities, they need to look at their own policies, which have been based on negativity. They are always criticising but they never come up with a positive solution. We are encouraging people not to concentrate on their disabilities but to concentrate on their abilities—what they can actually do and how they can actually work. That is why we are looking at an enhanced Newstart allowance for those who can work 15 to 29 hours per week.

I also indicate and repeat to those that might be concerned by the sort of propaganda being peddled by those opposite that these changes are only being proposed as of 1 July 2006. So those that are currently on a disability support payment can be assured that their payments are secure and any planning that they may have made on that basis is appropriately in place for them into the future. What we are concerned about is the future of this country and the future work force participation, which the Australian Labor Party is so willing to give lip-service to but so unable to come up with a solution for. Senator Evans and Senator Wong have typified by their questions today why the Australian Labor Party is still not fit for office.

Senator WONG—Mr President, I ask a supplementary question. I invite the minister to come back to the original question, which was to explain how cutting the income of a person with a disability by $77 a fortnight is going to assist them in getting work. Minister, isn’t it the case that, despite the government’s promises that those who are severely disabled would not be punished, someone after July 2006 who becomes severely disabled and confined to a wheelchair will no longer be entitled to a pension and will instead be entitled only to the new, lower disability dole? Isn’t this the first time since the invalid pension was introduced in 1909 that Australians with severe disabilities will not have access to a pension?

Senator ABETZ—We can play all sorts of games here. Senator Wong in her desperation is now trying to make some differentiation between a pension and a Newstart allowance and then claim that people on disability will not receive a pension any more for the first time. Let me make it perfectly clear: of course they will be given government assistance. For Senator Wong to try to run a scare campaign on the basis that the disability pension is now going to be called enhanced Newstart entitlement is dissembling. It is not worthy of a senator of this place, especially one that aspires to be a minister dealing with the area of work force participation.

Budget 2005-06

Senator LEES (2.33 pm)—My question is also to Senator Abetz in his capacity representing the Minister for Employment and Workplace Relations and the Minister for Workforce Participation. The minister is no doubt aware from previous questions of the proposals announced in last night’s budget relating to single parents, who will now be expected to find at least part-time work as soon as their youngest child turns six and is ready for school. Is the minister aware that the bulk of part-time work is in industries such as hospitality, entertainment, retail and tourism and usually not from 9.30 am to 3 pm on schooldays? Is he aware that these jobs usually have very irregular hours and often you get very little notice before you are expected to be at work? Will the extra child care and after school places be targeted at this new group seeking work? Can you guarantee there will be enough places, they will be when and where they are needed, and they will be affordable? If parents cannot find child care, given that very few of these jobs
are going to be during school hours, will you exempt these parents from the penalties?

Senator ABETZ—The vast bulk and content of Senator Lees’s question was in fact about child-care places, which of course falls within the portfolio responsibility of Senator Patterson. What I can indicate to you is that what we are seeking to do is increase the work force participation and have a change of culture within this country. We have set that out quite clearly and we will continue to set it out. It is interesting that everybody pays lip-service to it but nobody is prepared to take the small steps to avoid having to take the drastic steps in years to come.

Most Australians would say, and we would accept, that while you have a child that is six years of age or under, you would make the choice to be with that child and that that would be of benefit to that child. If you want to stay at home with a child after that child is six, that is fair enough, but is it fair to ask your fellow Australians to fund the choice that you make? Most Australians would say that it is appropriate for single parents with children six and over to start looking for work, as a result of which we have engaged in a serious attempt to ensure that we can get these people back into work and in part-time positions. Child-care places were part and parcel of our policy announcements last night and they are going to enhance the opportunities for people to engage in part-time employment. People can seek to nitpick around the areas.

Senator Chris Evans interjecting—

Senator ABETZ—Mr President, we have once again a very ill-informed interjection by Senator Evans seeking to scare people with a suggestion that the disability pension is going to be abolished. The simple fact is: government support will remain, irrespective of what it may be called.

We as a government make no apologies for saying that the changes that are going to be introduced are in fact going to cost the taxpayers of Australia for a number of years. These are not cost-saving measures. They are in fact measures that are going to cost the budget, if I recall correctly, for the next four years, because we are trying to ensure that the pathway into employment is made as smooth as possible, especially for those that suffer a disability, are single parents, or are long-term unemployed. That is why the suite of policies announced last night by the Treasurer are so good, will assist to grow the Australian economy and will assist to grow job opportunities, bringing benefits for all Australians, including the young children of the families that Senator Lees has been talking about.

Senator LEES—Mr President, I ask a supplementary question. I cannot thank the minister for answering my question, as he did not. My supplementary question is directly in the portfolio, Minister, as I ask in relation to employers. As many employers are not terribly sympathetic when single parents are forced to miss work as a result of child-care arrangements—if they have found them—that go wrong or perhaps a child that is ill, I ask: what particular measures does this government have in mind to encourage employers to actually employ single parents and to accept their perhaps unexpected absences due to the sickness of their children or to school holidays? If single parents lose their jobs because employers are not prepared to be flexible, will they still be penalised?

Senator ABETZ—Just to remind listeners and the Senate: the reason Senator Lees could not thank me for an answer to her question was that the bulk of the question was in fact directed to the incorrect minister. It should have been directed to Senator Patterson. So for Senator Lees to try to recover
on that basis was not very helpful to her cause. Secondly, can I say that putting the slur on employers that they would deliberately seek to sack people, I think, is a sort of stereotyping from a past era. It is not representative of the average employer today. We in this country have, over the past nine years, with this government, sought to increase workplace harmony as a result of our policy.

Opposition senators interjecting—

Senator ABETZ—Those opposite can jeer, but the simple fact remains that today we have the lowest rate of industrial dispute ever in this country. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw to the attention of honourable senators the presence in the chamber of a delegation from the Indonesian People’s Consultative Assembly, led by His Excellency Dr Hidayat Nur Wahid. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate. With the concurrence of honourable senators, I propose to invite His Excellency Dr Wahid to take a seat on the floor of the Senate.

Honourable senators—Hear, hear!

Dr Wahid was seated accordingly.

QUESTIONS WITHOUT NOTICE

Budget 2005-06

Senator SHERRY (2.41 pm)—My question is to Senator Minchin, representing the Treasurer. Is the minister aware that middle-income Australians earning up to $63,000 per year receive a tax cut of just $6 a week from last night’s budget, while someone earning $130,000 per year will receive $65 per week, more than 10 times the monetary amount that a middle-income Australian will get? Is the minister further aware that, according to last night’s budget, in the nine years to 1 July 2009, seven out of 10 taxpayers will have received an income tax cut of just $12 a week while the highest income earners, on $130,000 a year, will have received a $119-a-week tax cut? How can the minister justify such tax cuts to high-income earners at the expense of average, battling Australians?

Senator MINCHIN—This sounds remarkably like Senator Allison’s question. I guess I can just go on and give the same four-minute answer to the same question, because it is exactly what the Democrats asked—but Senator Sherry clearly was not paying attention when that question was asked and answered. I have made the point that, in a progressive tax system, those on higher incomes inevitably pay higher taxes, obviously in dollar terms but also in proportionate terms. I made the point to the Democrats that a person on a $100,000 income, even after the tax cuts of 1 July 2006, will still be paying nearly $30,000 a year in tax—nearly a third of their income. A person on $50,000 will be paying tax of around $10,000—one-fifth of their income. A person on $30,000 will only be paying less than $5,000 a year in tax—only one-sixth of their income.

These questions seem to ignore the very fundamental basis of the Australian taxation system, which is progressivity—that you pay a higher rate of tax the higher your income. So, inevitably, if you are going to cut taxes at the higher rates, the dollar amounts may appear greater, but that ignores the fact that the underlying taxation still paid by those people is at a higher rate and obviously much higher in dollar terms. The person on $100,000 pays three times as much in tax in dollar terms as a person on $50,000. These questions also—as I pointed out to Senator Allison—ignore the effect of the tax benefit system for Australian families. I made the point in my last answer that a family with two children receives more in benefits than they pay in tax, up to an income of around $45,000. So they
are effectively tax free up to an income of around $45,000.

Under our economic reforms, we have higher real wage growth than at any time in Australian history—much higher than when the Labor Party was in office. Australian families are receiving more in their pay packets. We want to encourage their aspirations to earn more, to work harder, to apply for promotion and to have an incentive to do so. The whole point of these tax changes is to ensure that the highest number of Australian workers possible faces a marginal rate of no more than 30 per cent. So we are, by moving up the thresholds for these higher tax brackets, increasing the likelihood of Australians paying no more than 30c in the dollar. That is now the case for over 80 per cent of Australians. This is a really important and fundamental goal for us.

As I said before, we want to ensure that young Australians do feel that they can stay in Australia and that we do have a very competitive tax system. We live in one of the most competitive regions of the world in relation to tax. Tax in Hong Kong has a top rate of something like 15 per cent. It is really important that we acknowledge the importance of enabling ordinary Australians to aspire to work more. I have heard Mr Swan and Mr Beazley make exactly this point, and Mr Shorten of the AWU made exactly this point: ordinary Australian workers who aspire to work harder, to get promotion and to work overtime should not have to lose 42 per cent or 47 per cent of their extra salary in taxation. That is the whole point of these reforms, and I cannot believe that the Labor Party is going to vote against them.

Senator SHERRY—Mr President, I ask a supplementary question. Is the minister aware that the $6 tax cut for eight out of 10 Australian families has already been swamped by the far higher costs they are now having to pay as a result of the Howard government’s broken election promises on child-care rebates, family tax, the Medicare safety net, private health insurance and interest rates? Minister, given that the budget shows that the tax take continues to break new records, isn’t the Howard government just giving back a small portion of what its broken election promises have taken away?

Senator MINCHIN—What I do know is that this Labor opposition is going to vote against the very tax cuts that we are introducing. They are going to vote against a $6 a week tax cut. This is an extraordinary proposition. For every week that these tax cuts are delayed, they will be costing ordinary Australian families some $60 million in tax cuts. They will be damaging Australian families by their opposition in this Senate—in the dying days of this Senate. They will vote against these tax cuts for ordinary Australian families and they will pay the price.

Budget 2005-06

Senator EGGLESTON (2.47 pm)—My question is to the Minister for Family and Community Services, Senator Patterson. Will the minister inform the Senate about how the Howard government’s strong economic management is delivering benefits to Australian families and whether there any alternative policies?

Senator PATTERSON—I thank Senator Eggleston for his question, because the nub of his question is a strong economy. What does a strong economy do? It delivers jobs. One of the best ways we can help Australian families is to provide them with jobs—significantly over 1.5 million jobs for Australian families. It also allows the Australian government to give families extra assistance. Last night’s budget continued to provide for Australian families. Last night the government announced that around 400,000 Australian families receiving family tax benefit A
payments would receive an extra $24 a fort-night on average by increasing the threshold level to $37,500. This will not only put more money in the pockets of low-income families but also play a significant role in the government’s welfare-to-work policies.

New measures to assist families receiving family tax benefit build on my success in reducing by 73 per cent the number of families receiving an FTB overpayment. The new measures will include assistance to help families estimate their annual income, fairer treatment of lump sum support payments from previous years and extra assistance to customers identified as being at risk of receiving an overpayment of FTB. I remind senators that families receiving FTB B are about to benefit from the early delivery of the increased maximum rate and will receive up to $150 when they lodge their tax returns at the end of the financial year. Contrary to what Labor has said, that has been introduced and brought forward by six months.

Another measure that will come into effect on 1 July will allow parents to keep the family tax benefit B received prior to their return to work after the birth of a child. The government also announced a $266 million child-care package to meet expected demand over the next four years and to support parents of school age children to either remain in or re-enter the work force. Over the next four years there will be an additional 84,300 outside school hours places. I might just remind my colleagues that the 84,300 places announced in last night’s budget constitute more than all the outside school hours care places Labor had when they left office in 1996. We have not seen a huge increase in the number of children in schools, but last night we announced more places for outside school hours care than Labor had in its last year in office: 2,500 family day care places and a further 1,000 in-home care places will be made available. This will mean an increase of around 400 per cent in outside school hours places since we came to government in 1996.

The Howard government will also provide $55 million over four years to support 52,000 low-income families to meet the gap in child-care fees. The package includes practical support to assist some parents to return to the work force as child carers. This budget assists families not only today but into the future. It has paid off $90 billion of Labor’s $96 billion debt, saving us billions in interest. It has provided $21.7 billion in tax cuts, given extra assistance to families—$3.6 billion to support people moving from welfare to work—and invested in a future fund for the families of the next generation. This is definitely a budget for families.

Budget 2005-06

Senator CONROY (2.51 pm)—My question is to Senator Minchin, the Minister for Finance and Administration and Minister representing the Treasurer. Will the minister give a rock-solid, ironclad guarantee that all moneys from any sale of Telstra will be placed in the future fund as outlined in budget paper No. 1, page 7-3?

Senator MINCHIN—I trust the Labor Party will not oppose the establishment of a future fund, because they did claim, when we announced the future fund, that we had pinched their idea.

Opposition senators interjecting—

Senator MINCHIN—I trust the Labor Party will not oppose the establishment of a future fund, because they did claim, when we announced the future fund, that we had pinched their idea.

Opposition senators interjecting—

Senator MINCHIN—Okay. I am happy to give them some credit, but I trust now they will not display the extraordinary gymnastics they have displayed on other issues by turning around and opposing the future fund. The future fund is a very significant part of this budget. For the first time, the government is taking seriously the unfunded superannuation liabilities left to us by previous governments—currently some $91 billion, growing to some $140 billion. Contrary
to what Mr Beazley has said today, this is a real unfunded liability. Mr Beazley said today that this was all going to disappear by 2050, which is an extraordinary statement—a $140 billion mistake. We will be placing into this future fund, set up by legislation, the proceeds of asset sales and the surpluses from future budgets, and we will retain the earnings of the fund in the fund to ensure that it can meet those liabilities.

In relation to the question of any proceeds from the sale of Telstra, this Senate has not again considered the question of whether or not to grant to the executive government the authority to sell Telstra. If that legislation proceeds and if that authority is granted, the government will have to decide whether to give effect to such a sale and under what circumstances: whether it is one tranche or three or five tranches. We are a long way short of having any proceeds about which we can decide what to do. The position at the moment is that, in relation to Telstra proceeds, should they be delivered, we have not yet made a final decision. It is clear in the budget papers that we have not yet made a final decision. It is true that, in the past, the great bulk of the proceeds of asset sales has gone to be used to retire debt. That was the case with T1 and T2.

Sen. Vanstone—Unlike Labor!

Sen. MINCHIN—Yes, unlike Labor, who used it for recurrent expenditure. The very profound position of this government is that our approach is that proceeds of asset sales should not be used to fund recurrent expenditure, as occurred under the Labor Party.

Sen. CONROY—Mr President, I ask a supplementary question. I note the minister did not give a rock-solid, ironclad guarantee. Will the minister rule out the government selling Telstra shares? Will the minister rule out the government selling Telstra to buy Telstra?

Sen. MINCHIN—We have made it quite clear that this will be an arms-length future fund. We are not going to meddle in it like the Labor Party would. To the extent that there is any risk of a future Labor government—God forbid!—we are going to protect this fund from such a future Labor government by setting this up in legislation, by having a board and by having an executive agency set up by legislation, with the professional job of managing the fund contracted out to professionals with an investment mandate set by that board. Obviously, what we want that board to do is to invest in a way that maximises returns consistent with a risk strategy agreed between the government and the board. Obviously, they will be purchasing shares and equities both in Australia and overseas in order that we can fund the unfunded superannuation liabilities. That is the whole point. The whole point is to ensure that they get a decent return on taxpayers’ money so that we can pay those unfunded superannuation liabilities.

Immigration

Sen. GREIG (2.55 pm)—My question is to the Minister for Justice and Customs, Sen. Ellison. I ask whether the minister is aware of the case of Julie, a young Thai woman currently held in Villawood Immigration Detention Centre and awaiting deportation. Is the minister also aware that Julie was granted a criminal justice stay visa after volunteering to assist the Australian authorities in the apprehension and conviction of those she claimed trafficked her into Australia but that, when the information she gave was deemed insufficient to trigger prosecution, she was placed into detention and is now to be deported? Will the minister please explain what the purpose of the criminal justice stay visa is, if not to protect the victims
of sex trafficking? What purpose does it serve to return such victims to their homeland and potentially into the clutches of criminal syndicates, who no doubt will not be at all pleased that they have been cooperating with the Australian Federal Police?

Senator ELLISON—I am aware that a ministerial intervention request has been received on behalf of the person concerned. I will not go into the details of that person’s case, for reasons of privacy, but I can say that the assessment has been referred to central office. Once the final outcome of that request is known, that person will be advised. These requests for ministerial intervention are assessed against guidelines issued by the Minister for Immigration and Multicultural and Indigenous Affairs to identify those cases which are to be referred for possible consideration by the minister.

As far as the criminal justice stay visa is concerned, we have always made it very clear that we have such a visa for those people who can give evidence which is viable and which can be used in a prosecution, particularly in relation to sex trafficking. This government stands on a very strong record in relation to its fight against people trafficking, be it of women or of children. In fact, that was recognised recently when I attended the United Nations congress on transnational crime in Bangkok. It is something we are working on with our neighbours in the region, especially in relation to Thailand. What we are looking at is the repatriation of those victims. As part of our package, we have an officer from the Department of Immigration and Multicultural and Indigenous Affairs who is based in Bangkok in relation to this package of measures. We have a number of prosecutions which are pending in the courts. They have come about as the result of very good investigations by the Australian Federal Police and of course evidence that we have been able to get from people who have been victims.

You have to remember that the information that we get from people has to be such that it can be adduced in a court of law and sustain a prosecution. In some cases, some of the information that we get is not capable of doing that or the person concerned does not wish to continue with that. That is a problem which then presents us law enforcers with a decision, because the fact is that you just cannot use that person’s evidence. Of course, the criminal justice stay visa was for the purpose of a person who could assist with inquiries. We have also seen the situation in which we have been able to repatriate a person to their home and then bring them back for the purposes of court proceedings. So we are trying to be as flexible as possible. I cannot go into the details of this case because it is still the subject of inquiry, as I understand it—and I will correct the Senate if that is not so. That is as much as I can advise Senator Greig in this case, because it is a rather delicate matter.

Senator GREIG—Mr President, I ask a supplementary question. I thank the minister for his answer and welcome news of possible ministerial intervention in this particular case. Does the minister agree that those trafficked into Australia are fundamentally victims of crime and should be seen as victims of crime and not treated as illegal immigrants? Does the minister further agree that, in any potential deportation order, the health, welfare and safety of the individual must be the primary consideration, not whether or not the information they may have provided to authorities is insufficient for the prosecution of traffickers?

Senator ELLISON—The question of the criminal justice stay visa is quite a distinct one from the question of deportation. I have outlined the scheme surrounding a criminal
justice stay visa. Deportation involves considerations which come under the jurisdiction of the Minister for Immigration and Multicultural and Indigenous Affairs. Of course, a number of considerations are taken into account in the case of any deportation. That is the situation in relation to the case that Senator Greig has outlined. I am sure those considerations will be taken into account should a question of deportation be considered.

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

QUESTIONS WITHOUT NOTICE:
ADDITIONAL ANSWERS
Budget 2005-06

Senator ABETZ (Tasmania—Special Minister of State) (3.01 pm)—I seek to briefly add to an answer I gave to a question asked by Senator Wong. To make it completely clear, after 1 July 2006, the disability support pension will be available for people who are assessed as being unable to work 15 hours or more a week, and those currently on the disability pension will remain on the disability pension.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS
Budget 2005-06

Senator SHERRY (Tasmania) (3.01 pm)—I move:

That the Senate take note of the answers given by the Minister for Finance and Administration (Senator Minchin) to questions without notice asked today relating to the Budget 2005-06.

I want to focus on the unbalanced and unfair tax cuts that were announced in the budget last night, on which there were some questions in question time today that Senator Minchin responded to.

What is fundamental to the tax package that was announced last night is its unfairness. A person earning up to approximately $63,000 a year receives a tax cut of just $6 a week. We are talking here about 80 per cent of Australians. The overwhelming majority of Australians earn up to this income level. In contrast, an income-earner earning approximately $130,000 per year will receive a tax cut of $65 a week. The Labor Party argues that this is not a fair and balanced tax package. It is not fair, and it is not balanced.

Senator Boswell—Are you going to vote against it?

Senator SHERRY—We are, as a matter of fact. Of course, the figures I have just given you about a high-income earner on $130,000 a year receiving a tax cut of $65 per week do not include the very significant tax cut to high-income earners’ superannuation. In fact, if a person on $130,000 a year is receiving, let us say, 15 per cent in superannuation contributions from their employer, they will receive a further tax cut of approximately another $40 to $50 a week. These are very exclusive tax cuts. That amounts to a $6 a week tax cut for your battler and a $65 a week tax cut for a person on $130,000 a year. It does not stop there, however.

There are further tax cuts in the government’s package for 2006-07 but there are no further tax cuts for a person earning less than approximately $60,000 a year. We have two stages of tax cuts. The first stage is manifestly unfair and the second stage in 2006-07 delivers a further tax cut to high-income earners earning more than approximately $60,000 a year. The imbalance and unfairness in the tax package that was announced last night is extended and made even more unfair in the next financial year. It is battling low- and middle-income earning Australians who, with their $6 a week tax cut, are having to pay the price for this government’s broken election promises in a range of areas like

CHAMBER
child-care rebates, family tax and the Medicare safety net—that one is well remembered. Private health insurance costs are going up and, of course, interest rates have been increasing since the last election when the Liberal government promised that interest rates would not go up. They face a combination of significant increases in costs as a direct result of broken election promises and they are expected to cover these significant costs with a $6 a week tax cut. Contrary to what Senator Minchin and those interjecting on the other side have been saying, it is not just about the effect of progressivity and percentage cuts; it is a fundamental issue about caring for battlers and their capacity to pay for what have been very significant increases in costs. Just go and ask the average battling family. (Time expired)

Senator BRANDIS (Queensland) (3.06 pm)—Dear, oh dear, Senator Sherry! Let us take you through it. You say these are very exclusive tax cuts—I do not think so, Senator Sherry. Everybody gets them; every Australian taxpayer gets a tax cut as a result of last night’s budget. That is the first point. Then Senator Sherry says, ‘Well, high-income earners get a bigger tax cut than low-income earners.’ Senator Sherry, yes, they do. Do you know why? Because high-income earners pay more tax than low-income earners, so of course in dollar terms a person earning $130,000 a year is going to get a larger tax cut than a person earning, let us say, $20,000 a year. The important point is that, as a proportion of income tax paid, the low-income earner gets the biggest percentage tax cut as a result of this budget. The largest percentage tax saving as a result of yesterday’s budget is in the lowest tax bracket, where the tax cut is from 17c in the dollar to 15c in the dollar.

Then Senator Sherry puts on a grave face and says, ‘Well, Mr Deputy President, it’s also unfair because the tax cuts to the high-income earners are being phased in in two phases, so not only do they get a tax cut this year’—that is true—’but they get a tax cut next year.’ That is also true. What do you want? Do you want the tax cut for low-income earners—the people who, as a proportion of the tax they pay, will save the most—phased in over two years, delayed by another year; or do you want the low-income earners, the battlers, the people most in need of the extra dollars, to get their tax cut at once? Of course you want the latter. You do not want the tax cut for low-income earners to be phased in over two budgets; you want them to get their tax cut straightaway on 1 July. That is what the budget provides, but that all depends on the willingness of the Australian Labor Party to pass the tax cuts. Will the Australian Labor Party pass the tax cuts?

As you know, Mr Deputy President, there are nine sitting days of this Senate between now and 30 June. After today, there are nine more sitting days. In those nine sitting days that remain while the Senate is controlled by the Australian Labor Party and the Democrats and the Greens, the Labor Party will be put to the proof. Will you pass the budget? Will you pass the tax cuts? Will you enable the low-income earners of this country to get their tax cut from 17c in the dollar to 15c in the dollar, the biggest proportionate impact on any income group in the budget, on 1 July? Will you enable the tax thresholds to be increased so that 80 per cent of Australian taxpayers are paying no more than 30c in the dollar after 1 July? Will you enable the legislation to be passed so that 97 per cent of Australians are paying tax at less than the top marginal rate on 1 July? Will you let the tax cuts through? What will you do, Senator Conroy—through you, Mr Deputy President? What will your party do? Will you give Australians the tax cuts or will you deny them
the tax cuts on 1 July 2005? That is the ques-
tion for you.

I believe that the decision of the Treasurer
to cut taxes for every Australian taxpayer, to
lift the thresholds, to introduce a tax system
in which 80 per cent of taxpayers pay 30c in
the dollar or less, and to reduce the lowest
tax scale so that the lowest income earners
receive—proportionate to their income—the
greatest benefit has been overwhelmingly
well received by the Australian people. The
only body of men and women in this country
now standing in the way of every Australian
taxpayer getting their tax cut is the Aus-
tralian Labor Party. When you stand up in a
moment, Senator Conroy, let me invite you
to tell us and tell the Australian people on the
broadcast: will you let them have their tax
cut on 1 July or will you not?

Senator CONROY (Victoria) (3.11
pm)—I always like to measure how the
Treasurer is feeling about his hopes of be-
coming Prime Minister by what I call the
‘Brandis-ometer’: how perky is George to-
day? Well, he is pretty perky today, so they
must be feeling pretty good in the Costello
camp.

The DEPUTY PRESIDENT—Senator
Conroy, you should refer to senators in the
chamber by their correct names.

Senator CONROY—I accept your ad-
monishment. What today’s debate is about is
Senator Minchin’s responses, because if you
look at independent commentary, as opposed
to the propaganda that we have just heard
and that we heard earlier today from Senator
Minchin, we have a view of the budget that
does not quite gel with some of the headlines
and some of the boasts. Let us look at the
Australian Financial Review’s editorial to-
day. I want to read from it because it goes to
the heart of the policy failure, the policy
laziness, of this government. It starts:

Framing a good news budget while standing in a
blizzard of revenue dollars isn’t all that hard. Tak-
ing tough decisions to make the economy more
productive, resilient and able to deal with the
future challenges of an ageing population amid
fierce global competition for talent and capital is
much harder. Treasurer Peter Costello seems to
have been doing more of the former than the lat-
ter.

It goes on to say:

But when one looks for evidence that that
Howard government is taking the opportunity to
institute fundamental reform of the economy, it is
scarce. The budget papers indicate $17 billion—
before new spending and tax cuts—was added to
estimates of tax revenues for fiscal 2006 between
the last budget and this one. Most of this was
whipped up by the boom in commodity prices,
which boosted the forecast growth in nominal
GDP to 7.5 per cent, more than twice the rate of
real growth, and was reflected in booming com-
pany tax receipts.

The editorial continues:

The ad hoc nature of the budget, and the lack
of unifying theme of structural reform, are conse-
quences of its design being driven by the avail-
bility of money, and perhaps by the need to buff
the Treasurer’s image before a leadership contest,
rather than by the need for a long-term boost to
productivity and economic participation.

Further on, it says:

Even so, after almost a decade in power the
government still struggles to match the reform
record of its Labor predecessors under Paul
Keating and Bob Hawke.

How true a statement that is. For all the hype
you are seeing today and the self-
congratulating smirks from the Treasurer and
from Minister Hill, it is clear. The editorial
goes on to say:

The slowing world economy, yawning current
account deficit and capacity constraints in the
domestic economy, which have the Reserve Bank
ready to raise interest rates again at any sign of
inflation, strengthen the case for action. A budget
which set out a coherent menu of tough supply-
side reforms would enhance the legacy of Prime
Minister John Howard and bolster the Treasurer’s credentials to succeed him.

Measured against that benchmark, this budget is another missed opportunity.

The editorial concludes by saying:

What’s missing is a broader reform agenda to reward hard work and innovation, encourage private capital and superannuation investment in infrastructure and unleash a burst of skills and productivity growth.

How true that is. What we have seen here is an internal contest and a government paralysed by its incapacity to actually stand up and make some tough decisions, to stand up and do something for the national interest—not for the Prime Minister’s interests and certainly not for the Treasurer’s interests.

Senator Ferris interjecting—

Senator CONROY—Senator Ferris knows what some of this was really about, and she is very aware of the Treasurer’s desire to boost his stock in his attempts to undermine and knock off the Prime Minister. I know Senator Ferris will be standing side by side with the Prime Minister to repel the boarders when the Treasurer comes leaping out of the trenches. She will be there; she knows what the game is.

Senator Hill—Are you still with Latham?

Senator CONROY—Senator Hill is in there, repelling the boarders as well. We saw your contributions over the weekend, Senator Hill. This budget represents a failed opportunity to make progress on skills, training, productivity growth and lifting those infrastructure constraints identified by the OECD and the Reserve Bank. There was none of that. There was a tawdry attempt to buy support in the caucus— *(Time expired)*

Senator CHAPMAN (South Australia) (3.17 pm)—Now we have heard everything: Senator Conroy accusing the government of policy laziness!

Senator Conroy—Paralysis as well.

Senator CHAPMAN—Paralysis, or whatever term you want to use, Senator Conroy. This is after the Labor Party’s last decade as a policy-free zone, reinforced only in the last week or two by his new leader, Mr Beazley, in his major address to the Sustaining Prosperity conference, when he said that he had had enough of reform and that he was not going to foster further reform within the Australian economy and the Australian community, completely ignored the fact, of course, that reform in Australia must be a continuous and ongoing process if we are to retain the very hard won international competitiveness that this country has achieved as a result of the Howard government’s policies and reform initiatives over the last nine years.

What the Labor Party are really smarting about today is the excellent reception that the Howard government’s 10th budget has received. This has completely wrong-footed them. In a knee-jerk reaction today, they have resorted to their old politics of envy, talking about the fact that higher income earners will gain greater tax cuts than lower income earners. The fact is that, as a consequence of nearly a decade of positive economic management by the Howard government and responsible policies which have enabled the government to deliver eight budget surpluses during that period, the economy has grown strongly and we now have the lowest unemployment rate that we have had in 28 years—a rate of about 5.1 per cent.
It is these factors that have laid the solid foundation for this budget’s key elements, which, importantly, are lower taxation, incentives for even more people to join the workforce, and ensuring the long-term future sustainability of the economy despite Australia’s ageing population. The key to this is the strength of the Australian economy that has been generated under the Howard government’s policies, which have put more people in work. With more people in work, every person can pay lower taxes but still provide overall more sustainable revenue for the government to meet its programs than would be the case with fewer people in work paying higher taxes. As I say, that is the key feature of this budget.

Labor comes in here and says that the tax benefits are greater for higher income earners. As has already been said, it simply fails to understand the mathematics of a progressive tax system. People on higher incomes pay more tax, and they pay tax at a higher rate. Therefore, quite simply, if you are going to have any reduction in taxation, people on higher incomes are going to get a greater reduction in absolute dollar terms than people on lower incomes. But the important point to remember, as Senator Brandis said a few moments ago and as the Minister for Finance and Administration, Senator Minchin, said during question time, is that in overall terms higher income earners will continue to pay more tax, they will continue to pay it at a higher rate and, indeed, the percentage that they have received in terms of tax cuts will be much lower than the percentage that has been received by lower income earners. Low-income earners, over the life of this government, have had tax cuts of the order of 40 to 50 per cent; middle-income earners have had cuts of 20 per cent; and now higher income earners, in total, over the period of this government, have received tax cuts amounting to about 20 per cent.

The other important point to remember is that if you are a traditional two-parent, two-child family you do not actually pay, in net terms, any tax up to an income of $45,000 because the benefits that you receive from the government total more than the income tax that you will pay. So a family with two children on an income of up to $45,000 are net recipients of government benefits. Again, that is of particular assistance to low-income people.

Under the new tax regime, people with an income of $100,000 a year will still be paying about 30 per cent of their income in tax whereas those with an income of $50,000 will be paying 20 per cent, and those with an income of $30,000 will pay less than 16 per cent. In the other direction, if you have an income of $150,000 you will be paying 35 per cent of your income in tax. So that clearly demonstrates the way in which a progressive tax system has been retained under this system while giving tax cuts to provide greater incentives to make our economy more internationally competitive and to retain our young, talented people in Australia. (Time expired)

Senator STEPHENS (New South Wales) (3.22 pm)—I rise in particular to take note of the answer Senator Abetz gave to Senator Lees, who raised a very important issue in her question: what kind of support women, particularly single parents, were going to have in terms of being forced back into work when there are such shortages of child-care places. Of course, the minister then went on to explain the commitment to additional child-care places that were in the budget, but he refused to really confront the issues that Senator Lees raised. They were important issues. She asked about the skills shortages that we have in the child-care industry and the desperate shortage of workers who can actually take up and resource the additional child-care places to be provided. She talked
about the places themselves. She asked about where and how child-care places could be created out of the ether. She asked about the infrastructure and she tried to raise, importantly, the issue of access and how single parents being asked to return to work and find jobs could be guaranteed additional child-care places in after school care when the kinds of part-time work available—if there is any available anywhere—do not provide flexibility.

Senator Abetz then derided Senator Lees’s comments and suggested that she was perpetuating some stereotypes about employers. But employers are trying to run their businesses too, and part of the issue about flexibility in child care and in balancing work and family is about the government providing, and acknowledging, the structures that are required to enable single parents to get back into the workplace. There is a need for flexibility and for child care that is offered over and above the traditional nine to five before and after school care—or seven to seven, because, if you are lucky, in some cases you can get after school care like that.

Senator Lees also tried to raise the serious issue of where the jobs are for working single parents. Many of those jobs are in unskilled areas. These are the women who will be going back to pack supermarket shelves. That does not happen between seven and seven. People like you, Mr Deputy President, who understand the retail industry know that those kinds of things happen in the wee small hours of the morning and late into the night. There did not seem to be any kind of understanding by the minister about what the real pressures are when women are being forced back into the workplace.

I move on to the whole issue of the budget. Mr Costello did have a great opportunity in this budget last night. He could have, and he should have, introduced real taxation reform. He had the opportunity to do that in 2004 as well but he wasted it, preferring to hand out tax cuts as a sweetener to win the election. Now we have seen that he has done it again. If the tax cuts from last year’s budget were added to the tax cuts that he announced last night, we could easily have $100 billion over four years. What an opportunity for real reform that would have afforded this country. Yet the Howard government has taken an easy approach, just pushing the top tax threshold out to $125,000 and giving an effective top rate of 43.5 per cent to most taxpayers. It was, despite Senator Chapman’s protestations, a very policy lazy approach. It really was such a disappointing budget. It was a lost opportunity for Australia. It had no vision and no strategy. There was nothing in the budget about capacity building or nation building. There were lots of sticks and not too many carrots to enable us to move beyond the next election. Many of the commentators have said that this budget was really about Mr Costello’s next election as the Prime Minister in waiting—he hopes—with Treasurer Downer there beside him. But the Australian people are left with something that goes nowhere near addressing record current account deficits and foreign debt—nothing that actually looks at our infrastructure needs, nothing that looks at the future of this country. (Time expired)

Question agreed to.

Immigration

Senator GREIG (Western Australia) (3.27 pm)—I move:

That the Senate take note of the answers given by the Minister for Justice and Customs (Senator Ellison) to a question without notice asked by Senator Greig relating to trafficking for prostitution.
Julie was quoted recently when speaking from Villawood detention centre in the mainstream press as saying:

I am scared ... The boss knows it's me.

From my point of view, and that of my party, that is the core difficulty that we face with the issue in terms of the government's response to sex trafficking. I believe the government's policy and resource response to this issue is sincere. I believe, knowing the people who have worked on this issue and having been through the process of the Joint Parliamentary Committee on the Australian Crime Commission inquiry into this issue, that Senator Ellison is genuine in his attempts to try and redress the issue. But we must acknowledge that there are current failings in the system, and these are showing up in issues such as the one I mentioned today in the Senate.

The core problem, initially, in trying to get traction in the broader community on this issue and to take it up to the government was trying to get the recognition of the government, and ministers in particular, that what we were dealing with here were victims and not illegal immigrants. I think it is fair to say that for a long time there was a perception—perhaps in a few cases the reality—that women who claimed to have been trafficked were not and that that argument was presented as a convenient excuse to enable them to get residence in Australia. There may be some examples of that but, overwhelmingly, that has not been shown to be the case. It took some time to get a general understanding, through education and advocacy in the community, that what we are really dealing with here is victimhood.

In order for those women who have been trafficked, or claim to have been trafficked—those who are found by the authorities or who present themselves to the authorities—to be convinced to give up information about their circumstances, their trust and confidence has to be built up. That can be very difficult, given the often violent circumstances these women find themselves in. It is particularly difficult for women who have poor language skills, who come from developing countries or who are in positions of vulnerability—not the least of which can be economic vulnerability.

Whilst the government has put in place an administrative and legal framework for the investigation and potential prosecution of traffickers, it has not adequately addressed the issue of the care and welfare of the women concerned. This has been teased out in an excellent article which will appear on the 19th of this month in the magazine Immigration Review by writers Jennifer Burn and Frances Simmons, who have investigated this issue quite thoroughly and drawn, in part, the following conclusion from their research:

Much has changed since the death of Ms Simaplee—

Ms Simaplee, you might recall, was the Thai woman who died in Villawood detention centre—

yet, as evidence unfolds, the new visas are not helping trafficked victims. From 1 July 2004, the Migration Regulations were amended by the Migration Amendment Regulations, schedule No. 8. The amendments establish two new witness protection trafficking visas, providing temporary or permanent stay to persons who made a significant contribution to the prosecution or investigation of alleged trafficking offences and may be in danger upon returning to their home country.

The article goes on to detail what those new visas are. The key finding from this research was that the granting of the visas is highly discretionary. There are no application forms enabling the applicant to apply for a visa; rather, the Attorney-General and the Minister for Immigration and Multicultural and Indigenous Affairs have the discretion to offer
a trafficking victim the chance of a visa. The new witness protection (trafficking) visas appear impossibly elusive. To date, no witness protection visas have been issued. This is because, under the current visa and policy framework, the witness protection (trafficking) visas are available only at the end of a criminal justice process—not while a trafficking victim is undertaking the precarious and dangerous process of giving evidence.

That is where we Democrats believe more resources and legislative and administrative reform are needed. We need to take better care of those women who are willing to provide evidence, whether or not that evidence is enough to ultimately lead to a prosecution of traffickers. Without that, the system has a significant flaw in it.

Question agreed to.

CONDOLENCES

Mr Donald William Maisey

The DEPUTY PRESIDENT (3.32 pm)—It is with deep regret that I inform the Senate of the death, on 20 April 2005, of Donald William Maisey, a member of the House of Representatives for the division of Moore, Western Australia, from 1963 to 1974.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows:

East Timor

To the Honourable The President and Members of the Senate assembled in Parliament:

We the undersigned appeal to the Australian Government regarding its conduct of negotiations with the Government of Timor Leste on the maritime boundary between the two countries and sharing of the Timor Sea oil and gas revenue.

We pray the Senate ensures the Australian Government:

- negotiates a fair and equitable maritime boundary with Timor Leste according to current international law and the provisions of the UN Convention on the Law of the Sea (UNCLOS),
- responds to Timor Leste’s request for more regular meetings to settle the maritime boundary dispute between the two countries within a more reasonable timeframe,
- returns Australia to the jurisdiction of the International Court of Justice and UNCLOS for the adjudication, of maritime boundary,
- commits to hold in trust (escrow) revenues received from the disputed areas immediately outside the Joint Petroleum Development Area (RDA) of the 20 May 2002 Timor Sea Treaty for further apportionment between Australia and Timor Leste after the maritime boundary dispute between the two countries has been settled.

by The President (from 109 citizens).

Live Animal Exports

To the Honourable the President and Members of the Senate in Parliament assembled:

The Petition of the undersigned notes the inadequate numbers of livestock available for Australian slaughter, food consumption and hides; the increase in Australian abattoir closures; the growing negative economic, employment and social impacts on rural Australia; and the unnecessary suffering endured by Australian livestock because of this nation’s pursuit of trade and financial benefits at any cost. Your petitioners call on the members of the Senate to end the live export trade now in favour of developing an Australian chilled and frozen halal and kosher carcass trade using humane slaughtering practices.

by Senator Bartlett (from 40 citizens).

Treatment of Detainees

To the Honourable Members of the Senate in the Parliament Assembled:

The Petition of the undersigned draws attention to the damaging long-term effects to children of prolonged detention in Immigration Detention Centres.

Your petitioners ask the Senate, in Parliament to call on the Federal Government to release all children from immigration detention centre into
the community, and to provide them with psychological counselling, education and medical services

by Senator Bartlett (from 20 citizens).

Immigration

To the Honourable President and Members of the Federal Senate in the Parliament assembled.

The Petition of the undersigned opposes the removal of Mr Alkhousi (non citizen husband) from Australia in recognition of the rights of his wife and son as Australian citizens. We believe the removal of Mr Alkhousi from his Australian family without any possibility of them residing together anywhere in the world for a period of at least 2 years is a contravention of human rights, both for himself and for his wife and son.

Your Petitioners ask that the Senate oppose the removal of Mr Alkhousi from Australia and that the Senate request the Minister for Immigration the Honourable Senator Amanda Vanstone to intervene to grant Mr Alkhousi ‘permanent residency status’ on the basis of his marriage to an Australian citizen and his parenting of an Australian child combined with his legal entry and residency of seven years in Australia.

by Senator Cherry (from 63 citizens).

Transport

To the Honourable President and members of the Senate in Parliament assembled:

The petition of the undersigned shows:

We, the undersigned call on the Senate to ensure the Federal Government ends the traffic delays and matches the $25 million in funds already committed by the Queensland State Government to build an overpass at the rail crossing on Beaudesert Road at Acacia Ridge, Brisbane.

by Senator Moore (from 702 citizens).

Petitions received.

NOTICES

Presentation

Senators Ridgeway, Carr and Nettle to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) 26 May 2005 is National Day of Healing, and that this date commemorates the anniversary of the handing down of the Bringing Them Home report on 26 May 1997,

(ii) National Day of Healing, previously National Sorry Day, is an opportunity for all Australians to acknowledge and help heal the wounds of the many Aboriginal and Torres Strait Islander people and their families who suffered as a result of the forced removal policies of successive Australian Governments between 1910 and the 1970s, and

(iii) National Day of Healing recognises that the journey of healing for the stolen generations depends on and contributes to healing within the wider Indigenous community and between Indigenous and non-Indigenous Australians;

(b) congratulates those involved in the ‘Journey of Healing’ and other community-based organisations who are holding events across the country to help all Australians understand the ongoing impact of the removal policies and to rebuild relations between Indigenous and non-Indigenous Australians in the spirit of reconciliation;

(c) acknowledges that despite the efforts of many individuals, communities and community organisations, the progress of reconciliation in Australia remains an ongoing challenge for all Australians; and

(d) urges the Government to finally implement the recommendations of the Bringing Them Home report and the subsequent Legal and Constitutional References Committee report of the inquiry into the Stolen Generations in 2000, in particular the recommendation for the establishment of a national Stolen Generations Reparations Tribunal to deliver a humane and compassionate alternative to the adversarial, expensive and traumatic process of litigation.
Senator Carr to move on the next day of sitting:

That there be laid on the table, no later than 5 pm on Thursday, 12 May 2005, the following documents:

(a) all correspondence between the Minister for Education, Science and Training (Dr Nelson) and all office-holders and members of the Board, Council or Executive of the former Melbourne University Student Union (MUSU) in 2002 and 2003, including all correspondence between the Minister and Mr Nathan Barker, elected in late 2002 as the incoming MUSU House and Services Officer; and

(b) all correspondence between the Minister and others who may not have been office-holders and members of the Board, Council or Executive of the former MUSU in 2002 or 2003 but who subsequently became office-holders of MUSU.

Senator Wong to move on the next day of sitting:

That the Senate notes the Howard Government’s cuts to the incomes of the most vulnerable families in Australia, its introduction of a parents’ dole and a disability dole, and its failure to effectively tackle the need for real welfare reform.

Senator Allison to move on the next day of sitting:

That there be laid on the table by the Minister representing the Minister for Health and Ageing, no later that 4.30 pm on Thursday, 12 May 2005, copies of all reports provided by the Australian Federation of Pregnancy Support Services to the Department of Health and Ageing as part of their reporting requirements, including financial statements.

Senator Allison to move on the next day of sitting:

That the Senate—

(a) notes that the Bush Administration’s proposed 2006 budget for the United States of America (US), includes:

(i) $US4 million to fund a study for enabling nuclear warheads to penetrate deeper underground before exploding, known as Robust Nuclear Earth Penetrators,

(ii) $US606 billion to fund the weapons activities of the US Energy Department’s National Security Administration, and a total of $US9.4 billion for the agency for 2006, an increase of $US233 million on current spending,

(iii) $US786 million to power nuclear navy vessels,

(iv) $US35 million for retiring and dismantling excess warheads, the same as the current spending,

(v) $US25 million to ensure nuclear weapons testing can take place within 18 months of a decision to do so, having previously been 24 to 36 months,

(vi) $US7.7 million for a Modern Pit Facility to build new warhead cores known as ‘pits’ to replace those whose plutonium has degraded over time, a facility expected to process 125 pits per year; and

(b) urges the Minister for Defence (Senator Hill) and the Minister for Foreign Affairs (Mr Downer) to express concern at the current Nuclear Non-Proliferation Treaty conference in New York at the lack of serious nuclear disarmament that these budget proposals imply.

Senator Bartlett to move on the next day of sitting:

(1) That the Senate:

(a) notes that the Housing Assistance (Form of Agreement) Determination 2003 in Schedule 1, subsections 4(33) to 4(36) requires states to report on expenditure and progress towards their respective bilateral agreements to the Commonwealth within 6 months after the end of each grant year;

(b) orders that there be laid on the table, no later than 3.30 pm on 12 May 2005, all reports provided by the states and territories to the Commonwealth under...
those provisions for the financial year 2003-04; and
(c) orders that all reports provided by the
states and territories to the Common-
wealth under those provisions be tabled
in the Senate within 5 sitting days, or
one calendar month, after receipt
(whichever is the later), and that the
Senate be notified in writing by the
Minister for Family and Community
Services within 5 sitting days of the
expiration of the 6 months if reports
have not been provided within the re-
quired 6 months.

(2) This order is of continuing effect.

Senator Nettle to move on the next day of
sitting:

That the Senate—
(a) notes that 27 May 2005 marks the 15th
anniversary of the last election in Burma;
(b) expresses:
(i) concern at the recent bomb blasts in
Rangoon and the deteriorating condi-
tions of the Burmese people, and
(ii) continued support for the Committee
Representing the People's Parliament
to implement the democratically-
elected parliament of Burma;
(c) calls on the Burmese ruling regime to:
(i) resume the reconciliation process with
the National League for Democracy
and ethnic nationalities in cooperation
with the United Nations Special Envoy
for Burma, Mr Razali Ismail, and
(ii) cease the military offensive against the
ethnic minorities in the Shan, Karen
and Karenni states;
(d) restates its call for the unconditional re-
lease of Daw Aung San Suu Kyi and all
political prisoners in Burma; and
(e) calls on the Government to express con-
cerns with our regional neighbours regarding
the Burmese regime's imminent qualifi-
cation for the chair of the Association of
South East Asian Nations in 2006.

Senator Greig to move on the next day of
sitting:

That the following bill be introduced: A Bill
for an Act to regulate the unauthorised installation
of computer software, to require the clear disclo-
sure to computer users of certain computer soft-
ware features that may pose a threat to user pri-
vacy, and for related purposes. Spyware Bill
2005.

Senator ELLISON (Western Australia—
Minister for Justice and Customs) (3.33
pm)—I give notice that, on the next day of
sitting, I shall move:

That the provisions of paragraphs (5) to (8) of
standing order 111 not apply to the Social Secu-
rity Legislation Amendment (One-off Payments
for Carers) Bill 2005, allowing it to be considered
during this period of sittings.

I table a statement of reasons justifying the
need for this bill to be considered during
these sittings, and I seek leave to have the
statement incorporated in Hansard.

Leave granted.

The statement read as follows—

Purpose of the bill
The bill gives effect to a measure announced in
the 2005 Budget to provide extra assistance to
carers by way of three one-off payments that will
generally be paid in June 2005. Firstly, there will
be a one-off payment of $1000 to recipients of
carer payment on Budget night 2005 (10 May
2005). Secondly, a one-off payment of $1000 will
be made to recipients of carer service pension on
Budget night 2005. Lastly, there will be a one-off
payment to recipients of carer allowance on
Budget night 2005, generally payable as an
amount of $600 for each person being cared for
who attracts carer allowance.

Reasons for Urgency
The measure is to commence on Royal Assent.
Passage in the 2005 Winter Sittings will enable
the majority of eligible carers to be paid the one-
off payment by 30 June 2005.

(Circulated by authority of the Minister for Fam-
ily and Community Services)
Senator GEORGE CAMPBELL (New South Wales) (3.34 pm)—At the request of Senator Conroy, I give notice that, on the next of sitting, he will move:

That the order of the Senate providing for estimates hearings be amended by adding at the end of paragraph (2) the following:

“(and b) that officers of the ACCC responsible for communications matters, including telecommunications matters, are required to appear before the Environment, Communications, Information Technology and the Arts Legislation Committee considering Budget estimates during May 2005”.

Senator ELLISON (Western Australia—Minister for Justice and Customs) (3.34 pm)—I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Customs Tariff Amendment Bill (No. 1) 2005, allowing it to be considered during this period of sittings.

I table a statement of reasons justifying the need for this bill to be considered during these sittings, and I seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

Purpose of the bill

The bill amends the Customs Tariff Act 1995 (the Tariff Act) to:

- amend item 22 of Schedule 4 to the Tariff Act, relating to goods for use in oil and gas exploration, to reflect changes in technology and to extend the coverage of the item;
- amend Chapter 29 of the Tariff Act to insert a new Additional Note to allow the chemical paraquat dichloride, with an added emetic, to be classified in sub-heading 2933.39.00 in that Chapter;
- amend item 68 of Schedule 4 to the Tariff Act to extend the operation of the South Pacific Regional Trade and Economic Co-operation Agreement (Textile, Clothing and Footwear Provisions) Scheme for a further seven years to 31 December 2011;
- increase, on and from 1 January 2005, the rates of customs duty payable on certain US originating alcohol and tobacco products in Schedule 5 to the Tariff Act in accordance with the Consumer Price Index (CPI) announced on 28 July 2004;
- increase, on and from 1 February 2005, the rates of customs duty payable on certain US originating alcohol and tobacco products in Schedule 5 to the Tariff Act in accordance with the CPI announced on 25 January 2005; and
- change Country codes for Poland and Wake Island.

Reasons for Urgency

Passage of this bill prior to 1 August 2005 is required to avoid the necessity for further legislation as a result of 1 August 2005 CPI increases taking effect on those US originating alcohol and tobacco products in Schedule 5 to the Tariff Act that are subject to the CPI. The passage of this bill will ensure that subsequent CPI increases on those items will then take effect automatically through section 19 of the Tariff Act.

(Circulated by authority of the Minister for Justice and Customs)

Senator ELLISON (Western Australia—Minister for Justice and Customs) (3.35 pm)—I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005, allowing it to be considered during this period of sittings.

I table a statement of reasons justifying the need for this bill to be considered during these sittings, and I seek leave to have the statement incorporated in Hansard.

Leave granted.

CHAMBER
The statement read as follows—

Purpose of the bill
The bill implements the Government’s election commitment to extend eligibility for Youth Allowance and Austudy payment to full-time New Apprentices. Under this bill, all New Apprentice claimants will be subject to parental, personal and partner means testing according to their circumstances and consistent with current provisions for full-time students receiving Youth Allowance and Austudy payment. The extension of assistance to New Apprentices will provide extra help during the initial years of training while wages are generally at their lowest. The bill appropriates $383.2 million over three years to support this initiative.

Reasons for Urgency
The Government’s election policy statement and all further statements on this measure commit to an implementation date of 1 July 2005. All communications products and Centrelink enabling systems have been developed and are scheduled for 1 July 2005 commencement. If the bill is not passed during the Winter sitting period eligible New Apprentices will not be able to receive assistance from this date and Centrelink enabling systems will need to be put on hold until 1 September 2005, noting that there is no backdating provision under this measure (consistent with other social security payments). As this initiative is one of a number of important measures targeting skills needs, delaying its commencement would impact upon New Apprentices, employers and industry.

(Circulated by authority of the Minister for Vocational and Technical Education)

COMMITTEES
Selection of Bills Committee
Report
Senator FERRIS (South Australia) (3.35 pm)—I present the fourth report for 2005 of the Selection of Bills Committee.

Ordered that the report be adopted.

Senator FERRIS—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 4 OF 2005

1. The committee met in private session on Tuesday, 10 May 2005 at 4.26 pm.

2. The committee resolved to recommend—

That—

(a) the provisions of the Copyright Amendment (Film Directors’ Rights) Bill 2005 to be referred immediately to the Legal and Constitutional Legislation Committee for inquiry and report by 9 August 2005 (see appendix 1 for statement of reasons for referral);

(b) the Crimes Legislation Amendment (Telecommunications Interception and Other Measures) Bill 2005 to be referred immediately to the Legal and Constitutional Legislation Committee for inquiry and report by 13 June 2005 (see appendix 2 for statement of reasons for referral); and

(c) the provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 to be referred immediately to the Employment, Workplace Relations and Education Legislation Committee for inquiry and report by 9 August 2005 (see appendices 3 and 4 for statements of reasons for referral).

3. The committee resolved to recommend—

That the following bills not be referred to committees:

• Civil Aviation Amendment Bill 2005
• Consular Privileges and Immunities Amendment Bill 2005
• Environment and Heritage Legislation Amendment Bill 2005
• Family Law Amendment Bill 2005
• Fisheries Legislation Amendment (International Obligations and Other Matters) Bill 2005
• Social Security Amendment (Extension of Youth Allowance and Austudy Eligibility to New Apprentices) Bill 2005
4. The committee met again in private session on Wednesday, 11 May 2005 at 9.22 am.

5. The committee resolved to recommend—
   That the provisions of the Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 1) 2005 and the Shortfall Interest Charge (Imposition) Bill 2005 be referred immediately to the Economics Legislation Committee for inquiry and report by 22 June 2005 (see appendix 5 for statement of reasons for referral).

The committee recommends accordingly.

6. The committee deferred consideration of the following bills to the next meeting:
   Bill deferred from meeting of 8 February 2005
   • Trade Practices Amendment (Personal Injuries and Death) Bill 2004.
   Bills deferred from meeting of 10 May 2005
   • Higher Education Support Amendment (Melbourne University Private) Bill 2005
   • New International Tax Arrangements (Foreign-owned Branches and Other Measures) Bill 2005.

( Jeannie Ferris)

Chair
11 May 2005
Appendix 1
Proposal to refer a bill to a committee
Name of bill(s):
Copyright Amendment (Film Directors’ Rights) Bill 2005

Reasons for referral/principal issues for consideration
Introduction of copyright for film directors for purposes of subscription television retransmission scheme.

Possible submissions or evidence from:
Australian Screen Directors Association, Screen Producers Association of Australia

Committee to which bill is referred:
Legal and Constitutional Legislation Committee

Possible reporting date(s): 9 August 2005

Appendix 2
Proposal to refer a bill to a committee
Name of bill(s):
Crimes Legislation Amendment (Telecommunications Interception and Other Measures) Bill 2005

Reasons for referral/principal issues for consideration
To examine the issue of prescribing emergency services facilities that will come under the operation of the bill.
To examine the range of communication devices that come under the operation of the bill, including personal mobile phone calls and emails by employees at the emergency service facility.

Possible submissions or evidence from:
Committee to which bill is referred:
Legal and Constitutional Legislation Committee

Possible hearing date:
Possible reporting date(s): 9 May 2005

Appendix 3
Proposal to refer a bill to a committee
Name of bill(s):
Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005

Reasons for referral/principal issues for consideration
To explore the impact of the bill on service provided to students and the broader community by student organisations.
To explore the impact of the bill on representation provided to students by student organisations.
In particular to explore the impact of the bill on regional student populations and regional communities and the impact of the bill on international students and their services.

Possible submissions or evidence from:
AVCC; NUS; CAPA and their affiliates (eg universities and all campus student organisations; ACUMA and affiliates; NLC for international...
students; NTEU; Go8; university sports organisations.

Committee to which bill is referred:
Employment, Workplace Relations, and Education Legislation Committee
Possible hearing date:
Possible reporting date(s):

Appendix 4
Proposal to refer a bill to a committee
Name of bill(s):
Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005
Reasons for referral/principal issues for consideration
The implications of the legislation for student organisations, university students and staff and university budgets, with particular focus on the possibility of loss of services and increased costs for students and universities, especially in rural and regional areas.
Possible submissions or evidence from:
Australian Vice-Chancellor’s Committee
Group of Eight Universities
National Tertiary Education Union
Council of Australian Postgraduate Associations
National Union of Students
Australian Campus Union Managers Association
DEST
Committee to which bill is referred:
Employment, Workplace Relations, and Education Legislation Committee
Possible hearing date:
Possible reporting date(s): 14 June 2005

Appendix 5
Proposal to refer a bill to a committee
Name of bill(s):
Tax Laws Amendment (Improvements to Self Assessment) Bill (No. 1) 2005
Shortfall Interest Charge (Imposition) Bill 2005
Reasons for referral/principal issues for consideration
This bill has received a considerable amount of representations made from constituents. Therefore investigation by a Senate committee will be able to address these concerns.
Possible submissions or evidence from:
Committee to which bill is referred:
Possible hearing date:
Possible reporting date(s):

LEAVE OF ABSENCE
Senator FERRIS (South Australia) (3.36 pm)—by leave—At the request of Senators Harradine and Murphy, I move:
That leave of absence be granted to Senators Harradine and Murphy for the period 10 May to 12 May 2005, on account of ill health.
Question agreed to.

COMMITTEES
Economics Legislation Committee
Extension of Time
Senator FERRIS (South Australia) (3.36 pm)—by leave—At the request of the Chair of the Economics Legislation Committee, Senator Brandis, I move:
That the time for the presentation of the report of the committee on the Tax Laws Amendment (2005 Measures No. 1) Bill 2005 be extended to 15 June 2005.
Question agreed to.

Legal and Constitutional Legislation Committee
Extension of Time
Senator FERRIS (South Australia) (3.37 pm)—by leave—On behalf of Senator Payne, the Chair of the Legal and Constitutional Legislation Committee, I move:
That the time for the presentation of the report of the committee on the provisions of the Criminal Code Amendment (Suicide Related Material Offences) Bill 2005 be extended to 12 May 2005.
Question agreed to.

CHAMBER
Foreign Affairs, Defence and Trade
References Committee
Extension of Time

Senator HUTCHINS (New South Wales) (3.37 pm)—by leave—I move:

That the time for the presentation of the report of the committee on the effectiveness of the Australian military justice system be extended to 16 June 2005.

Question agreed to.

NOTICES
Postponement
The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Greig for today, relating to the proposed accreditation of the Southern Bluefin Tuna Fisheries Management Plan, postponed till 14 June 2005.

Business of the Senate notice of motion no. 2 standing in the name of Senator Murray for today, proposing an amendment to the terms of reference for the Legal and Constitutional References Committee inquiry into the effectiveness and appropriateness of the Privacy Act 1988, postponed till 15 June 2005.

Business of the Senate notice of motion no. 3 standing in the name of Senator Bartlett for today, proposing the reference of a matter to the Legal and Constitutional References Committee, postponed till 14 June 2005.

General business notice of motion no. 27 standing in the name of Senator Lees for today, relating to Asian elephants, postponed till 16 June 2005.

General business notice of motion no. 123 standing in the name of the Leader of the Australian Democrats (Senator Allison) for 12 May 2005, relating to reproductive health, postponed till 14 June 2005.

STUDENT UNIONS

Senator BROWN (Tasmania) (3.39 pm)—I move:

That the Senate—

(a) notes the following comments given by the Minister for Education, Science and Training (Dr Nelson) on ABC’s AM program on 16 March 2005: ‘You have to ask yourself, why is it that if you’re on campus at Sydney University, with your compulsory student union fees subsidising the services there, you pay $2.00 for a sausage roll, but if you walk across the road into Newtown into a private shop you pay $1.70, plus you get served by a person who’s actually smiling at you’; and

(b) calls on the Minister to apologise to university union catering workers for these gratuitously insulting comments.

Question agreed to.

SENATOR ROSS LIGHTFOOT

Senator LIGHTFOOT (Western Australia) (3.40 pm)—by leave—With respect to the formal motion to be moved by Senator Evans, I want to say that the air fare that was given to me to visit Iraq in July 2004 was not recorded on my senators’ interests, a failure that I take total responsibility for. I apologise unequivocally to the Senate for my oversight in not recording that air fare. I thank the Senate.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (3.41 pm)—by leave—I move:

That the Senate take note of the statement.

I want to take note of Senator Lightfoot’s explanation because I do appreciate that he has, at least, finally come into the parliament and given a very short explanation of his failure. I guess the reason for the matter to be referred to the Privileges Committee was to determine the question about whether a serious contempt of Senate procedure had occurred. Senator Lightfoot, by his admission
and apology today, conceded that a serious omission had occurred. It is obviously therefore not perhaps as appropriate to refer this matter to the Privileges Committee because Senator Lightfoot, if you like, has admitted the crime and thrown himself on the mercy of the Senate. Any question of punishment for a serious contempt of the Senate is for the Senate to address. The Privileges Committee’s role is largely to establish the facts and make a finding. Clearly the need for a finding is no longer as relevant if the senator admits the offence.

I do know that a number of people take this whole episode involving Senator Lightfoot to be great fun and they get great amusement from the *Boys Own* story of guns and cash—I do not think there were any maidens involved. These people take this as being great fun. But, clearly, there were very serious issues at stake here that go to the questions of whether or not there was illegal carriage of money, involvement of firearms, crossing of borders by bribing guards and all of those sorts of things. The Prime Minister has chosen not to take those issues seriously, and that is for him. But on the question of the Senate’s role in this we do know that the Register of Senators’ Interests was set up to guard against conflicts of interest by senators. It is a very important mechanism in providing public confidence in the Senate and its senators. Its establishment came on the back of widespread public concern about the pecuniary interests of members of parliament.

It is worth noting in passing that the establishment of the system from the beginning of the debate in the early 1980s was resisted by the Liberal Party. I think Senator Hill was a leading light in that resistance. But I think around the world it has become accepted that as part of the democratic structures and accountability in government people need to know where politicians are getting their income from. They need to know if they are getting income outside of their salary from the parliament, and that ought to be on the public record. People ought to be able to judge whether or not their actions are in the public interest and whether or not they are receiving commissions and/or travel or hospitality. It is a very important principle that has become part of the bedrock of the accountability measures for parliamentary democracy throughout the world now.

What we have in this case is a very serious breach of those requirements. To refresh senators’ memories, following the media revelations of Senator Lightfoot’s travels and adventures, a statement was presented by Senator Lightfoot and tabled in the Senate on 17 March. It was not read; it was just tabled. In addition to providing an explanation for what had occurred on the more famous trip, the senator indicated that he had travelled to Iraq in July 2004 and that this trip was sponsored by Professor Robert Amin of Curtin University. Later that day I said in the course of a question in the Senate that it appeared that Senator Lightfoot had not at that stage lodged a statement regarding his trip with the Register of Senators’ Interests. This was back on 17 March. Later that day, I think as the Senate had adjourned, or very late in the evening, Senator Lightfoot finally lodged a declaration of senators’ interests and provided a short covering note which said it had been brought to his attention that the trip that he took to Iraq had been sponsored, should have been declared and had not been, and therefore he now declared it. That was on 17 March. So 7½ months later, after it was raised in the parliament, Senator Lightfoot conceded that it had in fact been sponsored by an outside organisation and not declared in accordance with the rules of the Senate.

Later that day I referred the matter to the President for consideration of referral to the Privileges Committee because it seemed to
me on the face of it that a clear breach of the procedures of the Senate had occurred. Senator Lightfoot, to his credit, today admits that that is the case. I wonder why it took another two months for him to admit that that is the case. Nevertheless, finally today, on the eve of my moving a motion that the matter be referred to the Privileges Committee, he comes in and says: ‘Yes, the game is up; it was a breach, and better late than never.’

What is still not clear is what is behind this whole story. We do not know, for instance, the value of the travel. It has been reported in the press that it was a first-class return air ticket between Australia and Iraq to the value of $6,481. I do not know whether that is true. Senator Lightfoot did not tell us today. I certainly know you do not get a first-class air ticket to anywhere for under $300, and that is the minimum requirement under our regulations for declaring travel.

Senator Hill—You don’t get a first-class air fare to Iraq at all.

Senator CHRIS EVANS—Not having flown internationally first-class, Senator Hill, I do not have your experience in these matters. But I do know that even with a business class seat or an economy seat it costs a lot more than $300 to go anywhere. The point is that it appears on the face of it that Senator Lightfoot received $6,481 worth of travel benefit from a private source and failed to declare that. Most Australians would think that is not right. It certainly does not comply with the requirements of Senate procedures. Senator Lightfoot now concedes that. But it has taken this long, months and months, to find out exactly that the July trip had not been declared and that a clear breach of senators’ interests rules had occurred.

We can all make mistakes; I accept that. But I think Senator Lightfoot has a higher hurdle to get over than most because he is the deputy chair of the Standing Committee of Senators’ Interests. Whilst some of us do not take great day-to-day interest in the whole issue of senators’ interests—we just fill in our forms and hope we have got it right, and sometimes we seek guidance—Senator Lightfoot is there as deputy chair participating, helping draft the rules and helping give guidance to other senators. So I think the high bar for the claim of ignorance is a bit higher for Senator Lightfoot than your average senator who might not be involved. Senator Lightfoot sits on the committee, he helps supply the rules, he helps give us guidance and he helps give us reminders. But it seems he was unable to remember that this ought to have been declared. It appears that over $6,000 of benefit that Senator Lightfoot received was not declared. That is not good enough; it is just not good enough. I appreciate that Senator Lightfoot has nine or 10 months later finally fessed up, but it is just not good enough.

What we do not know is whether this is one of a series of errors or whether or not there is more to come. Senator Lightfoot again really did not provide a full explanation to the Senate. He tabled his statement when the issue came up in March and, in the face of a resolution about to be moved today to refer the matter to the Privileges Committee, Senator Lightfoot got up and said, ‘I’m terribly sorry. I made a mistake,’ and sat down. I take it that there is implicit in that that there have been no other breaches of the register of pecuniary interests by Senator Lightfoot, that in all other respects he has made full declaration of his interests. If he has not—if he has failed to keep a proper record—it seems to me that he will have a very serious charge to answer.

He has now had two opportunities in the Senate to come clean, to tell the story. He has refused to tell the full story but he has made an apology. I think the high bar for Senator Lightfoot is now very high indeed as the
deputy chair of the Standing Committee of Senators’ Interests and the person who has now admitted he made a mistake. I would not want Senator Lightfoot to have to come into this place again and explain that there was another mistake. I hope today he has given a full and frank explanation of all errors, because if not I think the Senate will take a very dim view. Everyone can make a mistake; we all accept that. All of us are very nervous about making sure we get these things right. Clearly Senator Lightfoot was not, and he was in a much better position than most of us to know the rules. He chose not to declare over $6,000 worth of benefit paid to him in the form of travel. I think it is a very serious issue because it is key to the accountability mechanisms of the Senate and it is key to the public’s awareness of our motives, our role and our accountability.

My son was doing a debate in his debating society the other day and this was one of the issues. He was using the pecuniary interests register as an explanation of why we are accountable, why there are checks on parliamentarians.

Senator Hill—He is an amazingly well informed son.

Senator CHRISS EVANS—He is well informed because his mother gives him advice on such matters. In the debate it was an argument about whether politicians should be entitled to more privacy.

Senator Hill—Tell him to go outside and play football.

Senator CHRISS EVANS—He plays soccer very well too, Senator Hill. One of the key arguments he used was that we have a system of checks and balances, that we have the declaration of pecuniary interests and disclosure of election donations so that the public can rest assured they know who is paying us, because they think whoever is paying us might be calling the tune if they did not know. They know the system is there to say: ‘We know who is paying these political parties, we know who is paying these politicians, because we have the accountability measures in place. We will make a judgment about whether it is appropriate or not because we have knowledge, we have transparency.’ In relation to Senator Lightfoot, we have not had transparency. He failed to be transparent. He has failed to take the opportunity to come clean with the Senate. He failed that test in March. He failed it again till today when I was about to move the motion that the matter be referred to the Privileges Committee, and he pleaded guilty.

It is a question for the Senate to decide whether or not any action ought to be taken against Senator Lightfoot. I do not think that it is an issue for today, because we have only just become aware that the matter will not need to be referred to privileges—Senator Lightfoot has pleaded guilty—but it is a serious matter, as the President outlined. The President said that the complaint against Senator Lightfoot would get precedence because on both grounds he had failed to declare in accordance with the declaration of senators’ interests. The principles that he was supposed to meet had not on the face of it been met. It clearly is a matter that the Senate ought to take seriously. The rules provide that senators who fail:

... to provide a statement of registrable interests to the Registrar of Senators’ Interests by the due date

... shall be guilty of a serious contempt of the Senate and shall be dealt with by the Senate accordingly, but the question of whether any senator has committed such a serious contempt shall first be referred to the Privileges Committee for inquiry and report and may not be considered by any other committee.

Clearly, that stage of the process is no longer required because Senator Lightfoot has
pleaded guilty, but the question still remains for the Senate as to what action we ought to take.

I say to Senator Lightfoot: the high bar has gone up on his performance because he has failed to come clean and he has failed to be honest with the Australian public. The high bar has gone up on the government too, because they have failed to take any steps to ensure proper accountability by Senator Lightfoot. There is a very worrying suggestion of the sort of arrogance that may creep into the Senate with the government having a majority on the floor of the Senate post July, where these sorts of key accountability measures that protect democracy in this country are not supported as strongly as they should be.

I do not intend to move at this stage the referral of this matter to the Privileges Committee because, as I say, Senator Lightfoot has proved guilty, but I do say the question of what we do is a question for the Senate. It is question that I think we ought to give some consideration to. I also say very clearly to Senator Lightfoot that if he has more to tell us he ought to tell us today because if he has not then the high bar has gone up, and we will take a much dimmer view of any further transgression.

Senator ROBERT RAY (Victoria) (3.55 pm)—The opposition does not take a collective view on matters of privilege. If you look back over the history of last decade, when these issues have come up we are not bound by any particular decision. We actually vote on these matters on the merits of the case, and therefore I am not expressing a collective view of the Labor Party, nor is Senator Evans. I heard Senator Lightfoot’s contribution today. He said that the matter was an oversight—and who amongst us has never committed an oversight in politics? You can put your hand up now, but I will not believe you. He issued an apology for his actions, and I thought it appropriate that an apology be issued here. I think it is also appropriate that Senator Evans withdrew his motion on that basis. But there are still some nagging questions.

I would have preferred Senator Lightfoot to have given a slightly more extensive explanation as to why the oversight occurred. For instance, when people miss divisions in this place, they have to proffer a reason for their failure. There was no secret about the fact that Senator Lightfoot had made the journey. In fact, I think I heard him refer to it on radio, so it was not as though he was making some secret mission to Iraq on that particular occasion, because he did an interview on *PM* relating to some aspects of it. He and other senators, when they are inveigled or requested to come into this chamber, should explain why they have failed to declare something. There should at least be some explanation.

The secondary factor is that maybe this debate is not the debate we should be having today. I believe these matters should go to the Privileges Committee—where, after all, there is a government majority—and be sorted out there rather than on the floor of chamber. If in fact the standing orders directly say that failure to declare is a serious contempt, that should be taken seriously by this chamber. It is up to the Privileges Committee to try to establish whether a senator knowingly failed to declare. That would be the weakness in any case against Senator Lightfoot, given his explanation and apology today. Given the fact that he did a radio interview in relation to the trip, it would be very difficult for any fair judge to argue that he knowingly failed to declare.

But if on every occasion the government resists referring failure to declare to the Privileges Committee, resists it on partisan
or whatever other grounds, let us change the standing order and get rid of it. There is nothing worse than an unenforceable standing order. If it was envisaged when these resolutions went through in 1994 that the Privileges Committee would be the filtering device—not the deciding device, because it will always come back to this chamber—and if we are not ever going to do that, then let us get rid of it.

The most blatant case ever involved ex-Senator Parer. Senator Hill sits at the table. He was responsible for blocking that going to the Privileges Committee. This involved millions of dollars worth of shares, not the arduous trip to one of the most dangerous countries in the world—hardly a Riviera holiday—that Senator Lightfoot went on. We are talking about millions of dollars worth of shares never declared and no apology ever offered, but that did not go to the Privileges Committee because it was partisan, apparently. You only have to go back and look at those rotten speeches by former senator Richard Alston—his vicious attacks on the Privileges Committee, where there was a government majority at the time and still is. They were just disgraceful. This is not a consistent applying of standards; this is just doing whatever you can to avoid criticism. At least that approach has not been taken today, and I very much appreciate it.

A lot of these problems might have been overcome if, last March, Senator Lightfoot had come in and made an explanation to the Senate. We could have had the debate then. But, as I recall it, his statement was tabled. This is really good guidance to all of us, not just to Senator Lightfoot, that if you want to make an explanation about a problem you should come in at the first available opportunity and do it, because that lances the boil and gets rid of it. So it is a lesson that we can all learn. In this instance the President basically ruled that there was a prima facie case.

I am glad Senator Evans has withdrawn his motion, because if it were put and lost we would really go in harm’s away. We would have a relatively independent President making a judgment on whether there was a prima facie case, and the Senate chamber, for partisan reasons, would knock it over. I do not think that would be particularly good into the future.

As I said, this is Senator Lightfoot’s second offence. He can correct me if I am wrong, but I think he had to correct the record once before with regard to his pecuniary interests form. Senator Evans has indicated that this could happen to any of us and probably will occur on other occasions, but you cannot become a serial offender here. It behoves all of us to continually check our forms, remembering that now—and correct me if I am wrong—you do not have to declare your pecuniary interests before the second reading and committee amendments, provided everything is declared on the register. We made that reform two or three years ago. That is why the register must be a very pristine document—so that people know, for instance, that you might own shares in A, B and C. I have no animus at all towards Senator Lightfoot. He should make sure that his affairs are in order, because what he has admitted to today is his second offence. Again, I believe that it was an oversight. I appreciate his apology. But, if there is a third offence, the benefit of the doubt will not be offered.

Senator BARTLETT (Queensland) (4.01 pm)—I think, because of the importance of the notion of the declaration of senators’ interests, that the Democrats should record our position. It is broadly in accord with what has been said. I acknowledge Senator Lightfoot’s apology. One thing I do agree with him on, which is related to this issue, is support for the Kurds’ struggle for self-determination and independence. I hope that is not damaged by some of the controversy
around this specific issue. We acknowledge the importance of the issue. It is important to make clear that I do not perceive this as turning a blind eye or brushing it under the carpet because it is uncomfortable. It certainly would not be uncomfortable; it is simply a matter of the realities of the situation. In that context, I think the right approach, as has been suggested here by the previous speakers, is being taken. The importance of the Register of Senators’ Interests should be re-emphasised. The Democrats were pivotal in pushing, over a long period of time, for such disclosures to be made. The Senate led the way on that. There is not much point working hard to get those systems in place if there is then no confidence in them being a genuine reflection of what senators’ interests are. So it is something we still take seriously but also on a case-by-case basis. I think that on this occasion the right approach is being taken.

Senator BROWN (Tasmania) (4.03 pm)—The standing orders state that it is a serious contempt of the Senate not to declare a donation or an assistance that comes to a senator that is not known to the public. But of course there are degrees, and it is up to the Senate to, in its wisdom, work out to what degree and with what seriousness the contempt has been made. We are all in peril, at any given time, of overlooking a donation, a subsidised trip or a night at a hotel that ought to be recorded under the rules. The rules are serious about it, and we should take them seriously. What disturbs me greatly about this particular matter is that it was drawn to public attention months ago that this serious contempt of the Senate had occurred but it was not rectified until today. I think that in itself is contemptuous. It is contemptuous of the rule and it is contemptuous of the Senate.

Senator Ray is quite right to say that, when an error like this is made, the one who makes it—it may be me next; I do not know—ought to come into the Senate and give an explanation. There is a general understanding not only of the common obligation we have to abide by standing orders but also of the frailty of the system insofar as it is easy to overlook something. But overlooking a $6,000 gift to a senator and then studiously overlooking it in the wake of it having been drawn to public attention shows something other than just an oversight. This was not an oversight; this has been a studied breach of the rules for some months now. It concerns me greatly that it appears that it will go through to the keeper.

Senator Robert Ray—I think it took his middle stump out on the way, through.

Senator BROWN—Senator Ray says it has taken the middle stump out on the way. Yes, but the team are still in, so we will be watching them.

Senator FAULKNER (New South Wales) (4.05 pm)—I had not intended to speak in this debate, but now that Senator Evans has decided to withdraw his motion in relation to the Privileges Committee I will make a couple of general comments on the matter that is now before the chair. I have to say that I think that, remarkably enough, Senator Lightfoot’s exploits in relation to his trip to Iraq have turned Senator Lightfoot into a household name—something that his efforts in the chamber certainly could never have done. The reason I am able to say this to the Senate is that I recently had the experience of going to Birkenhead Point, close to where to my electorate office is situated in Sydney. Senator Evans has lunched at Birkenhead Point and knows what a very pleasant environment it is. I was standing in quite a long queue at the sandwich shop. It appeared that someone two or three in front of me in the queue was trying to buy their salad sandwich on a credit card, which caused a great deal of difficulty. The bloke behind me
said: ‘You’re a senator—why don’t you shoot him? After all, you blokes have all got AK47s.’ I was rather flabbergasted by this. I of course did recall Senator Lightfoot’s publicity, and my first defence was to say, ‘Oh, yes, but I’m not a senator from Western Australia.’

Senator Chris Evans—Shame!

Senator Faulkner—That did not work, Senator Evans. The bloke in the queue did not buy that, so I said ‘I’m not from the Liberal Party, you know.’ He did not buy that, because he said, ‘Yes, but you are from the New South Wales Labor Party,’ so that did not work.

I think it is fair to say that some very murky circumstances surround Senator Lightfoot’s visit to Iraq. At the time, I thought that the call that the opposition made, which was for a full inquiry into those circumstances, was responsible and sensible. Of course, it was rejected immediately by the Prime Minister, Mr Howard, who considered that ‘his response’—Senator Lightfoot’s response—to the allegations is credible. This all goes to matters of absolute high farce: the high farce of a senator posing with an AK47 in Iraq and then leaking the picture to the media for publicity purposes, the high farce of whether he did or did not deliver cash to Kurdish officials for the building of a hospital, the high farce and debate about whether that cash was or was not smuggled across international borders by the aforesaid Senator Lightfoot—

Senator Robert Ray—Don’t forget the customs bribe.

Senator Faulkner—Senator Ray, you remind me of the high farce of the alleged customs bribe, the high farce of whether or not there was an association with the company Woodside Petroleum and the high farce of whether or not 007, Senator Lightfoot, was carrying a .38 pistol with him on his trip through Iraq and the Middle East. He really has brought himself, his party and the Senate into disrepute. He has become a laughing stock. Some would say he always was a laughing stock, but he certainly sealed it with this little escapade. What worries me is that it really does belittle us all when you see this sort of publicity. I know that Senator Lightfoot was only trying to big-note himself, I know that he did not really have too much concern for what really happened over there in Iraq and whether he was a gun-toting senator or not, and I also know that he did not have too much concern for what was appropriate behaviour and what was an appropriate way of dealing with this situation.

My own view is that Senator Lightfoot should have come into the chamber and fronted up. My personal view is that it would have been much better for Senator Lightfoot to make the unequivocal apology that he has made today a couple of months ago. My own personal view is that it would have been much better if he had placed all the facts on the table here in the Senate, giving a more detailed explanation of the situation. But of course all this has disappeared now behind the haze of Senator Ross Lightfoot: the international man of mystery in the Senate, the gun-toting cowboy from Western Australia on his visits to the Middle East—that is what people remember about this. He has turned himself, his party, the whole Senate and the parliament into a joke.

Question agreed to.

COMMITTEES
National Capital and External Territories Committee
Reference

Senator O’Brien (Tasmania) (4.12 pm)—I move:

That the following matter be referred to the Joint Standing Committee on the National Capital
Current and future governance arrangements for the Indian Ocean Territories, with particular reference to:

(a) accountability and transparency of decision-making in relation to the Indian Ocean Territories;

(b) the role of the Shire of Christmas Island and the Shire of Cocos (Keeling) Islands;

(c) aspirations of the residents of Christmas Island and Cocos (Keeling) Islands for more representative governance arrangements;

(d) the link between more effective governance and improved economic sustainability for the Indian Ocean Territories;

(e) the operation of Western Australian applied laws;

(f) community service delivery including the effectiveness of service delivery agreements with the Western Australian Government; and

(g) proposals for reform of governance arrangements.

Question agreed to.

ANZAC COVE

Senator MARK BISHOP (Western Australia) (4.12 pm)—I move:

That there be laid on the table by the Minister for Defence, no later than Thursday, 12 May 2005, all briefings to the Minister and the Minister for Veterans’ Affairs, on the matter of road works at Gallipoli over the past 4 years, and all internal minutes and file notes, including records of meetings between the Office of Australian War Graves and officials of the Government of Turkey on the same subject.

Question put.

The Senate divided. [4.17 pm]

(The President—Senator the Hon. Paul Calvert)
COMMUNITY DEVELOPMENT EMPLOYMENT PROJECTS

Senator CARR (Victoria) (4.21 pm)—I move:

That there be laid on the table by the Minister representing the Minister for Employment and Workplace Relations, no later than 3.30 pm on Thursday, 12 May 2005, all submissions received by the Department of Employment and Workplace Relations in response to the Building on Success Community Development Employment Project Discussion Paper 2005.

Question agreed to.

COMMITTEES

Finance and Public Administration References Committee

Reference

Senator MARK BISHOP (Western Australia) (4.22 pm)—I move:

That the following matters be referred to the Finance and Public Administration References Committee for inquiry and report by 30 June 2005:

(a) the circumstances surrounding the request by the Australian Government to the Turkish Government in August 2004 to undertake work to ease congestion on the Gallipoli Peninsula;

(b) the role of the Minister for Foreign Affairs (Mr Downer), the Department of Foreign Affairs and Trade, the Department of Veterans’ Affairs, the Attorney-General’s Department, the Office of Australian War Graves, the Department of the Prime Minister and Cabinet and Environment Australia in the road works, and related construction activity, at ANZAC Cove in the lead-up to ANZAC Day on 25 April 2005;

(c) the heritage protection of ANZAC Cove, including the proposed joint historical and archaeological survey of ANZAC Cove and proposals for the establishment of an international peace park, as well as national and world heritage listing for the area; and

(d) any other related matters.

The Senate divided. [4.26 pm]

(The President—Senator the Hon. Paul Calvert)

Ayes………….. 32
Noes………….. 29
Majority…….. 3

AYES

Allison, L.F. 
Bishop, T.M. 
Buckland, G. 
Campbell, G. * 
Carr, K.J. 
Crossin, P.M. 
Forshaw, M.G. 
Hogg, J.J. 
Kirk, L. 
Ludwig, J.W. 
Mackay, S.M. 
McLucas, J.E. 
Murray, A.J.M. 
O’Brien, K.W.K. 
Ridgeway, A.D. 
Stephens, U. 
Webber, R.

NOES

Abetz, E. 
Brandis, G.H. 
Campbell, I.G. 
Colbeck, R. 
Eggleston, A. 
Ferris, J.M. 
Fifield, M.P. 
Humphries, G. 
Kemp, C.R. 
Lightfoot, P.R. 
Macdonald, J.A.L. 
McGauran, J.J.J. * 
Payne, M.A. 
Scullion, N.G. 
Watson, J.O.W.

PAIRS

Bolkus, N. 
Conroy, S.M. 
Cook, P.F.S. 
Denman, K.J. 
Evans, C.V.

Bartlett, A.J.J. 
Brown, B.J. 
Campbell, G. 
Collins, J.M.A. 
Faulkner, J.P. 
Greig, B. 
Hutchins, S.P. 
Lees, M.H. 
Lundy, K.A. 
Marshall, G. 
Moore, C. 
Nettle, K. 
Ray, R.F. 
Sherry, N.J. 
Stott Despoja, N. 
Wong, P.

Boswell, R.L.D. 
Calvert, P.H. 
Chapman, H.G.P. 
Coonan, H.L.
Ellison, C.M. 
Fierravanti-Wells, C. 
Heffernan, W. 
Johnston, D. 
Knowles, S.C. 
Macdonald, I. 
Mason, B.J. 
Patterson, K.C. 
Santoro, S. 
Vanstone, A.E.

* denotes teller
Question agreed to.

**BIRD FLU**

Senator **BROWN** (Tasmania) (4.29 pm)—I move:

That the Senate, aware of the concern by global health authorities that another bird flu pandemic is likely, calls on the Government to match the United Kingdom’s much larger stockpile of antiviral drugs and to publish its national plan for dealing with a pandemic.

Question put.

The Senate divided. [4.34 pm]

(The Acting Deputy President—Senator GH Brandis)

Ayes………… 8
Noes………… 40
Majority……… 32

**AYES**

Allison, L.F. Brown, B.J.
Greig, B. Lees, M.H.
Murray, A.J.M. Nettle, K. *
Ridgeway, A.D. Stott Despoja, N.

**NOES**

Bishop, T.M. Boswell, R.L.D.
Brandis, G.H. Buckland, G.
Campbell, G. Carr, K.J.
Chapman, H.G.P. Colbeck, R.
Coonan, H.L. Crossin, P.M.
Eggleston, A. Ellison, C.M.
Fierravanti-Wells, C. Fifield, M.P.
Forshaw, M.G. Fowlie, M.P.
Humphries, G. Hutchins, S.P.
Johnston, D. Kemp, C.R.
Kirk, L. Knowles, S.C.
Lightfoot, P.R. Ludwig, J.W.
Lundy, K.A. Mackay, S.M.
Marshall, G. Mason, B.J.
McGuigan, J.J, * McLucas, J.E.
Moore, C. Patterson, K.C.
Payne, M.A. Sherry, N.J.
Stephens, U. Tchen, T.
Troeth, J.M. Vanstone, A.E.
Watson, J.O.W. Webber, R.

* denotes teller

Question negatived.

**COMMITTEES**

**Employment, Workplace Relations and Education References Committee**

**Extension of Time**

Senator **CROSSIN** (Northern Territory) (4.39 pm)—I move:

That the time for the presentation of the report of the Employment, Workplace Relations and Education References Committee on Indigenous education be extended to 15 June 2005.

Question agreed to.

**MINISTER FOR IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS**

**Censure Motion**

Senator **NETTLE** (New South Wales) (4.39 pm)—I ask that general business notice of motion No. 128, standing in my name for today, to censure the Minister for Immigration and Multicultural and Indigenous Affairs, be taken as a formal motion.

The **ACTING DEPUTY PRESIDENT**—Is there any objection to that motion being taken as formal?

Government senators—Yes.

The **ACTING DEPUTY PRESIDENT**—There is an objection, so the motion may not be taken as a formal motion.

Senator **NETTLE** (New South Wales) (4.40 pm)—Pursuant to contingent notice of motion, I move:

That so much of the standing orders be suspended as would prevent Senator Nettle moving a motion relating to the conduct of the business of the Senate, namely a motion to give precedence to general business notice of motion no. 128.

The Greens believe that the Senate has no choice today but to censure Senator Vanstone, the Minister for Immigration and Multicultural and Indigenous Affairs, as the Australian public demand that some responsibility be taken for the series of scandals that have surfaced from the Department of
Immigration and Multicultural and Indigenous Affairs and the government’s and the minister’s disgraceful handling of these scandals. The Australian public have been truly shocked by the revelations about our detention and deportation regime. They are horrified that an Australian government could treat any human being like Cornelia Rau or Vivian Alvarez, let alone that it would treat fellow Australians in this way.

The inhumanity and the incompetence that these scandals reveal must be dealt with in a way that gives the Australian public confidence that they know the truth about what happened and that they can have confidence that these scandals will not be repeated. The minister has failed to meet this public need. The minister tries instead to hide her responsibilities behind the private closed-door Palmer inquiry. She has repeatedly said that what the public are interested in and what is in the public interest are two different things. The minister is wrong. The public have a right to know whether the department of immigration is operating within the law and by acceptable standards and whether it is respecting human rights and dignity.

On 9 February the Senate passed a motion calling for a full, open and transparent judicial inquiry to investigate the Cornelia Rau scandal. The minister failed to heed this call, instead establishing the private Palmer inquiry. Since then, scandal after scandal has been revealed, and these snowballing events indicate systemic and institutional problems and failures with the government’s policy and the minister’s department. The Palmer inquiry does not have the powers and the resources to be able to conduct an adequate investigation. A royal commission is a necessity, and everyone but the government is calling for a royal commission. Malcolm Fraser recently said that the minister’s head would have rolled in his day. He said that the immigration minister would have had to resign. However, this government is notorious for failing to be held accountable. Its leader has made an art form of denying responsibility for his government’s actions and even his own words.

This censure motion should put the minister and the government on notice that the Australian public is quickly losing its patience. Hiding behind the Palmer inquiry rather than providing answers to the public is cowardly and results in a further loss of credibility. It is not acceptable for the minister to palm off her ministerial responsibilities to an inquiry that is closed to the public. The minister’s answers to questions during a recent Lateline interview make you wonder whether she is either unaware of what is going on in her department or avoiding giving answers to the public in order to avoid taking responsibility.

The more that Australians find out about what is going on inside our detention centres and how asylum seekers are being treated, the more they are appalled. They are not only appalled at the inhumanity and cruelty of mandatory detention but also appalled at their interactions with the department and the obstinate and unresponsive attitude that they find within the department of immigration. My office consistently receives more correspondence from Australians concerned about the practices of the department of immigration than any other issue. The more they learn about the operations of the department and the minister, the more enraged they become. Those who know the system well go further than to just be appalled; they consider the behaviour of this government as criminal.

In February last year Julian Burnside QC said:

If moral arguments have no purchase, it remains the fact that our government is engaged in a continuing crime against humanity when assessed against its own legislative standards. I accuse Mr Howard and Mr Ruddock of that crime. I accuse
Senator Vanstone of that crime. I expect that they will ignore this accusation, since the only person who can bring charges is the Attorney General of the Commonwealth. Julian Burnside has been proven correct. The government is today continuing to ignore accusations that have been made against the government and the clear prima facie case of the scandals in which the Department of Immigration and Multicultural and Indigenous Affairs has been engaged. But today the Senate has an opportunity to censure the minister responsible, and I urge my fellow senators to take this course of action.

Senator PATTERSON (Victoria—Minister for Family and Community Services and Minister Assisting the Prime Minister for Women’s Issues) (4.45 pm)—On behalf of the government, I indicate that we oppose this motion that Senator Nettle has put forward. Having previously been Parliamentary Secretary to the Minister for Immigration and Multicultural and Indigenous Affairs for three years, I, more than many in this chamber, know of the challenges that face all of the officers working within the Department of Immigration and Multicultural and Indigenous Affairs. The vast majority of those officers go beyond the call of duty in serving the Australian public when doing their work within the immigration department.

Senator Vanstone has indicated to me that she is determined to get to the bottom of this issue by getting the facts. She has advised me that the facts will be made public. She has also indicated that she will not be making judgments on culpability until the facts are there. With regard to the two cases that have attracted significant public attention, I have been advised that neither of these people were asylum seekers. As I said before, the immigration department, in the vast majority of cases, does a very good job. But you heard Senator Vanstone say here in this chamber in an answer to a question yesterday that she is not happy with what has happened and she wants to get to the bottom of the facts. But there are some facts that are clear: the events happened in 2001 when Senator Vanstone was not the minister and the results of a judicial inquiry will not be available for a considerable time.

I believe that Senator Nettle’s motion is a travesty of the process. Without any key facts being determined, you are casting blame. I think it is appropriate to wait. We have a very senior former public servant inquiring into this issue. He has indicated to Senator Vanstone that he has had all the cooperation he has required in undertaking this inquiry, and Senator Vanstone has indicated publicly that he has been offered any assistance and any resources he needs in undertaking the inquiry. I think the Senate deserves better than this. You could at least wait until Mr Palmer has completed the inquiry.

Statistics give lie to a claim that Senator Nettle makes in paragraph (b) of the censure motion. The 9,000 unauthorised boat arrivals released from detention, on average, received visas within 18 weeks of applying for protection. Processing has been timely, urgent and with the full awareness of Australia’s international obligations under the 1951 treaty. I am advised that there is no international obligation to monitor the safety of people who are removed from Australia. The obligation to check whether they face persecution is before they are removed. The obligation is there and the government adheres to that obligation.

I am very much of the opinion that this censure motion is premature. I think it is appropriate to wait until we get the results of the Palmer inquiry and consider Senator Vanstone’s response. This motion is not only premature but also totally inappropriate. I think you will be found to have acted prema-
tremely. You will never have the opportunity to be a minister in a very difficult portfolio. Having been, as I said, parliamentary secretary to Minister Ruddock, I believe that the immigration portfolio would have to be one of the most difficult portfolios, particularly in ensuring that everyone is treated appropriately. In a couple of these cases people have given false information. They have not given their real name and have indicated that they have no family. They have given information which is not true with regard to their particular circumstance, and it is very difficult for officers to second-guess the truth.

If you had been in the position of seeing the incredibly difficult decisions that have to be made, you would realise that this motion is incredibly premature—and, as I said, it will be found to be totally inappropriate. The coalition do not support the motion. We do not agree with it. We believe it is appropriate to wait until Mr Palmer's report is here. Senator Vanstone has indicated that she will make the facts available. The Senate should give Senator Vanstone credit until the report is here. (Time expired)

Senator LUDWIG (Queensland) (4.51 pm)—We are not debating the censure motion proper at this time; we are debating whether we should suspend standing orders in order to deal with the motion. Labor supports the suspension of standing orders so that the motion can be properly dealt with. A censure motion is not lightly moved in this chamber. It is a serious motion and should be taken seriously. The matter in the motion is serious and calls for the Minister for Immigration and Multicultural and Indigenous Affairs to be censured. The facts and issues surrounding this matter are required to be dealt with now. The minister has had ample opportunity.

My records go back to where the Senate dealt with a motion in this house on 8 February 2005 which related to Ms Rau. Since the case of Ms Rau, Labor have had the opportunity presented by estimates, where we pursued the issue. We spent a considerable amount of time on that issue. We were told about a range of issues and given a range of material at estimates. However, subsequent to that, we have found that there are more cases. The figures are said to amount to 33 or more—we do not know; Senator Vanstone has not been forthcoming about that. We do not know about some of the issues that surround it more fully. It appears that, having set up the Palmer inquiry, the minister has maintained what I would suggest is a separation from the department. Our ability to find out information seems now to be confined to Mr Palmer finding it out and Mr Palmer at some point giving a report or making recommendations, we are told. I am unclear as to whether the report in full and the recommendations that might come from that will be made public. I am unclear in some respects as to the process that Mr Palmer will undertake in investigating these circumstances. I am unsure of when he will report to the minister and when the minister will then make those matters public.

So there are a range of unanswered questions in this debate. This is the opportunity for that debate to be had. In this instance, the minister has failed to adequately deal with the issue in the sensible and pragmatic way you would expect of a minister of the Crown. You would expect the minister to be able to answer the questions that are required, deal with them in a sensible way and provide information to this house about how these issues should be progressed. In this instance, in Labor's opinion, there has been a failure in dealing with it on the part of the minister. We will support the suspension so that this motion can be adequately dealt with.

Senator BROWN (Tasmania) (4.55 pm)—This is a very serious motion about a
very serious matter. A minister should never take on a portfolio without believing they are well equipped to handle it, having the ability to get across it and wanting to take it on. It is not something that is put onto an individual; it is something that is taken on as a responsibility—it is a very high office. This motion is not about the bureaucracy; it is about the competence of the minister handling a series of extraordinary inhumanities that have occurred at the behest of this government.

Let us look at the background of it too. This motion is not simply about some individuals who have fallen foul of government custody in a most grievous way. It is about a set-up which was deliberated upon by this government—it may have preceded them but it has been enhanced by this government—whereby warm-blooded human beings are transported to immigration centres which have no place in Australian society and which breach a number of international laws and, I submit, the ethics of this country. The case of Ms Vivian Alvarez, on the face of it, involves the extradition to another country of an Australian citizen, who had a child in this country, in a way that defies the standards of humanity we expect in our democratic society.

The Minister for Immigration and Multicultural and Indigenous Affairs has to take responsibility for those matters, but Senator Nettle is quite right: the minister has repeatedly been saying, ‘I don’t know about that,’ or, ‘Wait until the Palmer inquiry has deliberated.’ The Greens always did want a judicial inquiry here, not a government appointed inquiry meeting outside the reach of this Senate and, indeed, the public. It is not acceptable as far as I am concerned for a minister to simply say on matters like this, ‘I’m not going to give information,’ or, ‘I’m not dealing with it because there is some inquiry that I have appointed which is dealing with it.’ The minister remains responsible. It is her failure to take on that responsibility that gives power to the argument that should see this motion supported.

**Senator STOTT DESPOJA** (South Australia) (4.58 pm)—I rise on behalf of the Australian Democrats to place on record our support for the suspension of standing orders. Indeed, we support the censure motion. In relation to the issue of suspension, like the opposition and the Greens, we believe that, if there were ever a time for an urgent debate on an issue regarding immigration policies or deportation specifically, it is now.

As the motion which I hope will be debated states, and as other senators have contributed, we are talking about possibly 33 people who have been wrongfully detained and we have got at least one Australian citizen wrongfully deported. If that is not a travesty of justice then I do not know what is. So when the minister on duty, the Minister for Family and Community Services, talks about a travesty of procedure taking place in the Senate today she is very wrong: it is a travesty of justice that this system has thrown up and has allowed.

The minister on duty also suggested that this seeks to blame. What this seeks to do is sheet home responsibility. In our system, whether you call it Westminster or ‘Washington’, the minister takes responsibility for muck-ups. This is a mighty ministerial muck-up, or bureaucratic bungling of extraordinary proportions, and I do not think Australian citizens are prepared to put up with this being swept under the carpet. I think they want an open, accountable debate and I think they want it now. In fact I am surprised that we did not have it yesterday—except that obviously notice needs to be given in this place.

The Democrats, like all Australian citizens, have been appalled by the Cornelia Rau case. We accept that it is right for the
government to inquire into what has happened in that case. I think it is more appropriate that it is an open, transparent and more accountable inquiry, but we have been prepared to wait and see what the government comes back to the Senate and the Australian people with regarding that case. But now we have a new case, one that is truly even more horrific, if that is possible. For that reason, we think it is time now to not only investigate outstanding cases but to find out what happened in these two cases affecting Australian citizens. Having said that, I want to make it very clear on record that, while those cases horrify us, we must remember that every day asylum seekers in detention are subject to the same brutal and inhumane treatment. The system is set up for travesties, it is set up for tragedies. To go there is to suffer; to visit them is to be ashamed. People are driven mad, they try to harm themselves, they lose any sense of reality, they become physically ill. They experience the disintegration of their personalities. They fear that they will never know human life or freedom again. They face the will of the guards, in some cases, the department and, indeed, the minister, and that is why she should be responsible on behalf of this government when humanity is not observed or bureaucratic bungling takes place.

The two Australian citizens’ cases with which we are dealing—and which the minister should take responsibility for—are two more horrendous examples of a careless humanity that comes with this immigration policy, and detention centre policy, in particular, from this government. I think, once and for all, we need to acknowledge as a parliament, as a community, that detention centres and this particular policy are incompatible with basic human rights. If we want to be able to hold our heads up among the nations of the world, then we should be dismantling the system. But the least we can do today is to approve this suspension of standing orders and have this censure debate, because it is high time. If ever there was a time for an urgent debate about immigration policy, you would think it would be when we had deported one of our own citizens three days after a car accident and with a question of mental illness hanging over that citizen. I think it is absolutely extraordinary that we are not suspending the entire parliament for the purpose of dealing with this issue. On behalf of my party, I strongly support the motion for suspension currently before us.

Question put:
That the motion (Senator Nettle’s) be agreed to.

The Senate divided. [5.07 pm]

(The President—Senator the Hon. Paul Calvert)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>32</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noes</td>
<td>28</td>
</tr>
<tr>
<td>Majority</td>
<td>4</td>
</tr>
</tbody>
</table>

AYES

Allison, L.F.  
Bishop, T.M.  
Buckland, G.  
Carr, K.J.  
Collins, J.M.A.  
Crossin, P.M.  
Forshaw, M.G.  
Hogg, J.J.  
Kirk, L.  
Ludwig, J.W.  
Mackay, S.M.  
Moore, C.  
Nettle, K.  
Ray, R.F.  
Sherry, N.J.  
Stott Despoja, N.

NOES

Abetz, E.  
Boswell, R.L.D.  
Calvert, P.H.  
Chapman, H.G.P.  
Eggleston, A.

Bartlett, A.J.J.  
Brown, B.J.  
Campbell, G.  
Cherry, J.C.  
Conroy, S.M.  
Faulkner, J.P.  
Greig, B.  
Hutchins, S.P.  
Lees, M.H.  
Lundy, K.A.  
McLucas, J.E.  
Murray, A.J.M.  
O’Brien, K.W.K.  
Ridgeway, A.D.  
Stephens, U.  
Webber, R. *
Wednesday, 11 May 2005

SENATE

107

Ferris, J.M. 
Heffernan, W. 
Kemp, C.R. 
Macdonald, I. 
Mason, B.J. 
Minchin, N.H. 
Payne, M.A. 
Scullion, N.G. 
Vanstone, A.E. 

Fierravanti-Wells, C. 
Johnston, D. 
Lightfoot, P.R. 
Macdonald, J.A.L. 
McGauran, J.J.J. *
Patterson, K.C. 
Santoro, S. 
Troeth, J.M. 
Watson, J.O.W. 

* denotes teller

Question agreed to.

Senator NETTLE (New South Wales) (5.10 pm)—I move:

That general business notice of motion no. 128 may be moved immediately and have precedence over all other business today till determined.

Question put.

The Senate divided. [5.15 pm]

(The President—Senator the Hon. Paul Calvert)

Ayes……… 32
Noes……… 28
Majority…… 4

AYES

Allison, L.F. 
Bishop, T.M. 
Buckland, G. 
Collins, J.M.A. 
Crossin, P.M. 
Forshaw, M.G. 
Hogg, J.J. 
Kirk, L. 
Ludwig, J.W. 
Mackay, S.M. 
Moore, C. 
Nettle, K. 
Ray, R.F. 
Sherry, N.J. 
Stott Despoja, N. 

Bartlett, A.J.J. 
Brown, B.J. 
Campbell, G. 
Cherry, J.C. 
Conroy, S.M. 
Faulkner, J.P. 
Greig, B. 
Hutchins, S.P. 
Lees, M.H. 
Lundy, K.A. 
McLucas, J.E. 
Murray, A.J.M. 
O’Brien, K.W.K. 
Ridgeway, A.D. 
Stephens, U. 
Webber, R. *

NOES

Abetz, E. 
Boswell, R.L.D. 
Calvert, P.H. 
Chapman, H.G.P. 
Cooman, H.L. 

Barnett, G. 
Brandis, G.H. 
Campbell, I.G. 
Colbeck, R. 
Ellison, C.M. 

Ferris, J.M. 
Fifield, M.P. 
Humphries, G. 
Lightfoot, P.R. 
Mason, B.J. 
Minchin, N.H. 
Payne, M.A. 
Scullion, N.G. 
Vanstone, A.E. 

Fierravanti-Wells, C. 
Heffernan, W. 
Johnston, D. 
Macdonald, J.A.L. 
McGauran, J.J.J. * 
Patterson, K.C. 
Santoro, S. 
Troeth, J.M. 
Watson, J.O.W. 

* denotes teller

Parliamentary Service

Bolkus, N. 
Cook, P.F.S. 
Denman, K.J. 
Evans, C.V. 
Marshall, G. 
Wong, P. 

Eggleston, A. 
Ferguson, A.B. 
Knowles, S.C. 
Kemp, C.R. 
Tchen, T. 
Macdonald, I.

* denotes teller

Question agreed to.

Senator NETTLE (New South Wales) (5.18 pm)—I move general business notice of motion No. 128, standing in my name for today:

That the Senate censures the Minister for Immigration and Multicultural and Indigenous Affairs (Senator Vanstone) for her failure to:

(a) instigate a full judicial public inquiry into the manifest failure of her department to fulfil its duty of care to those in its responsibility;

(b) manage the timely and humane processing of asylum seekers;

(c) abide by the letter and spirit of the international conventions relating to the treatment of children;

(d) admit responsibility for the wrongful detention of at least 33 people and the illegal deportation of at least one Australian citizen;

(e) take any steps to monitor the safety of asylum seekers deported from Australia by her department; and

(f) take her accountability responsibilities seriously.

I have already outlined the reasons why the Greens are putting up this motion, but I will continue with some more remarks on this
issue. Before I do that, I will comment on the contribution we had from the minister on duty during the suspension of standing orders debate. Senator Patterson got up and gave what she perhaps thought was an excuse for why Senator Vanstone behaved the way she behaved. The excuse that Senator Patterson provided for the chamber was: ‘It is a hard job.’ That is not an excuse for the failings of the minister and the department of immigration.

The Senate may be interested to know that it is a hard job being a detainee who is locked up for four, five or six years behind razor wire fences in a detention centre in the desert of this country. It is a hard job being an Australian citizen who is deported to another country, with your child left in this country and your family not told. It is a hard job being an Australian permanent resident with a mental illness, spending 10 months locked up in a detention centre and not being able to access appropriate treatment for your mental illness. It is a hard job being a detainee with a mental illness in Baxter detention centre, seeking psychiatric treatment for your mental illness and having to go to court eight times whilst the federal government spends $159,000 in legal costs in order to argue that you should not have appropriate psychiatric treatment. It is a hard job being born in a detention centre and spending your third birthday in a detention centre, having child psychiatrists come and see you and assess the impact on your mental health of having been born and spent all of your life, including your third birthday, locked up inside a detention centre, not being allowed to go to a child-care centre outside of the Villawood detention centre to spend some time engaging with other people. Spending all of your life locked up: that is a hard job.

All of those instances that I describe—and there are many, many more—are at the hands of the minister for immigration, Senator Vanstone. She needs to take responsibility for her actions. This is an issue, as we have seen, that so many Australians across this country are absolutely appalled at. The letters pages of our newspapers are filled on this issue. I noticed that the issue most talked about in the Australian is the deportation of the Australian citizen Vivian Alvarez.

We have seen the distress that is caused to the families involved by the actions of this minister’s department. We saw on Lateline last night an interview with a sister of Vivian Alvarez. We saw on Lateline the night before an interview with the brother of Vivian Alvarez. We have seen the distress that has been caused to these families. Many of us have seen and read the interviews with Christine Rau—the sister of Cornelia Rau—in which she has spoken about the distress caused to her family. All of them have spoken about the distress caused when the federal government and the minister have not acted responsibly and called for a public inquiry into these issues. There is a need for an inquiry to be public. The question being raised by critics is not about the capacity of Mr Palmer to carry out the inquiry; it is about the requirement that the public have confidence in the ability of the minister and the department to do their jobs and carry out their responsibilities lawfully.

If an inquiry occurs behind closed doors, with no capacity for the public to understand what is going on, then the public cannot have confidence in it. That is not to question the work of Mick Palmer; it is to question an inquiry that is behind closed doors. It is right that the public continue to question these ideas. A couple of weeks ago I had lunch with a man who had just been released from Baxter detention centre. He had spent 4½ years in Baxter detention centre. He is the same person who, 4½ years ago when he arrived in Australia, was told, ‘You are not a genuine refugee.’ He is the same person who,
4½ years later, all of a sudden is a genuine refugee.

It is right that the public ask questions about why this has occurred. Why has it taken 4½ years for the government, the minister and the department to recognise that this gentleman is a genuine refugee? He also happens to be somebody who has worked for seven years as a fitter and turner, and I suspect he has something to contribute to the skills shortage that we are currently facing in this country. But the issue today is the fact that he was locked up in detention for 4½ years and only after that was he found to be a genuine refugee. Why was he not found to be a genuine refugee 4½ years ago?

Another issue raised in the motion that we are debating today is the international conventions about the treatment of children, to which Australia is a signatory. I read in the newspaper today that, since 1999—if I recall the numbers correctly—3,899 children have been detained in Australian immigration detention centres. I recall that number, because I was absolutely appalled when I read that in the newspaper today.

A Federal Court ruling occurred, I think, just last week in which the judge found that the government had failed in its duty of care to people with a mental illness locked up in immigration detention centres. It was a case that revolved around two Iranian men who were in the Baxter detention centre. They are currently in Glenside psychiatric hospital in Adelaide. I note that the minister, when she was in here for question time on Tuesday, said that she had not read the judgment. It is a judgment well worth reading from Federal Court judge Justice Finn about the way in which the government has failed to meet its duty of care to detainees who have a mental illness who are in immigration detention centres.

I want to mention the story of Naomi Leong that has appalled so many Australians. Naomi Leong recently celebrated—if that is the appropriate word; I do not think it is—her third birthday inside the Villawood detention centre. The story of Naomi—somebody whom I have visited on many occasions—and her mother was on the front of Saturday’s Sydney Morning Herald, in which Virginia, Naomi’s mother, talked about how she is staying alive for the purpose of her daughter being able to have some hope and some faith. She talked about being in this detention centre and having her three-year-old daughter saying to her, ‘When can we go home, Mum?’

What is she supposed to say in response to her three-year-old daughter, who has only ever known life in a detention centre, when she says to her, ‘Mum, when can we go home?’ Does this government and this minister want to be responsible for a situation which sees instances like this occurring? After that story appeared on the front page of the newspaper, letters poured in from the Australian public. People were simply appalled at the actions of this department and this minister that have resulted in that situation occurring for Naomi and Virginia. The minister has failed to accept responsibility for these occurrences. She has failed to instigate the public inquiry that the Senate called for on 9 February this year so that the public could have confidence in the minister’s capacity to do her job.

Just yesterday an Iranian asylum seeker was taken from Baxter detention centre, and the understanding of the people who were visiting him at the time was that he was to be deported to Iran. He was flown to Sydney. I am not 100 per cent up to date with what has occurred with respect to the gentleman. I understand from radio reports yesterday that he is also another example of a long-term detainee with a mental illness.
I have been to many conferences held by mental health professionals—as I am sure many other senators here have—at which they talk about mental health problems that detainees, particularly long-term detainees, experience in our detention centres. We see several of these cases before the courts regarding whether in fact the process of detaining people in immigration detention centres is resulting in and adding to the mental distress that these detainees are facing.

Mental health professionals cry out again and again about the kinds of assessments that they are not allowed to make because they are refused entry into immigration detention centres when they have the capacity to meet with detainees. For example, they have court orders that say detainees are able to be given psychiatric assessment.

We as a country should never have to watch this occurring. We now have a minister who, in the face of the recent scandals that have come to light, is absolutely failing to accept responsibility. What is required is an open, public, full judicial inquiry. But the minister has failed to provide the public with that opportunity so that they can have confidence in her capacity and the capacity of her department to do their job. We in this Senate are forced into a situation now where, the Greens believe, we have no choice but to censure this minister because she has failed in her responsibilities to the Australian public. I commend this motion to the Senate.

Senator COONAN (New South Wales—Minister for Communications, Information Technology and the Arts) (5.30 pm)—I was not present during Senator Nettle’s earlier contribution or that of Senator Patterson, but it seems to me that, in looking at this issue and the motion that has been moved by Senator Nettle, there is a fundamental starting point here, and that is that everyone who has taken an interest in the plight of Ms Alvarez genuinely regrets that, plainly—as Senator Vanstone has said publicly in relation to how the matter was handled—something went wrong. That is not really in issue. What is in issue is what should be done about it. The context that is set up in the motion appears to be: what process will adequately and thoroughly ventilate the circumstances in which this matter arose in a way that deals with the sensitivities of the private aspects of the particular person involved? It is a matter of her privacy and that of not only her immediate family but, as I understand it, her former husband. So the real question here is not that there is any dispute about the need to get some facts but what will be the process through which there will be some fact gathering and checking as to how this matter arose.

Senator Vanstone has, in my view quite rightly, identified widening the remit of Mr Palmer’s inquiry as a thoroughly appropriate and adequate way to deal with this matter that acknowledges—and I do not think Senator Nettle disputes this—the fact that Mr Palmer is a very competent person and that his capabilities are not in question. That has not been in issue in the comments that have been advanced in support of the motion. So if he is a competent and appropriate person to undertake this sort of inquiry, no case has been made at all to suggest that he would other than adequately, appropriately, honestly, genuinely and completely investigate the particular facts and do it in such a way that the facts can then be made publicly available. My understanding is that Senator Vanstone said they would be. It is very important that we establish the facts so that we all know what one might say about the department or indeed the minister. So Mr Palmer is certainly an appropriate person to undertake this kind of inquiry, and nobody has suggested that they should not have con-
fidence in Mr Palmer’s capability to undertake this task.

The second part of the proposition as to what should be done, what process should be adopted, is to look at what Senator Nettle and some others have proposed as a more appropriate way to deal with the fact gathering that will enable us all to be informed about the issues involving Ms Alvarez. It is put forward that the process will be appropriate only if there is ‘a full judicial, public inquiry’ not into the particular facts of this case but into ‘the manifest failure’ of Senator Vanstone’s department to ‘fulfil its duty of care to those in its responsibility’. That is a proposition that, quite frankly, cannot be advanced at this stage, because the facts are not known. That is something that the minister has very fairly and squarely put on the record. We do not know the facts, so we could not possibly seriously support a motion that has wrapped up in it some admonition of anyone until we can work out where the facts stand in relation to that matter.

The rest of Senator Nettle’s motion is infected with the same problem. It is not only emotive but also based on a set of assumptions, suppositions and hypotheticals that simply are not rooted in the facts that would enable such a motion to be fairly and squarely put on its merits and passed by the Senate. There is no dispute that the department abides by the letter and spirit of the international conventions relating to the treatment of children. That the department should be admitting ‘responsibility for the wrongful detention of at least 33 people and the illegal deportation of at least one Australian citizen’ is really not warranted. The kinds of assumptions that have been built into the motion are entirely inappropriate, until you have some facts to sit it on, as Senator Nettle should know. This is a chamber to debate a number of matters in which a number of judgments and conclusions can be made. Inferences can be drawn and criticisms can be made, but I think most senators—certainly those who are fair minded—wish to base those kinds of assumptions and criticisms, and something as critical as a censure motion of a minister, on some facts.

It is important that the Senate does not prejudge what went on here under the guise of censuring the minister. If the minister, for instance, were not acknowledging the fact that something went wrong, if she were not acknowledging that there was a need to get some facts, if she did not have in place a process to properly identify what the facts are, and if she had said that she was going to withhold the facts, there might be some basis to be critical of the minister. But in fact, by the letter, in terms of her ministerial responsibility, she has acknowledged that something went wrong. She has said that there is a necessity to get the facts and deal with the facts. She has a process in place and a competent and capable person—who is not being criticised for their capability—to look at those facts. Quite rightly, Minister Vanstone says, ‘Let’s get the facts before we jump to further conclusions and set in train a whole lot of processes that may not be appropriate for the particular person involved.’ A full, public judicial inquiry may be about the last thing that will assist the future wellbeing of this particular individual. We simply do not know whether or not that process would assist her, and in my view it is certainly not something that any senators who think about this for a moment would agree to.

I want to make just a couple more points. My clear understanding, from what has been said on the public record, is that the matters relating to the circumstances of Ms Cornelia Rau and certainly Ms Alvarez were not such as to put them into the category of being dealt with as asylum seekers, yet the motion seems to assume that they were. It is certainly trying, through the guise of the treat-
ment of Ms Rau and Ms Alvarez, to make implications that relate to asylum seekers. My fundamental point is that we as a Senate could not seriously censure a minister who is honestly going about her job in finding out the facts and dealing with something in an appropriate and accountable way, as we all are. Any minister of the Crown is clearly accountable when something goes wrong, and Senator Vanstone has assumed that responsibility—she has assumed it up-front and she has assumed it in an appropriate way. This is certainly a motion that I would urge the Senate not to support.

Senator LUDWIG (Queensland) (5.39 pm)—We have a motion that has been opposed twice by the government for this debate to go ahead. This is a government that does not want to have this debate. That is the truth of the matter. It has vigorously opposed it twice. We have had two divisions to prevent this debate coming on. This is a censure motion. This is about ministerial responsibility. In this instance, the Minister for Immigration and Multicultural and Indigenous Affairs has clearly failed in her duty.

When you look at the issue more closely, you see that it cuts right across portfolios and points to a massive systemic failure in government, starting at DIMIA and ending at the point where the minister must take responsibility for the actions of her department. She may have won out, in that she was not the only minister during the period, but at this point in time she has not pointed the finger at her colleague and I can only assume that the buck stops with Senator Vanstone. Since the start, Labor has consistently called for an open, transparent judicial inquiry to examine the issues involved in the Cornelia Rau matter. That motion started before Christmas 2004. On the basis that this was a one-off case, Labor was prepared to suspend judgment and give Mr Palmer the benefit of our considerable doubt and wait until the report was handed down before deciding what our course of action should be.

One of the new cases in particular—and I think we have discussed that not only at question time but here today and in other places, and it has been in the media—has raised that much of an issue that it needs to be dealt with here and the minister should take responsibility. The government has deported an Australian citizen. That is the simple truth of it. That should not happen. More than that, it must not happen, it cannot happen, but it has happened. It is clear that the Howard government now has a massive case to answer and the Palmer inquiry does not fit the bill.

The concerns Labor have identified were the obvious and inherent flaws that were written into the inquiry by Senator Vanstone. Is justice being done for Cornelia Rau or on the other matters that have been referred to Mr Palmer or his inquiry since then? We do not know because of the shroud of secrecy over the proceedings. Why was the inquiry date extended? What will the end date be? Will the transcripts—if there are transcripts—the witness numbers, their positions and the issues that have been examined be made public? Will the report in total be made public? We are led to understand that the recommendations will be made public. Will the minister stand by that and make them public?

When you have the type of inquiry that has been started, you have to come to a point where you say, ‘Is it still appropriate to continue with this type of inquiry?’ I think we have reached the crossroad where you can safely say, ‘No, this inquiry is no longer the appropriate course to be taken.’ The minister has had an opportunity to make a decision, call for a royal commission and deal with it, but she has not. She has failed in her duty.
The problem with the Palmer inquiry, which has been addressed by a number of speakers, is that there are no judicial powers. It seems to me that you end up with Lady Justice with one arm tied behind her back. There is no power to compel witnesses to attend, there are no sworn oaths and the testimony that is given is unprotected. Mr Palmer is not even able to compel the production of documents or other evidence. We know about the tragedy of the Cornelia Rau case and the ongoing effects that has had. What we do not know is the final tragedy that might befall anyone else who has been caught in this process. Their names may not have come out yet and their circumstances may not have been demonstrated or aired.

We know of one other who has been deported under very sad circumstances. We do not know the final story in respect of that issue. Cornelia Rau has become a cipher for possibly hundreds of victims of a very sick system. There are others like Cornelia Rau who were lawfully residing here and who were locked up, like the ill Australian mother who was deported to the Philippines, whom I have spoken about, leaving behind a young child. We should reflect on that for a moment and ask, ‘Does that require a royal commission?’ I think the answer is simply yes. The minister has failed in her duty to appreciate the scale of the issue before her. We do not know whether that child will ever see his mother again. Then there are the mentally ill detainees denied access to psychiatric assistance. There is the failure to conduct the most basic of missing persons checks, it seems.

Cornelia Rau’s case has become the symbol of everything that is wrong with this government’s administration of the immigration system. It is undeniable that much of this could have been avoided or, at worst, come to light earlier if the Liberal government had adopted Labor’s policy initiative of an inspector general of immigration detention but they did not. They had the opportunity to make changes to their system but did not. They have had the opportunity to try to correct the system to provide an open, transparent system so that the public can understand what has gone on. They have not acted. Labor’s spokesman for immigration, Laurie Ferguson, has correctly made the point that the only way we are now going to get a full and thorough investigation is through a royal commission. The extent of the failure is now beyond the scope of anything less. It is beyond the scope of the Palmer inquiry. A royal commission is required, and the minister should act.

Let me make it clear that it is not just the detainees and the Australian public who have been failed by Senator Vanstone. The staff on the ground in DIMIA are also left out on a limb. DIMIA staff have been placed in the unenviable position of enforcing some of the worst policy I have seen. They have to make this madcap system work, and it is becoming increasing clear that they have not been given correct advice with which to operate. The law is clear enough; it has been adequately defined by the Federal Court. In the case of VHAF v Minister for Immigration and Multicultural and Indigenous Affairs [2002], Justice Gray said:

... s. 189 of the Migration Act provides no authority for the continued detention of a lawful non-citizen.

How is it then that the government has not acted on that clarification and ensured that, even at the level of basic administration, migration series instruction No. 321, which in layman’s terms is the handbook for officers, is in accordance with the law? That handbook does not provide guidance for officials on the different standards for initial and ongoing detention, explained by the Federal Court in Goldie, VHAF and VFAD. It seems to be silent on those matters. It should speak
volumes about what their role is. In one sense that is not surprising. Since March 2005 the federal government’s lawyers have been arguing in the High Court that a reasonable suspicion that a person was unlawful justified, indeed required, continued immigration detention. From that it appears that the immigration minister, through her lawyers, is still arguing a case that objectively is over. Objectively, they have lost that argument but they are going to run it up to the High Court. We will see what comes of that.

Nevertheless the Federal Court stipulated in clear language in 2002 and 2003 that a mere suspicion, however reasonable, was not sufficient to authorise ongoing detention under section 196 of the Migration Act. Unless the High Court overrules that position, it will be the Federal Court’s interpretation that stays with us. That will be used in any case alleging unlawful detention by immigration authorities. A vigilant minister would ensure that her departmental officers had access to the latest and best advice.

What I am going through carefully is not only the systemic failure but also the minister’s failure. It explains why Labor is supporting the censure motion. It is not simply the inability to have an open judicial inquiry; it is the inability of the minister to deal with the issues at hand—to deal adequately with the Cornelia Rau matter and with how the immigration detention centre is dealt with at law when you look at what is required to be dealt with, which may have contributed to avoiding at least some of these matters. Instead, as to departmental advice and the lack of updates and information, we find ourselves dealing with the types of situations in which Cornelia Rau and Vivian Alvarez found themselves.

As I said earlier, I do not blame Senator Vanstone entirely for this. Many of these administrative time bombs were left behind by her predecessor, Mr Ruddock, but they will continue to blow up in Senator Vanstone’s face until light is brought to every corner of the immigration department to expose them, and that is something that only the power of a royal commission can do. Perhaps Senator Vanstone is protecting not only herself but also Mr Ruddock—I do not know—but a royal commission will certainly find where the light is.

However, Senator Vanstone by no means gets off scot-free. That is not to say that she can sheet it all home to Mr Ruddock. It was Senator Vanstone who, as Minister for Justice and Customs, failed the Australian community by terminating the National Missing Persons Unit and failed CrimTrac by simply forgetting to include missing persons in their list of objectives—issues that they should have had in their system. Now we hear that not only Cornelia Rau but also Ms Alvarez was on the missing persons list. Where is the national missing persons database, Minister? Where is it? The Liberals took over the national missing persons bureau in 1996 but it was Minister Vanstone who effectively shut it down. That body was tasked with building a national missing persons database. The bureau has gone and so has the database.

I am convinced that, if there were a single national missing person’s unit like the one Labor—and particularly the then minister, Duncan Kerr—began to build under the Keating government, neither of these sorry cases might have occurred. What is needed is a broad, open and transparent investigation, along with a real commitment by the Howard government to in fact admit its errors and not simply say, ‘We’ll objectively look into it.’ Instead, what we heard from the minister the other night was this: Mr Palmer has the authority to refer both to the secretary of the department for any Public Service Act matters that might need to be looked into, in
terms of disciplinary action under the Public Service Act, and he has the power to make reference of any such matters to any other appropriate authorities. I have great confidence that Mr Palmer will do that if he thinks that’s appropriate.

With respect to Mr Bill Farmer from DIMIA, there is a massive conflict of interest here. The person receiving the report will be the very same person who decides whether disciplinary charges will be laid.

Anyone with an interest in accountable government cannot simply stand by and watch this happen. There are processes that should be put in place. We have argued and called for those so that the situation can be clarified. Those processes are needed so that the public can be assured of the integrity of the Public Service and the minister responsible. I call on all government members with good conscience to take a stand, if not in the parliament then in the party room. Force a little discipline on your colleagues.

Senator Vanstone can make amends by opening a royal commission on this matter with terms that are broad enough to cover the failings that have been identified to date. Providing there is enough information and cooperation, we might be able to get to the bottom of some of these issues. So far—at least, this is how it appears from the opposition side—Senator Vanstone has not provided sufficient information to the parliament about what has in fact gone on. Those are the reasons why this censure motion should be taken seriously. It is a serious motion and the minister should heed it. The opposition, as I have said, supports the motion.

When the Cornelia Rau scandal first broke, the government, and particularly the minister, gave this parliament the assurance that a full investigation would take place. But, as I have said, it has turned into an investigation behind closed doors. We may never know what went on, what was asked and what was not asked in those sessions. We do not know whether the minister’s office has cooperated. We do not know whether the minister’s office has opened its doors to provide information. We do not know whether the minister has provided information. We do not know whether the advisers have provided information. All of that information could help sort out what went wrong in these cases.

The opposition has no faith in the current inquiry and neither should the people of Australia. The Palmer inquiry is nothing but a convenient smokescreen behind which the minister and her department can continue to work without being held accountable for anything. An interim report on the matter was due in March. We are now in May and nothing has come of the closed inquiry. We have heard, and the media has covered, many shocking allegations. To date, there have been a number of issues aired on television in relation to Ms Rau. It appears she was locked up in an isolation management unit, for want of a better name, more than once. The Alvarez incident should be examined openly so that we can know what happened and why an Australian got deported. I do not think you can cavil with it.

This government wants to argue about it. It wants to roll up in a little ball like a porcupine and try to fend it off, rather than deal with it like an accountable government would: in an open and transparent way. We are appalled to hear the answers that have been given by this government. The government is protecting itself rather than looking at the individuals who are concerned and asking: ‘What do we need to do to protect them? What do we need to do to prevent the system doing this to others? If the system has transgressed, what do we do to correct it?’ Any confidence in the answers to those questions can now only come from a royal commission. What might have been if the minister had acted quickly, effectively and efficiently earlier is gone. The government
should accept that we have moved on from that point.

There is a nine-year-old sitting in foster care. Ask him when he is 20, 25 and 30 what his view of this government is. I could hazard a guess, but I will not. Surely the government can do better than tack that case on as a reference of a closed door inquiry. But that is exactly what it has done. That is a shameful action. Ms Alvarez was reportedly involved in a car accident several days before coming to the attention of DIMIA. I am not going to speculate as to the circumstances that confronted DIMIA with regard to this case; nor should Mr Palmer have to speculate about it. A royal commission could do more than that: it could find the answers which might not be found by other means. A royal commission could ensure that justice is not only done but seen to be done.

Does the fact that someone from the department knew about her deportation—if the report of that is right—lead to the minister’s office? I do not know and I am not going to speculate about it. But it is no doubt a very serious matter, especially if the department knew about her deportation two years ago. Who in the department knew? What was done? If nothing was done, then you are looking at a systemic failure, because an Australian was deported. If something was done, we need to know what remedial action was in fact undertaken, because it is, as I have said, a serious matter.

The minister’s constant refusal to answer any proper questions on this matter—saying on Lateline that she cannot comment because ‘she does not have the files in front of her’; that is the quote—is just not good enough. Surely something as devastating as this would be imprinted on her mind. It certainly would be on mine, particularly given that there is a young child being held in foster care. And the minister said, ‘The files aren’t before me,’ on Lateline. The minister has been told, advised and briefed by her department. (Time expired)

Senator BROWN (Tasmania) (5.59 pm)—The government recognises that this is an incendiary matter. The performance of Minister Vanstone on things that have gone wrong during her term in office is clearly underscored by the fact that the Prime Minister—who can ever forget him; for so long he has refused and continues to refuse to say sorry to the stolen generation of the first Australians—has said he is sorry about the deportation of Vivian Alvarez, an Australian citizen. He told Southern Cross radio: ‘I am very sorry if anything unfairly has happened in relation to that. On the face of it that does appear to be the case.’ The Prime Minister recognises that something is seriously amiss, it is of national significance and the government is responsible. The minister in whose portfolio the matters we have been debating today have unfolded must take the responsibility.

The government minister who spoke for Senator Vanstone used the device of saying that Mr Palmer is carrying out an inquiry; who is going to question his authority and kudos? Of course, she is right—nobody is. But it is not Mr Palmer that this motion is being directed at; it is Senator Vanstone, the minister. The Rau case; the Alvarez case; the fact that 33 other people, including Australian citizens, have been wrongfully detained by Immigration; the fact that we are seeing people deported who have been asylum seekers, have mental illnesses and have threatened suicide; and the appalling and continuing situation in which little children are locked up in government detention centres in this country when the government knows that this causes mental distress, mental injury and potential lifelong damage to these children are all things that are just not acceptable in Australia.
If the minister is not to be taken to account on this then who is? It is not just the Greens who are saying that the process that the minister has undertaken to get action here is not up to scratch; the Sydney Morning Herald wrote about the minister’s referral of these matters to Mr Palmer for inquiry out of view of the public. On the fifth of this month the editorial said:

The Rau case has been a public relations disaster for the Government, which appears to know it. Some of its own members have been calling for a review of the mandatory detention policy for asylum seekers. Just before the latest list of blunders was revealed, refugee advocates remarked on what appeared to be a slight relaxation in mandatory detention. Up to 30 detainees had been unexpectedly released ... some after three years behind the barbed wire, and without any other change in the progress of their cases. It looked like—though the Government denied it—an attempt to soften the policy’s harsh image.

The editorial goes on:

The inquiry by the former commissioner of the Australian Federal Police, Mick Palmer, into the Cornelia Rau affair—regardless of the unquestioned competence and rectitude of the man who heads it—has the same look about it. The fact it is not open makes it appear more like media management than a means to uncover the truth. Arguments about the privacy of the individuals involved justifying this cloak of secrecy are overwhelmed by the argument of public interest: the public must be confident the immigration system treats people openly and fairly. If the system is deporting Australian citizens, how can anyone be confident of its decisions in the case of refugees and asylum seekers?

We have said from the time the Rau case came to public knowledge that a full, open inquiry was needed. The latest revelations have made it essential.

The Australian, which has been very supportive of government policy in this area, had an editorial a day later, on Friday, the sixth of this month, which ended this way:

... all the money in the world will not help the mentally ill while it is easier to lock them up, even expel them from the country, than to try to discover their circumstances. And if people such as Ms Rau and Ms Wilson—Ms Wilson is also known as Ms Alvarez—who both called Australia home, can be treated so shabbily, what hope is there for illegal immigrants with mental illness?

Likewise, the Herald-Sun of Melbourne, in its editorial on the third of this month, ends this way:

A spokesman for Mrs Vanstone, who is overseas, said no further information would be provided about the deportee or wrongful detentions. It is referring to Ms Alvarez. The editorial goes on to say:

This is not good enough. The public has a right to know why the Immigration Department has acted in a way reminiscent of a banana dictatorship. Unless the Palmer inquiry is open to the public, the Government risks accusations of a cover-up. The Palmer inquiry is not open to the public and it is not going to be made open to the public. There is no way the minister is going to heed even editorials from the Herald-Sun and the Australian on that matter. Last Sunday, 8 May, the Sunday Age, in an editorial entitled ‘Will the tide ever turn for detainees?’ said:

That immigration detention is a catalyst for mental illness, or likely to exacerbate existing conditions, has long been argued by refugee advocates and also by mental health professionals who have had contact with detainees.

The editorial goes on:

Last week, that case was strengthened by a Federal Court ruling that the Government has failed in its duty of care towards two severely depressed Iranian detainees held at Baxter. (Those detainees were transferred to a mental health facility before the ruling was delivered.) Justice Paul Finn found that the Commonwealth’s conduct towards the men, who had been in immigration detention in
various parts of Australia for about five years, contributed to their 'progressive deterioration'.

The editorial ends with this paragraph:

The sufferings of the detainees have gone on for too long. They have committed no crime and should not be deprived of their freedom. It is unfortunate that Australian residents have also been caught in the web; but more unfortunate that even this discovery has not yet led to the abandonment of this deplorable policy.

This is a deplorable policy. It is unconscionable. It is inhumane. When you look at global jurisdiction, it is illegal. At the base of it, how can this government pride itself that, as we are here today, dozens of kids are locked up in Nauru and other places behind barbed wire or effectively in imprisonment? For one little girl it has been for all three years of her life. What sort of policy is that? Is that Christian? Is that civilised? Is that the Australia of a fair go? How dare this government knowingly continue the incarceration of little kids, when it has been established that that damages those children and will continue to damage them for as long as they live. How dare the government do that. How can this minister face herself knowing that?

Then we have Australian citizens deported. We have Australian citizens locked up in these wretched asylum seeker centres. This is serious, wrongful behaviour carried out knowingly by government, as far as those children are concerned, and it is an extraordinary default at best, as far as the detainees and deportees are concerned. But it comes from the mind-set of this government, which is hateful towards immigrants who make their way illegally to this country particularly if it happens to be by boat—it is not so bad if it happens to be by aeroplane—and particularly if they are poor rather than rich. And there is no discrimination if they are totally innocent—for example, if they happen to be children.

I received an appealing letter on the same matter that Senator Nettle referred to yesterday. Another Iranian gentleman—and this is a very distressed person—has been forcibly removed from Baxter to Villawood. On the face of it, it looks like he may be deported back to Iran. That is an extraordinary thing for a democratically elected government that says that it believes in the rule of law and, moreover, says that it believes in human decency to be doing.

If there is one thing that is distressing about this debate and that shows the hubris, the arrogance and the disdainfulness of this government when it comes under criticism, it is that the minister has been absent throughout it. She has not had the decency to come in here and defend herself against a motion of censure on her failure as a minister. Where is Senator Vanstone? Why has she absented herself from this chamber? What a disdainful and arrogant attitude to the Senate on a critical vote like this. Ultimately, what a failure by the minister herself to understand the importance and the incendiary nature of the accusations that are coming before the Palmer inquiry. And we only know some of these accusations—those that have surfaced in public about the inhumane treatment of human beings, of people who have needed medical assistance rather than imprisonment and, not least of all, of children.

We only have the device of censure here. If you ask me, this government deserves the greatest censure for the deplorable policy which has allowed these situations to happen. But the right target for a censure motion is the minister who is responsible, and it is unforgivable that the minister has failed to turn up in the Senate to defend herself. One must be left with the presumption or the conclusion that the minister cannot defend herself against the accusations that are now public. There is condemnation in the press—normally very defensive of the govern-
ment—of the appalling things that are happening in detention centres and under the aegis of this department and this minister. She should be here. She should be defending herself and her department, but she is not. She is a minister in default or denial, or both, and she deserves censure.

Senator BARTLETT (Queensland) (6.13 pm)—On behalf of the Democrats, I indicate our support for this censure motion. I think the main problem with the censure motion is that its list of failures is far too short. There is a list of six areas where the Minister for Immigration and Multicultural and Indigenous Affairs has failed in her responsibilities. I can certainly think of quite a few more, but I guess once you get started you end up with the problem of drawing attention to the ones you left out.

The broader problem here is an overall crisis in the capability of the minister to properly manage her portfolio. We had the Cornelia Rau case and the controversy flowing out of that—and that certainly raises serious questions. We have, of course, the case of the Australian citizen deported back to the Philippines, which the department has now admitted. The department did not realise for two years that it had done that and then apparently did very little about it once it did realise what it had done. That second case, I might emphasise, was not an asylum seeker case; it went to another aspect of our immigration law.

I will quickly touch on the problem areas outlined in the censure motion. Senator Coonan, speaking on behalf of the government, criticised the Senate, saying that we are moving a censure motion when we do not have all the facts because the Palmer inquiry, because the government and the minister specifically made that inquiry as narrow as possible. It did not initially even include cases like the Australian citizen deported back to the Philippines.

Secondly, as I said in comments to the Senate yesterday, we have had inquiries. We have had inquiry after inquiry, and then we get comments in this debate such as we got from Senator Coonan—I hope I am quoting correctly—who said: There is no dispute that the department abides by the letter and spirit of the international conventions relating to the treatment of children.

I am sorry, but there is dispute. There is massive dispute. In fact, I doubt that there would be many people who would agree with the government’s absolutely blind insistence that they are not breaching the letter of the convention, let alone the spirit of the convention.

This parliament received a comprehensive report of well over 500 pages from its Human Rights Commissioner—appointed through an act of this parliament—reporting to us and the government about children in detention. The report was categorical and comprehensive. As I said yesterday, a main finding of that report was that, at its core, our mandatory detention regime breached the Convention on the Rights of the Child. The government’s response to that was: ‘No, we don’t; we don’t accept that. See you later.’ When you get that degree of contempt and wilful blindness and we are then told, ‘You’ve got to give us the benefit of the doubt; you’ve got to wait for the inquiry to finish,’ my answer is: I am sorry, we have had plenty of inquiries and they were quite categorical in their findings—and not just the Human Rights Commissioner’s inquiry. I detailed yesterday the Human Rights Commissioner’s 2001 inquiry and inquiries of
parliamentary committees and Senate committees—with unanimous findings of major problems across a whole range of areas—which have continually been ignored by the government. There has been recommendation after recommendation and report after report. On top of that, there are the court findings, such as we had last week about the department breaching its duty of care to detainees.

Then a minister—not the minister responsible, of course, but somebody else speaking on her behalf—had the gall to come in here and say, ‘Let’s look at the facts. Where are your facts?’ The facts are in a pile of reports so high they would reach the ceiling of this chamber. But it is no surprise that a government minister walks in here and asks, ‘Where are the facts?’—because they do not want to look at the facts. They do not want to look at the reports. They do not want to look at the evidence. They do not want to admit the blatantly obvious breaches—clear-cut breaches—of the Convention on the Rights of the Child, the convention against torture, the refugee convention and the International Convention on Civil and Political Rights. The government treat us like idiots and they are treating the public like fools when they continue to insist that there is no breach of these conventions. There are blatant breaches. They should at least be honest about it. To say that it has not been established that the minister has failed to abide by the letter and spirit of the international conventions relating to the treatment of children is wrong. It has been established. It has been comprehensively established by the Human Rights Commission—along with others.

The government have said that it has not been established that the minister has failed to manage the timely and humane processing of asylum seekers. How much more proof do you need? When last year’s season of Big Brother was on and Merlin Luck came out with his mouth taped up and a sign saying ‘Free the refugees’, Minister Vanstone said, ‘Merlin is a bit of an idiot, because there are no refugees in detention centres.’ That is the level of her response to some of these issues. I think the only person who agreed with her was Gretel Killeen. She seemed to be quite happy to slag off Merlin as well.

The basic fact is that there are plenty of refugees in detention centres. Look at the case of the Iranian writer Ardeshir Gholipour. He had people around the world supporting him. He was in detention when Merlin Luck did his thing and the minister said, ‘There are no refugees in detention; he doesn’t know what he is talking about.’ Mr Gholipour is now in the community. He has a visa because he has been found to be a refugee. Pity we locked him up for five years before deciding to acknowledge his refugee status! Yet the minister will say, ‘No, there are no refugees in detention centres.’ That case alone took five years—and we have the government saying, ‘The facts aren’t established that the minister has failed to manage timely and humane processing of asylum seekers.’

The department itself has admitted that it has released 33 people because they were not unlawful. Minister McGauran has admitted there has been the illegal deportation of at least one Australian citizen. Minister Vanstone herself in this chamber in question time yesterday said, ‘It is not the government’s responsibility to monitor the safety of asylum seekers deported from Australia by DIMIA, and they are not going to do it.’ A Senate committee inquiry five years ago—around the time Mr Gholipour first got put into detention—which featured Senator Coonan, who spoke in defence of Minister Vanstone, found that this was a problem. It acknowledged that there are issues with how you monitor people who have been sent back to another country, but it found that it was a
problem and recommended unanimously, including the Liberal Party members of that committee, that the government work with non-government organisations to look at ways to set up an informal monitoring process. The government’s response then was, ‘No, we’re not going to do it; it’s none of our business.’

It has taken a non-government organisation like the Edmund Rice Centre to fund their own inquiry—going to many dangerous countries, interviewing 40 different people who have been deported by this country, Australia, because they have not been deemed to be refugees. They have found the vast majority of them to be in situations of danger. That does not mean they were refugees, I might say—there are different issues there. But we have an overriding obligation beyond the refugee convention not to deport people to places presenting serious personal danger and to at least make some effort to check that they are all right, if that is possible. It is possible, because the Edmund Rice Centre has done it—why can’t the government do it? Why can’t it work with these groups? But the minister’s only response to those facts, to that report, is to say, ‘We asked them to give us some proof and they wouldn’t give it,’ which is certainly not the story they are telling me and certainly not the story they are telling publicly. They are saying they are working with the department and they are giving them lots of information, but the minister’s only response to all of these comprehensive, detailed inquiries—with a public report—is to say, ‘They haven’t given us anything to back it up. Therefore, we’ll dismiss the whole thing.’

The minister has clearly failed in that area. These facts have all been established; we do not need to wait for Mr Palmer to establish the facts of these failures outlined in the motion. In saying that, I am not in any way attacking Mr Palmer—in fact, I have no reason to believe that Mr Palmer is doing anything other than a good job. That the inquiry was expanded to include more than the Cornelia Rau case is a good sign. But Mr Palmer’s scope, even in the expanded inquiry, is very narrow—much narrower than the wide range of problems that have come to light over a long period of time with this whole area that the minister for immigration oversees. His powers are limited, so it does not matter how good a job he does: there is only so much he can do. I am looking forward to his report, and I believe it could well be quite valuable. But to suggest that that is the be-all and end-all is totally misleading.

It is as misleading as the government’s statement, made just before, that they are following the letter and spirit of international conventions relating to the treatment of children. What about the case of the three-year-old girl, who I think Senator Nettle mentioned in her contribution, who has been in Villawood and has medical evidence showing the immense damage being detained for her whole life has done to her development? The minister was asked a question about that case yesterday. It is a case that is not going to be covered by the Palmer inquiry. She proceeded to blame the child’s mother. Maybe there are things the mother should be doing that she is not, but that is no excuse for causing immense harm to a three-year-old girl. I have a three-year-old girl, and I worry about the impact on her development of my being away from home so much. The thought of her having spent three years—all of her life—locked up in a detention centre makes my blood run cold. To think that we are doing that now! And we still have ministers saying, ‘It is not proven that it is causing damage.’

I would like to mention another example. This is from a document that was tabled out of session and on which there has not yet been an opportunity to speak in this place. It
contains another example of this government’s willful misleading of the public about the basic facts of this crucial area. It is a report that was tabled out of session by the Attorney-General’s Department. It is their fourth report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. We provide those reports regularly to the United Nations committee that oversees that convention. Australia is a signatory to this convention and there was a recommendation made by that committee that Australia consider the desirability of providing a mechanism for independent review of ministerial decisions in respect of cases coming under that convention. The fact is that at the moment there is no scope for independent review of decisions about people who are at risk of being sent back to face a situation of torture or other cruel, inhuman or degrading treatment or punishment.

This is not just a UN committee telling us what we should do. Again, we had an inquiry into it by the Senate Legal and Constitutional References Committee. That committee’s report, A sanctuary under review, of August 2000, five years ago, made a unanimous recommendation that we incorporate the convention against torture and the Convention on the Rights of the Child in our laws alongside the refugee convention so that they could be considered before people are sent back to these dangerous situations. Not only did the government reject that recommendation; looking at what they have provided to a UN committee from an Australian government department in response to this raises serious concerns. It is a perfect example of a department and a government that are willing to blatantly mislead—it is on the edge of deliberate deceit—about the reality of what the government does here. We have an obligation—I would hope everybody would agree it is a moral obligation—under this convention we have signed not to send people back to situations where they may face torture or other cruel, inhuman or degrading treatment or punishment.

The Australian government’s response was to say, ‘This obligation mainly arises in respect of persons seeking refugee protection.’ It does, and that is why we have the refugee convention in our law. That is not what the whole request is about; it is about those people that come under the convention against torture. The government goes on with a range of paragraphs about the system we have got for people who might come under the refugee convention, completely ignoring the aim of the recommendation. Then it says that various sections of the Migration Act empower the minister to substitute a decision of the Refugee Review Tribunal to enable a visa to be granted ‘if the minister considers it in the public interest to do so’. It says they have got guidelines for decision makers in the department to refer to our obligations under the convention against torture and the Convention on the Rights of the Child as a relevant factor. It is not as an automatic requirement; it is as a relevant factor—‘Take this into account while you are thinking about it but you don’t have to act on it. It is just a guideline. It is not in the law.’ That is not just a relevant factor pertaining to visas; it is a relevant factor pertaining to whether or not the minister should even think about granting a visa.

Then the government has the gall to say that these public interest intervention powers—under the convention against torture the only protection people have got against being sent back to face conditions of torture—are transparent, because any decision to intervene must be tabled in the parliament. I hope most people in the parliament have seen what is tabled. All it says is, ‘I, the minister, have decided to exercise my powers because I believe it is in the public interest.’
That is it. It does not say who, it does not say why and it does not say what. Every single time it is done you get an identical piece of paper that is tabled. Of course, what you do not get is all the times they have decided not to exercise their interests and they have sent people back. You get nothing about that at all. You have no idea if the decision takes into account the convention against torture or the Convention on the Rights of the Child or anything else.

It is that sort of utterly opaque system that leaves people open to the sorts of allegations that Minister Ruddock was subjected to about cash for visas—because you do not know why a visa is granted in one case and why it is not in another. The Senate looked into that and I believe there was no evidence for that, but it is a sign of how totally non-transparent the system is. Yet the government is giving UN bodies formal reports saying that we have a totally transparent system. We have had Senate committee reports saying that this system is so nontransparent it is not funny and that it should be dramatically overhauled. Then there is the ultimate cop-out of saying, ‘At the end of it all, we are accountable to the parliament and the people of Australia—the court of public opinion.’ That is great. But bad luck for the people who have been deported in the meantime.

That is the level, the pathetic nature, of this government’s defence of the indefensible. It has got to the stage where they are putting in grotesquely misleading reports under the name of our government to UN committees about crucial conventions like the convention against torture. We have a serious crisis. It is not new—I suppose that is one thing the minister could say—but we are clearly getting to the stage, with the material that is coming to light, where the minister is unable to indicate that she knows what is going on and that she knows what she is going to do about it. I will use one more example from this report. This is the most disgraceful. It is in paragraph 100 of this report to the UN committee where it raised the issue of the problem of children being detained. It says:

... the Government has developed a system that ensures that the number of children in ... detention is as limited as possible, that children are only detained as a last resort—

That is directly contradicted by the human rights commission report. It goes on:

As at 15 December 2004, there was only one child classified as an unauthorised boat arrival in mainland detention centres in Australia and 26 children in alternative detention arrangements in the community.

Again, that is one of the most blatantly and deliberately calculated misleading statements. It deliberately ignores the children that are locked up in Nauru. It deliberately ignores the children that are locked up on Christmas Island. It deliberately ignores children such as the three-year-old in Villawood I mentioned. She might be the child of an unauthorised boat arrival, but she is still a child and she has still been locked up for years.

They gloss over these people and pretend they are not there with these deliberately misleading statements to UN committees, and we wonder why people get cynical. It is pathetic for something as fundamental as children being placed in detention. If people want the real figures, I suggest that they regularly go to the web site of the ChilOut group. According to their most recent estimate, there are 74 children in immigration detention at the moment, including six in Nauru and nine on Christmas Island. That is 74 too many. But any child in long-term detention is too many. The failures of this government, the failures of this minister, are enormous, comprehensive and unacceptable. We support this motion. (Time expired)
Senator NETTLE (New South Wales) (6.33 pm)—I will sum up the debate. The case has been put several times for supporting this censure motion. I do not think a strong case has been put at all by the government in defending the minister. The case has been put about the failure of the minister to set up a full and public inquiry into the scandals and operations of the department of immigration and the failure of the minister’s duty of care responsibilities to people held in detention centres, especially those with mental illness; the failure of the minister to ensure that asylum seekers are dealt with in a timely fashion, rather than spending four, five or six years in detention before they are found to be genuine refugees; the failure of the minister to ensure that people are treated humanely in detention centres. The case has been put about the failure of the minister to meet Australia’s obligations to international conventions on the treatment of children, to admit responsibility for the mistakes that have occurred and for the wrongful detention of people by her department; the failure of the minister in deporting an Australian citizen, the failure to monitor the safety of failed asylum seekers when they are deported to other countries and to take her responsibilities seriously. I commend this motion to the Senate.

Question put:

That the motion (Senator Nettle’s) be agreed to.

The Senate divided. [6.40 pm]
(The President—Senator the Hon. Paul Calvert)

Ayes……………. 35
Noes……………. 32
Majority………. 3

AYES
Allison, L.F. North. B.J.
Bishop, T.M. Bartlett, A.J.J.

Buckland, G. * Campbell, G.
Carr, K.J. Cherry, J.C.
Collins, J.M.A. Conroy, S.M.
Crossin, P.M. Evans, C.V.
Faulkner, J.P. Forshaw, M.G.
Greig, B. Hogg, J.J.
Hutchins, S.P. Kirk, L.
Lees, M.H. Ludwig, J.W.
Lundy, K.A. Mackay, S.M.
Marshall, G. McGwire, J.E.
Moore, C. Murray, A.J.M.
Nettle, K. O’Brien, K.W.K.
Ray, R.F. Ridgeway, A.D.
Sherry, N.J. Stephens, U.
Stott Despoja, N. Webber, R.
Wong, P. *

NOES
Abetz, E. Barnett, G.
Boswell, R.L.D. Brandis, G.H.
Calvert, P.H. Chapman, H.G.P.
Colbeck, R. Coonan, H.L.
Eggleston, A. Ellison, C.M.
Ferguson, A.B. Fierravanti-Wells, C.
Fierravanti-Wells, C. Heffernan, W.
Kemp, C.R. Knowles, S.C.
Lightfoot, P.R. Macdonald, I.
Mack, G. Mason, B.J.
McGauran, J.J.J. Minchin, N.H.
Patterson, K.C. Payne, M.A.
Santoro, S. Scullion, N.G.
Tchen, T. Troeth, J.M.
Vanstone, A.E. Watson, J.O.W.

PAIRS
Bolkus, N. Campbell, I.G.
Cook, P.E.S. Humphries, G.
Denman, K.J. Hill, R.M.
* denotes teller

Question agreed to.

COMMITTEES

Public Accounts and Audit Committee
Meeting

Senator FERRIS (South Australia) (6.43 pm)—At the request of Senator Watson, I move:

That the Joint Committee of Public Accounts and Audit be authorised to hold a public meeting during the sitting of the Senate on Thursday,
12 May 2005, from 9.30 am to 11.30 am, to take evidence for the committee’s inquiry into the review of Auditor-General’s reports.

Question agreed to.

BREACHING REVIEW TASKFORCE

Senator GREIG (Western Australia) (6.44 pm)—I move:

That there be laid on the table by the Minister representing the Minister for Employment and Workplace Relations (Senator Abetz), no later than 5 pm on Thursday, 12 May 2005, the final report of the Breaching Review Taskforce, presented to the Minister in December 2004.

Question agreed to.

NOTICES

Presentation

Senator BROWN (Tasmania) (6.44 pm)—by leave—I give notice that, on the next day of sitting, I shall move:

That there be laid on the table by the Minister for the Environment and Heritage, no later than 3.30 pm on 16 June 2005, all correspondence from January 2002 to the present between the Minister, his staff and department with Gunns Pty Ltd relating to the proposed pulp mill in Tasmania.

GREAT APES

Senator BARTLETT (Queensland) (6.45 pm)—I move:

That the Senate—

(a) notes the precarious state of the world’s great ape populations, including estimates that the only great ape in our region, the orang-utan, faces extinction within a decade;

(b) recalls its resolution of 21 October 1999 which noted that:

(i) ‘the number of great apes has declined dramatically due to measures such as deforestation, commercial bush-meat trade, live trade, and civil conflicts, with all non-human great ape species being listed as threatened’, and

(ii) ‘scientific evidence that great apes share not only human genes but also basic human mental traits, such as self-awareness, intelligence and other forms of mental insight, complex communications and social systems’; and

(c) calls on the Government to give consideration to:

(i) increasing funding for its Regional Natural Heritage program, which currently provides $10 million over 3 years to projects towards the conservation of biodiversity in our region, so that Australia can play a more significant role in securing the future of great ape populations,

(ii) committing to working with relevant governments and local communities to develop significant post-tsunami conservation measures in biodiversity hotspot areas,

(iii) focusing its efforts on on-the-ground conservation efforts, and

(iv) providing direct financial assistance to the United Nations’ Great Ape Survival Project.

Question agreed to.

COMMITTEES

Appropriations and Staffing Committee Report

The ACTING DEPUTY PRESIDENT (Senator Cherry)—I present the 42nd report of the Standing Committee on Appropriations and Staffing on estimates for the Department of the Senate for 2005-06.

Ordered that the report be printed.

BUDGET

Consideration by Legislation Committees Additional Information

Senator FERRIS (South Australia) (6.46 pm)—On behalf of the Chair of the Environment, Communications, Information Technology and the Arts Legislation Committee, Senator Eggleston, I present additional information
received by the committee relating to hearings on the budget estimates for 2004-05.

Consideration by Legislation Committees Additional Information

Senator FERRIS (South Australia) (6.46 pm)—On behalf of the Chair of the Finance and Public Administration Legislation Committee, Senator Mason, I present additional information received by the committee relating to hearings on the budget estimates for 2004-05.

COMMITTEES

Treaties Committee Report

Senator BUCKLAND (South Australia) (6.47 pm)—On behalf of the Chair of the Joint Standing Committee on Treaties, Senator Stephens, I present the 64th report of the committee entitled Treaties tabled on 7 December 2004 (2), together with the Hansard record of proceedings and minutes of proceedings.

Public Accounts and Audit Committee Statement

Senator WATSON (Tasmania) (6.47 pm)—On behalf of the Joint Committee of Public Accounts and Audit, I table a statement on the draft budget estimates for the Australian National Audit Office for 2005-06, and seek leave to incorporate the statement in Hansard.

Leave granted.

The statement read as follows—
I rise on behalf of the Joint Committee of Public Accounts and Audit to report on the budget estimates of the Australian National Audit Office. This is a requirement of the Public Accounts and Audit Committee Act 1951, under which the Committee operates.

The ANAO’s budget allocation in 2004-05 was just under $60 million, with a further $2.34 million sought—and largely granted—during additional estimates.

The ANAO advised the Committee in March that an additional allocation in 2005-06 of $4.55 million—in addition to the funds granted during additional estimates—would enable it to meet its responsibilities. The ANAO also advised that total additional funding required for the period from 2005-06 to 2008-09 was $17.84 million.

According to the ANAO, this funding was required:

• to meet increased market pressures in terms of the costs of qualified accountants and auditors to conduct financial statement audits, in particular where the ANAO needs to contract-in these services;
• to meet significantly increased costs of auditing the Department of Defence, due to inadequate systems in that Department and the demerger with the Defence Materiel Organisation;
• to provide a greater IT audit capability; and
• to produce an annual report on progress in major Defence projects, as requested by the Senate in May 2003.

The ANAO also noted the impact of the nine percent ratchet clause in the Centenary House lease. The rent at Centenary House will increase by $517 000 in 2005-06, a further $564 000 in 2006-07, and a further $615 000 in 2007-08.

The Auditor-General has now advised the Committee that he has received additional funding of just over $2.3 million for 2005-06. This includes approximately $1 million to cover additional costs associated with the Department of Defence, and a further $1.3 million for contracted-out financial statement audits, enabling full cost recovery in this area.

However, $1 million sought for the extra costs of IT audit capability and contract-in expertise has not been provided. Nor has next year’s rent increase for Centenary House of $517 000 been funded. These costs will have to be absorbed within the ANAO’s total budget of around $63 million.

The Auditor-General has advised the Committee that these constraints, with some adjustment of priorities, will be manageable in 2005-06. On that basis the Committee concludes that the ANAO’s
The Committee has some concerns, however, about the situation confronting the Auditor-General beyond this coming financial year. As I mentioned, the rent for Centenary House will increase yet again in 2006-07. A new Certified Agreement for ANAO staff is also due to commence in 2006-07, and the increase in hourly rates for contract audit services shows no sign of abating.

The ANAO has indicated that it will, of course, continue to meet its statutory financial auditing obligations. Any reduction in activity will be at the expense of the ANAO's discretionary products, such as its cross-agency “Better Practice Guides” and Business Support Process Audits, and performance audits.

The Committee would be greatly concerned by any such reduction in the ANAO's discretionary work. Items such as the Better Practice Guides, which are applicable across the entire Commonwealth public sector, are a cost-efficient method of raising the standard of public administration.

For example, the Committee's current review of management of special appropriations has revealed a desperate need for increased awareness of best practice across the public service. A decrease in such advice and oversight by the ANAO, for want of adequate funding, would strike the Committee as a case of “penny wise, pound foolish”, and the same could be said about any reduction in the ANAO's highly successful program of around 45 to 50 performance audits annually.

In summary, the Committee is persuaded that the Auditor-General has a sufficient budget allocation to allow him to meet his responsibilities for 2005-06. However the Committee will monitor the situation beyond 2005-06 closely, to make sure that the ANAO's wider program of performance audits and other discretionary activity is not compromised.

The Committee asks the government to be mindful of our concerns in considering any ANAO requests during the course of this year, in relation to any unanticipated cost increases. In relation to the Auditor-General's budget for 2006/07, we would urge the government to be sympathetic to any strictly-defined proposals from the ANAO to access reserves, or undertake limited borrowings, until the Centenary House lease expires.

In light of the expected budget surplus, the Committee is disappointed that the ANAO has not gained all of the additional funding it had sought. However we are aware of the need for the Government, as responsible financial managers, to continue to retire government debt and invest for the future.

I present a copy of my statement.

**DOCUMENTS**

Tabling

The ACTING DEPUTY PRESIDENT (Senator Cherry)—Pursuant to standing orders 38 and 166, I present documents listed on today's Order of Business at item 19 (a) to (e) which were presented to the President, the Deputy President and temporary chairs of committees since the Senate sat on 17 March 2005. In accordance with the terms of the standing orders, the publication of the documents was authorised. I also present various documents and responses to resolutions of the Senate as listed at item 20 (a) and (b) on today’s Order of Business. In accordance with the usual practice and with the concurrence of the Senate I ask that the government responses be incorporated in Hansard.

The list read as follows—

**Committee report**

Environment, Communications, Information Technology and the Arts References Committee—Interim report—Budgetary and environmental implications of the Government's Energy White Paper

**Government responses to parliamentary committee reports**

Community Affairs References Committee—Report—Hepatitis C and the Blood Supply in Australia
Economics References Committee—
Report—Structure and distributive effects of
the Australian taxation system

Government documents

Australia-Korea Foundation—Annual report
2003-2004
Attorney-General’s Department—Telecommunications (Interception) Act 1979—
Annual report 2003-2004
Australia’s Fourth Report under the Convention Against Torture and other Cruel, Inhu-
man or Degrading Treatment or Punishment: June 1997—October 2004
Aboriginal and Torres Strait Islander Social Justice Commissioner: Social Justice Report
2004
Aboriginal and Torres Strait Islander Social Justice Commissioner: Native Title Report
2004
Productivity Commission Inquiry Report No. 33: Review of National Competition Policy
Reforms
Foreign Investment Review Board—Annual report 2003-04—Corrigendum
Ngaanyatjarra Council (Aboriginal Corporation) Native Title Unit—Annual report 2003-
2004
Pharmaceutical Benefits Pricing Authority—
Annual report for the year ended 30 June
2004
National report to Parliament on Indigenous Education and Training 2003
Human Rights and Equal Opportunity Com-
mition—Report on an inquiry into com-
plaints by Ms Susan Campbell that the hu-
man rights of her daughter were breached by
the Commonwealth of Australia under the
Convention on the Rights of the Child

Reports of the Auditor-General

Report no. 39 of 2004-2005—Performance Audit—Australian Taxation Office's Ad-
mnistration of the Superannuation Contributions Surcharge
Report no. 40 of 2004-2005—Performance Audit—The Edge Project: Department of Family and Community Services Centrelink

Report no. 41 of 2004-2005—Protective Security Audit—Administration of Security
Incidents, including the Conduct of Security Investigations
Report no. 42 of 2004-2005—Performance Audit—Commonwealth Debt Management Follow-up Audit: Australian Office of Finan-
cial Management

Statements of compliance with Senate orders

Relating to lists of contracts:
Department of Transport and Regional Ser-
vices National Capital Authority

Relating to indexed lists of files:
Australian Research Council
Department of Prime Minister
Cabinet Department of Transport and Re-
 gional Services
Department of Defence
Australia Council
Australian Broadcasting Authority
Australian Broadcasting Corporation
Australian Communications Authority
Australian Film Commission
Australian National Maritime Museum
Australian Sports Commission
Australian Sports Drug Agency
National Archives of Australia
National Gallery of Australia
National Library of Australia
National Museum of Australia
Special Broadcasting Service
Department of Communication, Information Technology and the Arts
Attorney-General’s Department
Australian Law Reform Commission
High Court of Australia
Insolvency and Trustee Service Australia
Australian Institute of Criminology
Administrative Appeals Tribunal
Australian Transaction Reports and Analysis Centre
Office of Film and Literature Classification
Human Rights and Equal Opportunity Commission
Office of the Federal Privacy Commissioner
Australian Crime Commission
National Native Title Tribunal
Federal Court of Australia
Federal Magistrates Court of Australia
Australian Customs Service
Australian Federal Police
Family Court of Australia
Office of Parliamentary Council
Commonwealth Director of Public Prosecutions
CrimTrac
Australian Agency for International Development—AusAID
National Capital Authority
Department of the Treasury
Australian Government Actuary Board of Taxation
Australian Accounting Standards Board
Australian Bureau of Statistics
Australian Competition & Consumer Commission
Australian Competition Tribunal
Australian Office of Financial Management
Australian Prudential Regulation Authority
Australian Reinsurance Pool Corporation
Australian Securities & Investments Commission
Companies Auditors and Liquidators Disciplinary Board
Corporations & Markets Advisory Committee
Inspector General of Taxation
National Competition Council
Productivity Commission
Reserve Bank of Australia
Royal Australian Mint
Superannuation Complaints Tribunal
Takeovers Panel
Civil Aviation Safety Authority

Documents tabled by the President

Communiqué from the Tenth National Schools’ Constitutional Convention held at Old Parliament House from 16 to 18 March 2005

Responses to resolutions of the Senate received from the:

Chief of the Defence Force (General PJ Cosgrove, AC, MC)—Resolution of 10 February 2005—HMAS Voyager
Premier of New South Wales (Bob Carr)—Resolution of 9 March 2005—‘Blackout Violence’
Director, International

The government responses read as follows—

Senate Community Affairs References Committee Report on Hepatitis C and the Blood Supply in Australia.

Australian Government Response

Recommendation 1

That the Australian Health Ministers’ Advisory Council consider the introduction of mandatory reporting to the Australian Red Cross Blood Service by State and Territory health authorities of instances where a person is diagnosed with hepatitis C and it is judged that the infection was contracted through the blood supply.

Response

The Australian Government will refer recommendation 1 to State and Territory Governments for consideration.

Recommendation 2

That, in order to ensure the safety of patients and continued confidence in the blood supply, the Australian Council for Safety and Quality in Health Care and the National Blood Authority implement, as a matter of priority, a national haemovigilance system.

Response

The Australian Government will discuss recommendation 2 with State and Territory Governments.
Recommendation 3
That the Commonwealth review the criteria for access to $100 drugs for those people suffering from hepatitis C to provide for greater access.

Response
The Australian Government has asked the Pharmaceutical Benefits Advisory Committee to conduct a review of access to drugs to treat hepatitis C.

Recommendation 4
That the recommendations relating to the use of recombinant Factor VIII and Factor IX contained in the Report of the Working Party on the Supply and Use of Factor VIII and Factor IX in Australia be implemented as a matter of priority.

Response
The Australian Government has agreed to fund access to recombinant clotting factors for haemophilia patients. A small number will not be able to use recombinant products and will continue to be provided with plasma-derived clotting factors. The Government is providing ongoing funding of $80.7 million over four years, to be supplemented by the State and Territory Governments under the National Blood Agreement.

Recommendation 5
That the Commonwealth fund a national hepatitis C awareness campaign to increase the public’s knowledge of hepatitis C and that such a campaign emphasise all the means by which the infection may be acquired and the need for early testing and treatment.

Response
The Australian Government will consider a public awareness campaign in the context of finalising the National Hepatitis C Strategy 2005-2008.

Recommendation 6
That a national post-transfusion hepatitis C committee be established as a priority with the purpose of:
- formulating, coordinating and delivering an apology to those who have acquired hepatitis C through the blood supply;
- establishing an effective Lookback program; and
- improving service delivery through a case management approach that ensures that appropriate medical, counselling and welfare services are provided, sensitive to the needs of people who have acquired hepatitis C through blood and blood products.

That membership of the committee include representatives of the Commonwealth, State and Territory Governments, the Australian Red Cross Blood Service, representatives of organisations which support people with hepatitis C acquired through the blood supply and individuals who have acquired hepatitis C through the blood supply.

That the committee establish and manage a fund to provide financial assistance for costs not covered through existing services, which could include the costs of visits and transport to general practitioners, prescribed medication and surgical aids, dental, aural, optical, physiotherapy and chiropody treatments, home care and/or home help, and alternative medical treatments, to the people who have acquired hepatitis C through blood and blood products.

That the committee, and the fund it establishes, be jointly funded by the Commonwealth and State and Territory Governments.

Response
The Australian Government will discuss recommendation 6 with State and Territory Governments.

AUSTRALIAN GOVERNMENT RESPONSE TO THE SENATE ECONOMICS REFERENCES COMMITTEE REPORT INTO THE STRUCTURE AND DISTRIBUTIVE EFFECTS OF THE AUSTRALIAN TAXATION SYSTEM

INTRODUCTION

Senate Inquiry
On 12 December 2002, the Senate referred the following terms of reference to the Economics References Committee for inquiry and report by June 2004:
The structure and distributive effects of the Australian taxation system with reference to:
(a) the level, extent and distribution of the current tax burden on individuals and businesses;

(b) the impact of (a) on taxpayers’ families;

(c) the use and efficacy of various tax and expenditure incentives to influence social and economic conduct, for instance participation in the workforce;

(d) the long term social and economic impact of the current distribution of taxation, government spending and employment including the intergenerational consequences of the tax structure;

(e) the respective roles of the Commonwealth and States in relation to the collection and distribution of taxation revenue; and

(f) any other relevant issues which may arise in the course of the inquiry.

The Senate Committee’s report was tabled on 25 June 2004.

Government senators commented that while the report contained much useful discussion and informative material, they did not assent to each of the conclusions. Government senators were of the view that the reforms to the taxation and welfare system instituted by the Howard Government have been the most effective and beneficial measures introduced by any Australian Government to address the issues canvassed in the report.

Recent reforms

The Government has implemented a comprehensive and far-reaching tax reform agenda that has increased economic incentives and reduced the distortionary effects of taxation. This has been achieved by introducing the largest personal income tax cuts in Australian history, initiating major reductions in the company tax rate, and improving the integrity of the tax system. Welfare reform and reform of family benefits have also been a Government priority.

In 1996-97, the Government introduced the Family Tax Initiative which provided additional assistance to families with children. From 1 July 2000, the Government introduced The New Tax System (TNTS). It comprehensively reformed revenue collection and family assistance arrangements to create a simpler, fairer, and more efficient tax system. It also reduced the proportion of Australians facing high effective marginal tax rates (EMTRs). As part of TNTS reforms, the Government provided the states with access to a secure and growing revenue source from the goods and services tax. The More Help for Families package in the 2004-05 Budget further improves the rewards from working and provides significant additional assistance for families with dependent children.

The Government has taken further steps to improve participation outcomes for people on income support. The Australians Working Together package expanded and improved services to help parents, mature aged people and people with a disability participate in the workforce. Recognising and Improving the Work Capacity of People With a Disability, announced in the 2002-03 Budget, seeks to develop and improve the work capacity of people with disabilities and ensure those with substantial work capacity are more engaged with the labour market. The Mature Aged Workers Tax Offset, announced in the 2004 election campaign, rewards and encourages mature aged workers to stay in the workforce.

The Government’s 2004-05 Budget tax cuts, on top of those delivered through TNTS and the 2003-04 Budget, have more than returned bracket creep since 1995-96. The tax cuts have lowered tax by a greater amount than would have been achieved by indexation of the 1995-96 thresholds. In 2004-05, someone on average weekly earnings will be about $500 better off than if the tax scales had been indexed to the consumer price index.

The Government has also reformed business taxation through the measures introduced as part of the New Business Tax System. These measures have improved the competitiveness and efficiency of Australian business, including a lowering of the company tax rate from 36 to 30 per cent.

Recommendation 1

The Committee recommends that the Senate should refer a sequence of taxation policy inquiries to the Senate Economics References Committee. These references may include the following areas, as well as any areas of importance which emerge in the course of the Parliament:
• Tax avoidance and the erosion of the tax base;
• Tax expenditures and grants;
• Effective marginal tax rates;
• Intergenerational issues;
• Tax treatment of self-employed workers and wage earners;
• The tax treatment of superannuation and retirement income.

Government response
The Government notes the recommendation. The Government has undertaken extensive reviews of the tax system, such as through The New Tax System, the Review of Business Taxation, the Review of International Taxation Arrangements, and the current Review of Income Tax Self Assessment. In addition, the Government has introduced reforms such as the personal income tax cuts and More Help for Families initiatives announced in the last two Budgets.

As a result, the Government has made significant reforms to the taxation system which are delivering ongoing benefits to the Australian community.

Recommendation 2
The Committee recommends that the first reference made in accordance with Recommendation 1 should be an inquiry into effective marginal tax rates in the Australian taxation system.

Government response
The Government notes the recommendation. EMTRs in Australia are largely driven by the interaction of the targeted welfare system with the personal income tax system. Reducing means-tested benefit withdrawal rates at lower incomes generally increases EMTRs at higher incomes. This is because people who previously did not qualify for benefits now receive some payment but lose more of each additional dollar earned while in receipt of the benefit. This impact can discourage people from working longer hours or getting a higher paid job as income rises.

The Senate report notes a finding by the National Centre for Social and Economic Modelling (NATSEM) that policies to alleviate high EMTRs inevitably involve tradeoffs and judgments between competing objectives. The Government’s reforms to the tax, welfare and family benefits systems seek to strike a balance between supporting families and providing them with greater rewards for their work and savings efforts.

TNTS increased family payments, reduced withdrawal rates, increased income test thresholds and abolished the assets test, thereby reducing the high EMTRs and taper rates faced by many families. TNTS reduced the marginal tax rate facing many families from 34 to 30 per cent and the family payments taper rate from 50 cents in the dollar to 30 cents. The More Help for Families package further reduced the taper rate for many families to 20 cents in the dollar.

As a result of TNTS and the 2003 and 2004 Budget tax cuts, over 80 per cent of taxpayers now face a top marginal tax rate of 30 per cent or less. Under the previous system, only around 30 per cent of taxpayers had a marginal tax rate of 30 per cent or less.

An important measure of whether people are better or worse off is their real disposable income. Recent research by NATSEM found that between 1997 and 2004, the average real disposable income of low-income families with children increased by around 20 per cent, keeping pace with income growth for middle-income families with children. The study noted that this increase in income for low-income families was mainly due to increases in family payments in the 2000 tax package and the 2004-05 Budget. Single-income and sole parent families with young children and larger families were identified by the study to have been particular beneficiaries of the Government reforms.

TELSTRA: ANTICOMPETITIVE BEHAVIOUR

The Clerk—The following document is tabled pursuant to the order of the Senate of 10 March 2005:

Communications—Australian Competition and Consumer Commission—Telstra—Report to the Senate on the decision not to take further enforcement action in relation to the Part A competition notice issued to Telstra Corpo-
COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Cherry)—The President has received letters from party leaders seeking variations to the membership of committees.

Senator COONAN (New South Wales—Minister for Communications, Information Technology and the Arts) (6.49 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

Employment, Workplace Relations and Education Legislation Committee—
Appointed—Substitute member: Senator Fierravanti-Wells to replace Senator Troeth for the consideration of the 2005-06 Budget estimates on 30 May 2005

Finance and Public Administration Legislation Committee—
Appointed—Substitute member: Senator Fifield to replace Senator Heffernan for the consideration of the 2005-06 Budget estimates from 23 May to 27 May 2005

Legal and Constitutional Legislation Committee—
Discharged—Senator Ludwig
Appointed—Senator Kirk.

Question agreed to.

BORDER PROTECTION LEGISLATION AMENDMENT (DETERRENCE OF ILLEGAL FOREIGN FISHING) BILL 2005

TELECOMMUNICATIONS LEGISLATION AMENDMENT (REGULAR REVIEWS AND OTHER MEASURES) BILL 2005

MIGRATION LITIGATION REFORM BILL 2005

First Reading

Bills received from the House of Representatives.

Senator COONAN (New South Wales—Minister for Communications, Information Technology and the Arts) (6.50 pm)—I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the Notice Paper. 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 COONAN (New South Wales—Minister for Communications, Information Technology and the Arts) (6.51 pm)—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—

BORDER PROTECTION LEGISLATION AMENDMENT (DETERRENCE OF ILLEGAL FOREIGN FISHING) BILL 2005

Illegal fishing in Australia’s northern waters is a growing problem. This is demonstrated by the
record number of illegal foreign fishing vessels apprehended in northern Australian waters—138 vessels in 2003 and a further 161 vessels in 2004. To date in 2005, over 18 suspected illegal foreign fishing vessels have been apprehended and detained, demonstrating the Australian Government’s determination to maintain the integrity of our borders and the sustainability of our fish stocks.

To manage the increasing number of illegal foreign fishers in Australian waters, a stronger regime is needed. In recognition of this, by the end of 2005 the Australian Government will implement three significant new initiatives to boost our efforts against illegal fishing in our northern waters. Firstly, additional resources will be provided to the Australian Fisheries Management Authority (AFMA) to assist in the apprehension and prosecution of illegal foreign fishers. Secondly, the processing and detention arrangements for suspected illegal foreign fishers apprehended in Australia’s northern waters will be clarified and strengthened. Lastly, additional resources will be provided to the Australian Quarantine and Inspection Service (AQIS) to enhance its ability to monitor and protect Australia from potential quarantine risks posed by apprehended vessels.

It is vital that these new initiatives are underpinned by an effective and clear legislative framework. This will enable the Australian Government to implement tougher measures and to send a strong message to illegal foreign fishers. The Government is serious about protecting Australia’s fisheries resources, and serious about apprehending those who seek to illegally plunder those resources.

The Border Protection Legislation Amendment (Deterrence of Illegal Foreign Fishing) Bill 2005 will amend the Fisheries Management Act 1991, Torres Strait Fisheries Act 1984 and the Migration Act 1958 to ensure the effectiveness of Australia’s border protection regime is not compromised by any inconsistencies between the relevant legislation. This bill is part of a whole of government approach to prevent illegal fishing activity in Australian waters and to improve Australia’s general border protection arrangements. The proposed amendments to the Fisheries Management Act and the Torres Strait Fisheries Act will apply to all areas of Australia’s maritime jurisdiction.

The majority of this bill concerns the implementation of a detention regime that is broadly consistent between the Torres Strait Fisheries Act and the Fisheries Management Act. The proposed amendments will ensure that there are appropriate powers relating to the detention and investigation of suspected illegal foreign fishers under fisheries legislation. It will also ensure consistency of detention arrangements between the fisheries and immigration portfolios, providing for a seamless transition between fisheries and immigration detention for illegal foreign fishers in Australia.

The first purpose of the bill is to amend the Torres Strait Fisheries Act in order to bring it in line with the Fisheries Management Act. These amendments are necessary as the patterns of illegal foreign fishing in our northern waters are clearly increasing. Illegal fishers are expanding their operations and are venturing further east towards and within the Torres Strait Protected Zone and further west around the south-west coast of Western Australia. It is important to both Australia and to Papua New Guinea (PNG) that a strong stance is taken against the illegal foreign fishers that pillage the natural resources of the Torres Strait. It is also necessary to take action against illegal fishers in the Protected Zone, in order to fulfil our international obligations under the Treaty between Australia and the Independent State of Papua New Guinea concerning Sovereignty and Maritime Boundaries in the area between the two Countries, including the area known as Torres Strait, and Related Matters, otherwise known as the Torres Strait Treaty. The Torres Strait Treaty established the Torres Strait Protected Zone as a zone of joint fisheries jurisdiction. These amendments are essential to protect the precious resources in the Torres Strait.

The Torres Strait Fisheries Act requires updating to allow for the adequate detention of persons involved in illegal foreign fishing offences. Currently, illegal foreign fishers intercepted in the Protected Zone are detained under the Migration Act as unlawful non citizens suspected of an offence and can be held in immigration detention pending the completion of any prosecution. However, this bill will enable fisheries officers to ex-
exercise a power of fisheries detention for the specific purpose of investigating foreign fishing offences under the Torres Strait Fisheries Act. This provision will make the Torres Strait Fisheries Act broadly consistent with the Fisheries Management Act and ensure that adequate time is allowed to investigate suspected offences. These provisions and all amendments to the Torres Strait Fisheries Act are consistent with the Torres Strait Treaty between Australia and PNG.

The second purpose of the bill is to create a fisheries detention regime that is broadly consistent with current immigration detention arrangements. Currently, under the Fisheries Management Act, foreign fishers are detained by fisheries officers if they are suspected of being involved in an illegal fishing activity. An enforcement visa, under the Migration Act, is then automatically granted to such a person, which enables the fisheries officers to bring them into the migration zone for the purposes of investigating the suspected offence. By creating an enforcement visa regime to apply to the Torres Strait Fisheries Act, greater consistency is achieved in the management of fisheries offences committed throughout all Australian waters.

Upon the expiration of fisheries detention, the enforcement visa automatically ceases and the person assumes the status of an unlawful non-citizen and is detained under the Migration Act. Under the Migration Act, the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) is required to remove unlawful non-citizens as soon as reasonably practicable. In the case of illegal foreign fishers, such persons would normally be repatriated within a short period of time after their apprehension and prosecution.

In order to facilitate the seamless transfer of detainees from fisheries to immigration detention, this bill will create a new class of officers, appointed by the Minister, who may exercise limited powers relating to fisheries detention. This will allow employees and contractors of both AFMA and DIMIA to exercise detention powers under fisheries legislation. DIMIA currently employs contractors to perform immigration detention functions under the Migration Act. The new regime will allow for employees of such contractors to also perform fisheries detention functions under fisheries legislation. This amendment is necessary as illegal foreign fishers will be held in a single facility for some part of their detention in Australia, regardless of whether they are held in fisheries or immigration detention.

This bill also amends the Fisheries Management Act and the Torres Strait Fisheries Act to enable fisheries officers to exercise the same powers in relation to searches and screening of people to those that currently exist for people detained as unlawful non-citizens in an immigration detention facility. These powers include the capacity to conduct searches, strip searches and screening of persons. It is necessary to have a uniform regime for persons detained under all three Acts. Since the transition from fisheries to immigration detention will be automatic, the applicable powers must be as similar as possible. Consistent powers between the three Acts will avoid administrative complexities where one facility will accommodate a combination of persons held under the detention powers of three different Acts. These powers will provide the necessary protection to officers and other detainees, as it will allow them to remove any weapons that the person may be concealing.

This bill also gives officers the capacity to collect personal identity information from detainees, for the purpose of identifying repeat offenders and factoring this into their prosecution. This proposed power is essential to ensure that fisheries officers have the capacity to adequately identify recidivists. The bill will also allow this information to be passed to agencies that will become responsible for the detention, welfare and repatriation of the detainees. These amendments are broadly consistent with provisions in the Migration Act for the taking of biometric identifiers from immigration detainees.

The proposed new powers to search, screen and collect personal identification information will only apply to persons detained for the purpose of investigating foreign fishing offences and to screen their visitors. These procedures are also subject to strict controls, which are consistent with the Migration Act. These measures are important and necessary for modern fisheries legislation, which must cope with high levels of illegal
activity and form part of a whole of government approach to strong border security. The bill provides for appropriate safeguards in the exercise of these proposed powers.

These new powers will only be exercised by officers who are specifically authorised to do so. An important part of the authorisation process, will see any prospective officers receive comprehensive training in the effective and responsible use of these powers under the relevant Acts. Detainees will at all times be treated with dignity and their welfare will remain an important consideration when exercising any powers under this legislation.

The third purpose of the bill is to allow officers to safely exercise their duties and perform their border protection functions. Officers and other persons exercising powers under fisheries legislation often have to operate in dangerous conditions. The Australian government has become increasingly concerned about the open displays of hostility that have been made towards fisheries officers by some illegal foreign fishers and is committed to ensuring that our legislative regime provides for their safety and protection.

The bill will amend the Fisheries Management Act and the Torres Strait Fisheries Act to broaden the offence of obstructing an officer to include other persons in the exercise or performance of any power, authority, function or duty under the Act. This provision will provide a penalty and some assurance to those performing, or assisting officers in, their duties. This would include detention officers, translators, medical staff, AFMA officials and others that are involved in the administration of fisheries legislation.

This bill will also give fisheries officers powers to search people on foreign boats suspected of committing fishing offences, in order to determine whether any evidence or dangerous objects are being held or concealed by the person. Enabling officers to examine and take possession of any items which may constitute evidence will prevent the possibility of people concealing evidence or throwing it overboard, before they are detained. It will further ensure that illegal fishers are dealt with appropriately under the fisheries legislation. These provisions will also enhance the safety of officers and other detainees once these people are detained, by allowing the confiscation of weapons or other dangerous objects.

This bill will also insert a new provision into the Fisheries Management Act and the Torres Strait Fisheries Act to prevent certain legal actions against officers, those assisting officers, and the Commonwealth, in cases where people are on vessels that are subject to directions by an officer. This is to put beyond doubt that any restraint on these people’s liberty is lawful as it is a lawful direction by the officer to move to a place in Australia, where suspected fishing offences can be properly investigated.

The final amendments proposed in this bill involve the introduction of forfeiture provisions in the Torres Strait Fisheries Act. This bill introduces automatic forfeiture provisions, which are similar to those already contained in the Fisheries Management Act. This will allow for the automatic forfeiture of boats and other things used in foreign fishing offences (including specific provisions that detail how these things may be dealt with). At present, boats, gear and catch seized under the Torres Strait Fisheries Act can only be forfeited by a court. This amendment will allow patrol boats to intercept and seize gear and catch from illegal vessels in the Protected Zone. This will provide an additional, timely and cost effective deterrent to illegal fishing activity.

The Border Protection Legislation Amendment (Deterrence of Illegal Foreign Fishing) Bill 2005 will provide for a consistent and seamless detention regime, from the time an illegal foreign fisher is apprehended within any part of Australian waters, to the time that they are passed to immigration detention and are awaiting repatriation arrangements. In addition, the bill will provide for the due safety and welfare of officers in the exercise of their duties and the detainees that are under their care.

It is vital that Australia maintains a robust but fair apprehension and detention policy for suspected illegal foreign fishers. This bill is an essential step in protecting Australia’s natural resources and maintaining the integrity of our borders.
TELECOMMUNICATIONS LEGISLATION AMENDMENT (REGULAR REVIEWS AND OTHER MEASURES) BILL 2005

The Telecommunications Legislation Amendment (Regular Reviews and Other Measures) Bill 2005 amends the Telecommunications (Consumer Protection and Service Standards) Act 1999 to insert provisions for a framework for future, regular and independent reviews of the adequacy of regional telecommunications services. The bill also amends the Telecommunications Act 1997 to enable the Minister for Communications, Information Technology and the Arts to delegate administrative decision making powers to the Australian Communications Authority in respect of any licence condition placed on Telstra to maintain a local presence in regional, rural and remote areas and makes a consequential amendment to the Telstra Corporation Act 1991.

This legislation is part of a package that delivers on the Government’s commitments to implement its response to recommendations of the Regional Telecommunications Inquiry as a matter of priority. The measures contained in this bill are directed at ‘future proofing’ regional telecommunications so that:

- service quality is maintained into the future;
- when future services start being provided, rural Australia will not miss out or face unreasonable delays; and
- other benefits that Telstra currently provides as a result of its regional presence do not diminish.

The provisions in this bill were previously linked with the Telstra sale legislation. However, these provisions have now been de-linked to fulfil the Government’s commitment to lock-in its response to Regional Telecommunications Inquiry recommendations as a matter of priority and to support its commitment not to progress any further sale of Telstra until arrangements are in place to ensure that Australians have access to adequate telecommunications services.

The bill concerns Regional Telecommunications Inquiry recommendations relating to:

- regular independent reviews into the adequacy of telecommunications in regional, rural and remote parts of Australia; and
- the need for Telstra to maintain a local presence in regional, rural and remote parts of Australia.

Though forming part of the Government’s ‘future proofing’ package for regional telecommunications, introduction of this bill will not preclude the Government from taking further action as warranted to safeguard the ongoing needs of regional Australia.

Changes in Telstra’s ownership status will not affect the Government’s ability to protect the interests of consumers, competitors and the public generally. The regional protection measures introduced in this bill, along with general consumer regulatory safeguards such as the universal service obligation, the customer service guarantee, price controls, the network reliability framework, and the Telecommunications Industry Ombudsman, will be maintained into the future.

The bill provides for establishment of a Regional Telecommunications Independent Review Committee to review the adequacy of telecommunications services in regional, rural and remote parts of Australia on a regular basis. The key objectives of these provisions are firstly to provide a high degree of certainty for regional, rural and remote communities that the review process will result in improved, equitable access to important telecommunications services and, secondly, that the reviews are independent from the executive government of the day.

To provide a high degree of ongoing certainty to the public, the reviews must occur at a minimum of five yearly intervals, there must be public consultation and the Government of the day must publicly respond to recommendations made by the Committee.

To assure independence from Government, the bill provides safeguards regarding the appointment of the Chair of the Committee and other Committee members and in relation to conflicts of interest that may arise.

The Minister is currently developing a licence condition and expects to make an announcement on this shortly. However, to provide additional flexibility to the Government about how the local presence arrangements will be administered into the future, the bill also clarifies that, if a licence
condition is imposed on Telstra to maintain a local presence in regional, rural or remote parts of Australia, the Minister may delegate the power to make decisions of an administrative nature to the Australian Communications Authority.

The actual detail of Telstra’s local presence obligations will be spelt out in a licence condition currently being developed. The licence condition will provide a high degree of certainty and reassurance:

- for regional, rural and remote communities—that an effective Telstra local presence will be maintained; and
- for Telstra—that it will maintain the right to manage its regional operations autonomously and in its commercial interests.

MIGRATION LITIGATION REFORM BILL 2005

This bill amends the Migration Act 1958 and other related legislation to improve the overall efficiency of migration litigation.

The bill builds on the substantial progress already made by the Government in implementing a comprehensive package of migration litigation reforms.

In May 2004, the Government provided an extra $34.2 million over four years in the 2004-05 Budget for the appointment of eight additional federal magistrates. These additional magistrates, who have all taken up their appointments, are enabling the Federal Magistrates Court to handle the migration workload more efficiently.

The Government has been concerned about the high volume of migration cases, unmeritorious litigation and delays which are impacting on the federal courts and the migration system as a whole.

In recent years, the Government has won over 90 per cent of all migration cases decided at hearing. Of course the Government recognises that not all unsuccessful cases are unmeritorious. However, the very large proportion of unsuccessful migration cases is a strong indicator that some unsuccessful visa applicants are using judicial review inappropriately to prolong their stay in Australia.

The measures in the bill have been drawn from recommendations by the Migration Litigation Review, which was established by the Government to inquire into more efficient management of migration cases. Other measures stem from recommendations in my Department’s Federal Civil Justice System Strategy Paper published in December 2003.

A key feature of the bill is to enhance the role of the Federal Magistrates Court in migration cases. The Court was established to deal with a high volume of shorter and less complex matters making it a suitable forum for most migration cases.

It is commonsense that efficiency is to be gained by directing migration cases to the Federal Magistrates Court. To that end, the bill limits the original jurisdiction of the Federal Court in migration cases.

The bill provides that the Federal Magistrates Court has the same jurisdiction under the Migration Act as the High Court under paragraph 75(v) of the Constitution.

Identical grounds for relief in the High Court and the Federal Magistrates Court will assist the courts to quickly identify applicants who are seeking to re-litigate matters that have already been the subject of judicial consideration. A complementary reform in the bill requires the disclosure by applicants of any prior judicial review applications in relation to the same migration decision.

Migration cases filed in the High Court’s original jurisdiction and remitted will be directed to the Federal Magistrates Court. Further, the bill expressly provides that the High Court may remit on the papers without a hearing. This is an appropriate efficiency for the handling of all matters filed in the High Court. The High Court is the apex of our judicial system. It should not be burdened with cases that are more appropriately handled by a lower court.

The Federal Court will retain appellate migration jurisdiction. The bill will facilitate the current practice of single judges hearing most migration appeals from the Federal Magistrates Court except in circumstances where it is appropriate for the appeal to be heard by a Full Court.
The bill also includes amendments to ensure that procedural provisions relating to judicial review in Parts 8 and 8A of the Migration Act apply to all migration decisions. These amendments are necessary following the High Court’s decision in Plaintiff S157 v Commonwealth. In S157, the High Court upheld the constitutionality of the privative clause in the Migration Act but the decision meant that time limits ceased to apply in many migration cases. The bill reinstates the original intended operation of these procedural provisions.

More than one-third of all applications currently seeking judicial review of migration decisions are made outside the 28 day time limit specified in the Migration Act. Some applications are being lodged up to six years after the original visa decision.

The bill provides uniform extendable time limits in the High Court, Federal Court and Federal Magistrates Court. The time limit measures provide a balance between giving applicants opportunity to seek judicial review of migration decisions and ensuring timely handling of these applications.

The bill also strengthens the powers of the courts to deal with unmeritorious matters, by broadening the grounds on which federal courts can summarily dispose of unsustainable cases. It is appropriate that this provision is of general application. It will be a useful addition to the courts’ powers in dealing with any unsustainable case.

Having regard to the high rate of unsuccessful migration cases, the Government is also concerned to ensure lawyers and other advisers on migration matters do not promote the prosecution of unmeritorious claims.

It is grossly irresponsible to encourage the institution of unmeritorious cases as a means simply to prolong an unsuccessful visa applicant’s stay in Australia.

It is equally irresponsible for advisers to frustrate the system by lodging mass-produced applications without considering the actual circumstances of each case.

The measures in this bill seek to deter such conduct and require lawyers and others who provide advice on bringing migration litigation to do so carefully and having regard to the chances of the claim succeeding. Before lawyers file documents in migration cases, they will be required to certify that the application has merit.

Lawyers acting ethically and in accordance with their professional duties have no need for concern. However, representatives who encourage the institution and continuation of proceedings which have no reasonable prospect of success run the risk of a costs order being made personally against them if they did not give proper consideration to such prospects or acted for an ulterior purpose.

The bill also includes amendments to the arrangements for the administration of the Federal Magistrates Court to reflect its growth from sixteen magistrates in 2000 to thirty-one at present, including the eight new magistrates funded in the 2004-05 Budget. The Chief Federal Magistrate will be responsible for the administration of the Court. This brings the arrangements for the administrative management of the Court in line with the arrangements in the Federal Court and Family Court of Australia.

All of the measures in the bill, taken together, combined with the additional resources that the Government has provided to the Federal Magistrates Court, will assist the courts in managing their workloads and will improve access for all cases with merit.

I commend this bill.

Debate (on motion by Senator Coonan) adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

Ordered that the resumption of the debate on the Border Protection Legislation Amendment (Deterrence of Illegal Foreign Fishing) Bill 2005 be an order of the day for a later hour.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator Cherry)—Order! It being slightly after 6.50 pm, we move to the consideration of documents.
Senator STOTT DESPOJA (South Australia) (6.53 pm)—I move:

That the Senate take note of the document.

This quarterly report of the chief executive officer of ARPANSA was provided to the Parliamentary Secretary to the Minister for Health and Ageing on 2 March 2005, coincidentally on the same day an ANAO report into the regulation of Commonwealth radiation and nuclear activities was presented to the Senate. I have a particular interest in that because, in 2002, I moved the amendment that resulted in the ANAO inquiry. Unfortunately, the quarterly report provided by the Australian Radiation Protection and Nuclear Safety Agency mentions very little about the ANAO’s report or ARPANSA’s response to that report. In fact, very little about the ANAO report is mentioned on ARPANSA’s web site. A report of the meeting of ARPANSA’s Nuclear Safety Committee held on 25 February this year stated:

An ANAO audit of the ARPANSA regulatory procedures was nearing completion and would be tabled in Parliament in March. ARPANSA has set up a review of its procedures in response to the issues raised in the report. The Committee would be briefed at the June meeting on the outcomes of the report.

This comment gives some indication of the seriousness of the ANAO report that was undertaken, as I mentioned, in response to a successful second reading amendment moved by me on behalf of the Democrats to the ARPANSA Bill 2002. At the time of moving that amendment a number of agencies had raised serious concerns directly with us that the regulatory process had become overly bureaucratic to the detriment of their technical activity and capacity. Time has shown the wisdom of the Senate in supporting my second reading amendment and that it was the right thing to do at the time because the report, quite frankly, is scathing. The overall audit conclusion states, in part:

… ARPANSA’s systems and procedures are still not sufficiently mature to adequately support the cost-effective delivery of regulatory responsibilities.

In particular, deficiencies in planning, risk management and performance management limit ARPANSA’s ability to align its regulatory operations with risks, and to assess its regulatory effectiveness.

The conclusion also states:

… procedures for licensing and monitoring of compliance have not been sufficient, particularly as a licence continues in force until it is cancelled or surrendered.

Key findings of the report are simply astonishing. I will not go through them tonight, due to a lack of time. There are too many, but I will share with you some of the more important ones. No. 6 states:

… the size and scope of the regulatory function were underestimated during its planning and implementation. The number of—radioactive—sources was four times more than planned, and the number of facilities nearly three times more. No. 13 states:

… overall management of conflict of interest is not sufficient to meet the requirements of the ARPANSA Act and Regulations. No. 15 states:

…the Regulatory Branch does not maintain a complaints register, as required. No. 27 states:

The bulk of license assessments—some 75 per cent—were made without the support of robust, documented procedures.

I hope the Senate caught that figure: ‘75 per cent made without the support of robust, documented procedures’. That is scandalous. It went on:
Assessments of applications were supported by draft procedures only, which staff were not required to follow. No. 28 states:

Some 60 per cent of applications accepted for assessment have been processed without a fee. Accepting applications without a fee is a breach of ARPANS legislation.

The list goes on. No. 37 states:

Nor does it—that is, ARPANSA—have a strategy for identifying prohibited activity by non-licensed entities.

That is as bad as it sounds. No. 41 states:

ARPANSA does not monitor or assess the extent to which licensees meet reporting requirements. The ANAO found that there had been under-reporting by licence holders.

The list goes on. I acknowledge that ARPANSA have agreed with all of the ANAO’s 19 recommendations and, while I applaud them for that, I would urge ARPANSA to now implement those recommendations as a matter of utmost urgency and report to the parliament on that implementation, through their quarterly reports, such as the one before us. Up until now, their accountability to government has been less than satisfactory. There are many other recommendations and resolutions that I could leave with you tonight, Mr Acting Deputy President but, to say the least, they are damning findings. The second reading amendment that we moved was a wise amendment. Unfortunately, the processes, in how bad and how scandalous they indeed are, are worse than we ever could have considered.

Question agreed to.

Aboriginal and Torres Strait Islander Social Justice Commissioner

Senator CARR (Victoria) (6.59 pm)—I move:

That the Senate take note of the document.

I would like to say a few words on the Aboriginal and Torres Strait Islander Social Justice Commissioner: Social Justice Report 2004, which was tabled out of session last week. It is the first report of the Aboriginal and Torres Strait Islander Social Justice Commissioner, Mr Tom Calma. This should perhaps be taken together with the Aboriginal and Torres Strait Islander Social Justice Commissioner: Native Title Report 2004. I think you can see in both those annual reports that Mr Calma is clearly expressing very grave concerns about the work of the government in Aboriginal affairs. He indicates in his first report a concern about the direction the government is taking in Aboriginal affairs and he highlights the importance of the capacity for there to be an independent commissioner who has a genuine interest and the courage to express concerns about the direction of government policy in these areas.

I commend him for his reports. I am encouraged by the statements he makes in these reports. For instance, with regard to the Aboriginal and Torres Strait Islander Social Justice Commissioner, he states explicitly:

The existence of an independent monitoring agency specifically tasked with establishing the impact of governmental activity on the ability of Indigenous peoples to enjoy their human rights is essential in this climate.

Mr Calma’s reports reflect the necessity for there to be an independent body, an independent person, to reflect upon these matters, given that ATSIC has now been removed and given that the government’s policies of mainstreaming are really about removing the capacity for widespread public debate by burying within the various departments the work of Indigenous affairs officers and the units within the Public Service responsible for the management of public policy in this area.
I share grave concerns about many of the issues that Mr Calma raises. The first issue is the failure of the government to address the need for the representation of Indigenous people at a national and regional level. Mr Calma has further expressed concerns about the actual implementation of the new administrative arrangements that the government has set in place. He has raised concerns about the fate of the government agency to use appropriate selection criteria to ensure that public servants working in Indigenous affairs understand the cultural issues faced by Indigenous Australians and are able to act effectively and work sensitively with Indigenous Australians on these matters.

He has also raised concern about the ability of Indigenous Australians and others to monitor the progress of the government in addressing the questions of Indigenous disadvantage. He makes the point that the Howard government’s new Indigenous affairs arrangements will undermine the rights of Indigenous people if they are not able to effectively participate in the processes of government. He further makes the point that in some areas of government policy we are seeing a regression in narrowing the gap on Indigenous affairs. He specifically talks about health and points out that not only is the gap not being closed but also progress is being made at a much faster rate in those countries of similar international standing to Australia, such as New Zealand, Canada and the United States, than it is in Australia. Mr Calma highlights the fact that the Howard government has ridiculed those who have sought to continue and improve the level of representation and provide representative structures at a regional level for Indigenous people in this country.

We have recently had representations from the Many Rivers Regional Council seeking a meeting with Minister Vanstone on these matters. I hope that the minister takes up that opportunity. They are a group of people who are determined to discuss ways in which there can be a restoration of regional representation. I call upon the minister to meet with the Many Rivers Regional Council and any other regional body that is seeking to provide advice to the government. The government ought to assist people who are determined to maintain their representation in this new climate. (Time expired)

Senator RIDGEWAY (New South Wales) (7.05 pm)—I also want to speak on the tabling of the Aboriginal and Torres Strait Islander Social Justice Commissioner: Social Justice Report 2004 and, in company with that, the Aboriginal and Torres Strait Islander Social Justice Commissioner: Native Title Report 2004. I want to start by congratulating the social justice commissioner, Mr Tom Calma, and his staff for what is a very clear and comprehensive report on the current state of Indigenous affairs in this country. The social justice report and the native title report both address some of the most pressing and complex issues in the federal government’s current Indigenous affairs policy agenda. In particular, there is a warning issued to the government about the new administrative arrangements. Through the reports and through his speeches at each of the state releases, the commissioner, Mr Calma, gave the government what can only be described as a warning that it will be very closely scrutinised on its delivery of Indigenous services and the way that the abolition of a national Indigenous voice plays out in the lives of Indigenous people.

The warning itself is based on a few main points that I think are worthy of note in this chamber. The first point is that the so-called new world of Indigenous affairs is not based on any evidence that indicates it will be successful in righting the appalling conditions suffered by Indigenous Australians. The second point is that there are many serious is-
sues, which have not been addressed, regarding the shared responsibility agreements—which are yet to be understood even by the most senior bureaucrats who administer them. The third point is that these are serious issues and include the potential breach of the Racial Discrimination Act and several of the world’s most accepted and ratified international covenants which Australia was at the forefront of developing many years ago.

I want to focus on shared responsibility agreements. In particular, I think it is appropriate, in the context of the flat-line budget for Indigenous affairs that was delivered only 24 hours ago, to talk on the government’s key policy platform of shared responsibility agreements, which are so carefully analysed in this report. I was not able to make it to the Sydney release of the report on 12 April because at that time I was arriving in Papunya in the Western Desert in the Northern Territory. Around that time I also spent about two weeks travelling along the Tanami Track, visiting many of the remote Indigenous communities, trying to get to the bottom of what SRAs are actually about and, more significantly, the sort of impact that they are having and can potentially have on people’s lives out there in such harsh and remote locations.

It is important to remember that the minister called SRAs a key budget measure in the Indigenous affairs portfolio. It registers as $85 million over four years. Moreover, when you look at that closely, it is $85 million mostly being spent on administration. I think we need to remember that there are some 1,200 Indigenous communities in Australia. The minister has so far apparently finalised some 40 SRAs covering some 30 communities, although I understand that many of those are still unsigned. According to Mark Metherell of the Sydney Morning Herald, these agreements include communities in the inner-city Darwin suburbs of Kullaluk and Minmarama Park. It would seem that if the government continues at its current rate it can manage 50 agreements a year, and if those agreements cover 50 communities, which they do not—and it would seem to me that the government is leaving the least functional communities until later—then I think the government would provide SRAs for all communities across the country probably some 25 years down the track.

When you look closely at the figures, even when we talk about anything up to 50 communities being covered by SRAs, you see that we are still talking about less than three per cent of the entire number of Indigenous communities that exist across the country. So in the context of what the report talks about on warning the government on SRAs, 97 per cent of the communities have missed out completely in the budget in the government’s key measure on dealing with shared responsibility agreements. So I think it is important that we go back to the social justice commissioner’s report and note the fairly comprehensive commentary provided by the social justice commissioner. It is not lost on me that this person also worked for government and is objective in the way that they have provided their advice. It is useful in that sense for the parliament to take note that there are warning signs on whether or not SRAs will work at all. I hasten to add that I think that it will create more difficulties. There is confusion and chaos out there in the communities. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Aboriginal and Torres Strait Islander Social Justice Commissioner

Senator CARR (Victoria) (7.10 pm)—I move:

That the Senate take note of the document.

I would now like to speak to the Aboriginal and Torres Strait Islander Social Justice
Commissioner: Native Title Report 2004. In this report, Mr Calma states:

The recognition of traditional ownership is the foundation of native title and provides the basis on which to build stronger decision making structures linked to traditional authority. It also provides invaluable opportunities for economic and social development based on traditional ownership of land integrated with the broader community’s aspirations, through positive and productive relationships with external businesses and governments.

In launching his report in April, Mr Calma said:

The central message in this report is that native title has been distanced from debates about addressing Indigenous disadvantage and has not been considered a tool for achieving economic prosperity. In order to shift the focus of native title to economic and social development outcomes, governments must develop a policy framework consistent with this goal.

Unfortunately, in recent times we have seen that the government has not sought to enhance economic and social development outcomes through the use of native title. Instead, it would appear the government has sought to undermine native title by requiring traditional owners to agree to the development of their land on terms and conditions separate from them with regard to determination of the uses of that land. The government would be fundamentally seeking, if the reports of the National Indigenous Council are to be believed, to remove the right to negotiate the granting of leases for the uses of Aboriginal land. That is deeply disturbing.

I understand that a submission will go to cabinet in September which will propose major amendments to the Native Title Act. I understand that the government’s intention, when it gets control of this chamber, is to make fundamental changes to the native title legislation of this country and to fundamentally change the relationships that currently exist with regard to native title. I also understand that at the core of that the government seeks a proposition to take away the right to negotiate concerning the uses of Aboriginal land. The government will seek to hide this intention by proposing that this is really a debate about home ownership. It will be seeking to present to the Australian public a totally deceptive and dishonest political stratagem which is aimed at stripping Aboriginal people of their land and fundamentally pursuing a policy of compulsory acquisition rather than seeking to pursue a policy which would be about improving the economic and social opportunities for Indigenous people in this country.

Mr Calma has commented upon a matter which is of great significance to this chamber. It should be of great significance to the country as a whole. At a time when the government appears to be pursuing a highly reactionary policy aimed at turning back the clock when it comes to the question of the land rights for the Indigenous people of this country, I think it is appropriate that we carefully study the propositions that the social justice commissioner is bringing forward to us.

We cannot miss an opportunity such as this to say a few words about the government’s proposals with regard to reconciliation, because the issue of land rights is fundamental to that question. Of course, the government is not concerned with pursuing the issue of reconciliation. The debate will hopefully spread throughout the country and the National Day of Healing on 26 May will provide an opportunity for us to consider this question in more detail. I will be moving a motion urging the government to finally implement the recommendation of the Bringing them home report because I think it is important to acknowledge how important this issue is within the development of this country as a whole.
It is a matter of great shame that the efforts and the goodwill of so many Australians have been so comprehensively neglected by this government and that in their stead the government is embarking upon a policy to turn back this country 40 years by taking away fundamental rights associated with native title and the fundamental rights of Indigenous Australians to self-determination and to have a real say at the table on the economic and social development of Indigenous peoples of this country. For that, this government ought to be condemned.

Senator RIDGEWAY (New South Wales)
(7.15 pm)—It is important to remember that it is extremely relevant to consider this report in the current climate, particularly as it discusses ways in which a productive and informed debate can be had on the options for using native title to further benefit Indigenous communities economically, socially and culturally. That point ought to be brought home in the context of the Prime Minister’s recent visits to the Northern Territory, where he triggered a debate about the question of Aborigines needing to own their own homes and therefore have a financial stake in their land. No-one could argue with that. But at the same time the questions of communal ownership, native title and, certainly, the Northern Territory Land Rights Act are a poisonous mix when you consider the possible consequences for Indigenous people come 1 July.

The main point in the report that I want to emphasise, as the commissioner said in the report and in many speeches, is that the debate on native title and on the Aboriginal land rights act is being conducted by people who obviously do not know the detail of the legislation and how the two separate systems work side by side. Moreover, some of the main players in these debates appear to have longstanding ulterior motives as to why comments would be made in the first place. One cannot help but be suspicious as to why comments were made when one considers that from day one the Howard government has opposed native title and sees the rhetoric of the day around economic development as a handy tool to abolish native title and, more particularly, land rights in the Northern Territory.

We would all agree that there is a need for economic development within Indigenous communities and that it is crucial for improving the standards of living and life opportunities of Indigenous people, particularly in urban, regional and remote locations, but in my view there is no need to water down in any way Indigenous rights to land in order to do that. Somehow, the more the argument is perpetuated, the more the ‘us and them’ mentality is promoted, when really what we should be talking about are the inclusive ways in which Indigenous people can have a proper stakehold—a financial one in this respect—to leverage growth within their communities and the support being provided in the right way.

It is relevant in the context of the report that has been put forward by the social justice commissioner, Mr Calma, in the context of the budget, which was announced by the government some 24 hours ago, and the moneys provided for native title. What we see in the budget is cause for concern for Indigenous people. The government stated in the budget release that it is providing to the native title system an extra $72.9 million over four years. When you look closely at that you see that the funding is supposed to do a lot of things—for example, the promotion of economic and other development opportunities for both Indigenous and non-Indigenous Australians. There are three problems with the main announcement. The first problem is that when you look at it closely you see that the government is using money
that is claimed to be for Indigenous people as part of the government’s so-called record spending to diminish Indigenous rights. The money is not part of Indigenous spending, so in my view it should never be recorded as such and it should not be used to boost the figures to try to make the government look better.

The second problem is that the sentiments expressed in the budget release sound like something from *Securing Australia’s energy future*—that is, a core part of the resource exploration strategy, a specific measure of which includes increasing awareness of the availability of the expedited procedure provisions in the Native Title Act and supporting reform of the land rights act in the Northern Territory. Clearly, the government’s intention is to further amend the provisions of the legislation to shift the balance even further in favour of government, mining companies, telecommunications companies, pastoralists and other respondents.

The third problem is that the additional funding is directed to the Federal Court, the National Native Title Tribunal, the Office of Indigenous Policy Coordination within DIMIA, and the Attorney-General’s Department—four agencies. When you consider the bodies that need the most funding to provide efficiency gains as a result—the native title representative bodies—you find that there is no new funding in the budget for them. We have a government claiming, through this record spending, that they are providing additional funding for the native title system to work. The reality is that they are providing money to government agencies, not to native title representative bodies. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

---

**ADJOURNMENT**

**The ACTING DEPUTY PRESIDENT**

(Senator Marshall)—Order! It being 7.20 pm, I propose the question:

That the Senate do now adjourn.

**Hon. Albert (Al) Jaime Grassby AM**

**Senator LUDWIG**

(Queensland) (7.20 pm)—Unfortunately I was unable to take advantage of the opportunity to speak in today’s condolence motion for Al Grassby, so I will take a short time now. Al Grassby, a former Minister for Immigration, whose short reference paper was titled ‘A multicultural society for the future’, changed the way our nation thought about itself. The year was 1973; the Whitlam government was still new. The concept was essentially a Canadian idea: a government solution to manage Canada’s large French- and English-speaking population. Grassby’s insight was to expand and adapt the concept to Australia. In that 1973 reference paper, the ‘father of multiculturalism’ postulated on what his progeny might look like when born. He said:

My concept of a society able to sustain growth and change without disintegration is a society based on equal opportunity for all—a goal which no right-thinking person could dispute, but the striving for which has led traditionally to some of the deepest conflicts within society.

Albert Jaime Grassby was born in New Farm, Brisbane in 1926 to an Irish mother and a Spanish father. That perhaps set the tone. In 1932, his father left Australia and Grassby enlisted in the British Army in the intelligence corps in 1943 and served in the Second World War. He later studied journalism at the University of South West England. Despite being born in Australia, when Grassby returned in 1948 he had to be sponsored as a migrant as the Australian passport was not yet in use. Grassby would introduce this in 1973.
Back in Australia, Grassby moved to Griffith and worked for the CSIRO in agriculture and communications before being elected to the New South Wales Legislative Assembly for Murrumbidgee in 1965. He was first elected to the House of Representatives seat of Riverina in 1969 and was appointed as Minister for Immigration in December 1972. With a talent for self-promotion and insisting that he was a migrant, Grassby went about the task of telling migrants that far from being uncomfortable about being their blend of nationalities and cultures they should take pride in it and celebrate their background.

Al Grassby introduced changes to the immigration system that had previously subjected migrants from outside of the United Kingdom to harsher tests. He also introduced the Australian Citizenship Bill into parliament in 1973. That set out uniform laws for migrants seeking citizenship. Previously, the rules had been based on the ethnic background of migrants. Overseas students found it easier to stay in Australia after completing their studies, and the parents of Australian-born children were able to remain in the country. Al Grassby’s concept for multiculturalism set out parameters for a new approach to racial discrimination. He banned racially selected sports teams from competing in Australia and made it possible for Indigenous people to leave the country without having to seek permission. Grassby’s vision was of such great impact that 32 years on we are still debating it and celebrating some of the initiatives that he commenced.

Multiculturalism was not a new thing for Australia. Postwar immigration policy meant we became the second country, behind the United States, to actively encourage migrants. In the late 1960s Professor Zubrzycki advocated migrants keep their ethnic identities and, along with few others, he and Al Grassby drove the policy idea of multiculturalism and its policy guidelines of social cohesion and equality of opportunity.

The same year an inquiry into the departure of settlers reported that there were high migrant departure rates and a need for settlement services. Migrants left for a variety of reasons but most probably because it was just plain hard to get on in a society that was simply not yet tolerant of those who could not speak or were not learning English. The White Australia Policy, which had been in place since Federation, was abandoned and in the early 1970s the Labor Party went a step further to adopt a strategy that was to continue to this very day. From this strategy, the concept of multiculturalism was born. In short, the idea was to introduce a range of policies to assist migrants to call Australia home without them abandoning their cultural heritage. The idea was typically Australian in its pragmatism.

In 1973, Al Grassby perceived his task was not only to rectify the short-term failings of the migration and settlement program; he boldly looked ahead to 2000—a year we have already passed—and placed the cornerstone for a just society where all could make their own contribution to ‘the family of the nation’. The new direction of Al Grassby’s paper meant that we as a nation would recognise that the social and cultural rights of migrants were as compelling as the rights of all other Australians. Grassby’s concept was grounded in a huge amount of commonsense and a love of this country. He knew: ... the full realisation of these rights would lead to reduced conflicts and tensions between groups in our communities which are weaving an ever more complex fabric for Australian society. This was the start. Grassby continued this work throughout his time in the Whitlam government as Minister for Immigration until his defeat in the simultaneous dissolution of parliament in 1974. Grassby’s work was
not to end here. The Fraser government elected in 1975 continued the work started by AI. It took on the task of nurturing the multicultural policy initiatives, ensuring bipartisan support for the approach in its early application.

Since the 1996 election and the rise of Hansonism, some have perceived teaching English to migrants and other such services as special treatment. Grassby’s big idea has never been a favourite of the small minded. He once explained his views on Australia’s culture in this way:

I’ve always been a passionate Australian nationalist. I’ve always believed in Australia’s destiny. Those people who identify with the British Empire wouldn’t like me anyway.

But his views have often been attacked and criticised, and many have complained about his ideas over the years. The Prime Minister, in a speech when opposition leader, labelled multiculturalism ‘a confusing, even aimless, concept’. Mr Howard for many years afterwards continued to avoid the term. I believe he has not chosen to mention it in parliament for quite some time. The Liberal Party needs to go back and have a look at its history. It needs to go back to that period, to build on what was started in 1973 by AI and continued under Fraser and to give credit where credit is due.

Up to 1985 and the global diversity conference, multiculturalism was an issue that was still alive and thriving. It is a matter that AI would like to see continue. It is not, as I have said, a difficult concept to grasp. It would be easy to take the intellectually lazy approach and attack the policy. But what is the pragmatic course? To follow AI. His message was about a just and fair society for all. Some have even argued that maybe we should abandon the term ‘multiculturalism’ and come up with a new term. I have thought about that but I think I am happy to keep the term ‘multiculturalism’. It has stood the test of time. With the passing of AI Grassby, the idea he left us is best illustrated in the conclusion to his 1973 paper that was the touchstone which started it all. He said:

My personal ambition is that Australians of all backgrounds will always be proud before the world to say in whatever accents, ‘I am an Australian’.

Queensland Agricultural Colleges

Senator SANTORO (Queensland) (7.29 pm)—Senator Ludwig invited the Liberal Party to look into its past and examine its conscience on issues related to immigration. I remind the Senate that it was the Liberal Party post World War II that opened the immigration floodgates to cater for the hundreds of thousands of post-war refugees from Europe and, indeed, from many other parts of the world. It was also the Liberal Party that abolished the White Australia Policy that was mentioned by Senator Ludwig and put in place by a Labor Party government prior to the Liberal Party coming to power. It was also the Liberal Party that opened the immigration floodgates to thousands of Vietnamese refugees in the 1970s. The Liberal Party stands proudly by its record on immigration matters and particularly on making Australia a genuinely multicultural society.

In speaking tonight on why Queensland needs excellence in the agricultural training provided by the state, I am mindful yet again of the single most salient fact of government in Australia—that is, the states must pull their weight. That has been a constant theme of my contributions in this place and it has been since I entered the Senate. In the context of tonight’s remarks, I also believe it is vital that the states—in particular, my home state of Queensland—really do get on board the bus of cooperative federalism in areas of such fundamental importance as further education. That means doing the hard work, not
just talking about it. It means having a vision and finding the determination to see it through to reality. It means demonstrating a true and unshakeable commitment to the great rural communities that populate our inland, fuel our national economy through their efforts and deserve our total support.

Queensland is our most decentralised state. It is also huge. Cairns is further from Brisbane than Brisbane is from Melbourne—in kilometres, that is, not in psyche—and our far west lies further towards the setting sun than Adelaide. There is a great agricultural tradition in Queensland that has served the state and the nation exceptionally well throughout all the years of our federation. We possess a richly diverse agricultural base, which agricultural colleges are designed to enhance and advance. The college infrastructure is already there, paid for by past generations and governments. What we see in this amalgamation plan from the Queensland government is a brazen tactic to sell off valuable infrastructure and land to pay for short-term expenditure. It is a further example of wasteful mismanagement and wrong priorities.

The colleges are highly successful training institutions—so successful that a high proportion of their students in fact come from interstate. They have a record of almost 100 per cent employment of students after qualifying. They are one of the true success stories of training in this country. Yet they are to be victims of Labor mismanagement in Queensland and of the blind ideology of centralism that is increasingly blighting state administration there. The fact is that Queensland agriculture has been greatly supported by the four agricultural colleges. They are at Dalby on the Darling Downs; Longreach in the middle of the country that inspired Banjo Paterson and generations of Australians; Emerald in the important and growing horticultural region in Central Queensland; and Burdekin in the far north, in the sugar country.

The Queensland Labor government, in yet another of its centralist restructuring operations that seem principally designed to support its growing Brisbane based bureaucracy, has announced that these four colleges will merge. At this point I would like to acknowledge the deep interest of the member for Maranoa in the other place, the Hon. Bruce Scott, in this issue. The member for Maranoa is assiduous in seeing to it that agricultural training is maintained as a primary focus of further education. That is the focus of his strong representations on behalf of the communities in his electorate, which, by the way, also houses three of the colleges affected by the state government’s wrong-headedness.

When I was Queensland Minister for Training and Industrial Relations in 1996-98, the agricultural colleges were institutions that I found well deserving of close attention and funding appropriate to their actual needs. In fact, I found them one of the most pleasant aspects of my ministerial duties. I visited them regularly. I arranged for the college at Longreach in the state electorate of my good and old friend Vaughan Johnson, the veteran National Party member, to be air-conditioned. I increased funding for the colleges. I saw them as a vital part of the post-school, industry-oriented education and training system for which I was responsible. In the close to seven years since then, clearly Labor has done its dirty work well.

As a federalist, I reluctantly take the view that the Queensland government does not deserve to have these institutions in its care if it will not resource them properly. It is little wonder that, in the circumstances of the pre-Christmas announcement of yet another Beattie government initiative to gut the bush, people in Queensland are openly saying that the federal government should take the col-
leges over. What a stark contrast this situation reveals between the agenda of the Queensland government, which is to close specialist further education colleges, and that of the Howard government! We are opening colleges and centres of training excellence and the Queensland Labor government is closing them.

What is more, it would appear they are using underhand measures to achieve this aim. Last October, the Dalby college was asked to show cause as to why a financial administrator should not be appointed. The Queensland training minister wrote to the college board saying that a recent audit had identified serious financial management issues. Of course, it is important that financial management is rigorous, but there must be adequate financing in the first place.

The Queensland government funds the four colleges in the region at $13.2 million a year. Dalby, as the most apposite example in this instance, got $3,564,734 in government contributions and grants in 2004. But it is required to account for depreciation expenses, which in that year amounted to $1,168,275. That year, therefore, roughly one-third of the value of Dalby Agricultural College’s government contributions and grants funding was functionally useless. This financial requirement is not applied to state TAFE colleges in Queensland, which, after all, operate on much the same footing as the agricultural colleges. It seems almost designed to ensure that a profit can never be shown in the accounts. That is very convenient for critics seeking reasons to shut them down.

Last year, the Queensland parliament was told that all four agricultural colleges were dogged by financial problems. The state training minister told parliament that they were also failing to train some students to acceptable standards. He announced at that time—last August—that there would be a review. The preferred option that came out of this review, which was released in December, was for one agricultural college managed by a board of trustees. On the basis of the Queensland government’s performance in office over the past six-plus years, there are no grounds for confidence that this will produce anything other than yet another exercise in reduction of service to the bush and further extension of centralism. Queensland needs excellence in agricultural training, preferably delivered through colleges that, like the existing ones, are indelibly and energetically part of their local communities.

Gene Technology

Senator STOTT DESPOJA (South Australia) (7.36 pm)—Since at least 2002 I have called for the establishment of an independent, strong regulatory environment in which we can assess and monitor genetic technology and changes in biotechnology. I was very pleased to see that in last night’s budget the government finally acted on a key recommendation of the ALRC and the Australian Health Ethics Committee, AHEC, report Essentially yours: the protection of human genetic information in Australia, which looks into genetic privacy. The government has decided to establish and fund for four years the Human Genetics Advisory Committee at a cost of $7.6 million. I want to commend the government for this decision, and I look forward to more information as to what the role of this committee will be. From what I have been able to ascertain from the budget papers, it is clear that this committee will be a part of the NHMRC. My preference, and certainly that of the recommendations in the ALRC report, is that the formation of, as they call it, a human genetics commission should be an independent statutory authority with ‘sufficient resources to fill its mission’. In that respect, the government has parted from what I think would have been a more
ideal and appropriate arrangement but, again, I am glad to see that money has been allocated to this cause.

As many senators would know, since I entered this parliament almost 10 years ago, I have pursued the issue of not only genetic technology per se but the regulatory framework that is required in order for us to keep pace with the scientific advances and also to give people in the community some sense of protection in relation to genetic privacy—that is, the knowledge that their highly sensitive information such as DNA cannot be used without their consent or used against them in a discriminatory fashion. I introduced a private senator’s bill back in 1998 designed to guard against genetic discrimination and also to look after genetic privacy. That was referred to a Senate committee in 1999. That committee and its comprehensive report—that is, the minority report was comprehensive—recommended against stand-alone legislation and preferred to pursue this issue at a later stage.

Thankfully and finally, the ALRC and the AHEC held an inquiry through 2002, which reported in 2003. They came up with a most comprehensive and, indeed, world-class report. It is a very large report but one of the best in the world. I know that other nations are referring to the good work of the ALRC when creating and framing their regulatory environments when it comes to genetic technology. As part of the ALRC 96 report, there are a number of recommendations. They relate to a whole range of issues involving the protection of human genetic information in our country. There are many recommendations contained in the report, and at some stage we expect the government to respond. However, for a report that came down in 2003—it now being 2005—the response from government is getting a little tardy. I was pleased to hear Minister Chris Ellison in a second reading speech to the chamber today indicate that this report was being dealt with by one of the government’s committees. I am assuming that it will go to cabinet—I am not sure—and at some point parliament will have a public response to the detailed recommendations in the ALRC report. But it has taken a long time.

Having said that, again I welcome last night’s decision in the budget. I think it is a long overdue acceptance of the responsibility by government in the area of genetic technology. For example, today we debated a family law bill in this place that touched on the issue of parentage testing and, without wishing to reflect on a vote of the Senate—and I will not—I want to make clear that advice from the Human Genetics Advisory Committee would have been very useful in that debate, and I am sure their advice will be useful in future debates.

I express my concern, though, that the 144 recommendations of the ALRC report Essentially yours have not been addressed or implemented so, as a starting point tonight, I ask the government to look at those issues. But I also want to put on record the specific recommendations listed in the ALRC report that relate to a human genetics commission of Australia and urge the government in its consideration of the details of its Human Genetics Advisory Committee to take into account these issues. The ALRC in its considerations argued:

The Commonwealth should establish a Human Genetics Commission of Australia (HGCA) under federal legislation as an independent statutory authority with sufficient resources …

That is an important point. I am not sure if $7.6 million over four years will be enough. As a general matter, the committee said that the role of the commission should be to provide—and I am quoting liberally from the report—among other things:

- ... high-level, technical and strategic advice ...
• … high-level advice on the ethical, legal and social implications arising from these developments—
that is, genetic developments and technological developments—
• national leadership in managing the process of change in relation to human genetics, including engagement of the public on these issues.
I am hoping that there will be a consultative role for the public in this committee that is being formed as of last night. Other recommendations for the role of a commission are:
• assistance with the development and coordination of community, school, university and professional education about human genetics;
• advice and a consultative mechanism to assist relevant bodies in identifying strategic priorities for research in human genetics; and
• a focus for the coordination and integration of various national—and perhaps regional and international—programs and initiatives.
I hope that this will be the overarching objective of the committee that was proposed in the budget papers last night. When it comes to the specific role of a commission, or in this case a committee, I hope that the government will take on board the other recommendations contained in the ALRC report. They include:
• identifying genetic tests that have particular concerns or sensitivities attached to them, and thus may require special treatment;
• making recommendations about the suitability of specific genetic tests … for use by the insurance industry … and by employers …
And that relates to my concerns about the opportunity for genetic information to be used against us in a discriminatory fashion, particularly by those industries but there are many other ways that we know that genetic discrimination can occur and has occurred in this country. The ALRC recommendations also suggest that the commission, or committee in this case, has a specific role in:
• performing any similar function or providing expert advice on any other matters relating to human genetics, whether on its own motion—
that is, a motion arising from that commission—or in response to a formal reference from the responsible minister or ministers.
Again, this raises the questions: will the government’s proposed committee take on board ideas that arise through the Senate and from the minister? Will it be discretionary or will there be a role for the public in coming up with terms of reference for committee inquiries?
There is a range of other suggestions in this report, including that a commission structure should involve at least two principal committees—a technical committee and an ethical, legal and social implications committee. I wonder if the committee that has been proposed by the government will have other arms or subcommittees that can deal with these vital aspects and interests as well.
I am really hoping that this is going to be an accountable, transparent and independent authority. On the one hand, I am excited by this announcement but, on the other hand, I want to ensure that, with the rate of change and the pace of this technology, we make sure that we bring the public with the scientific achievements. I think that today’s debate—and it is a continuing debate—on the Family Court issue and parentage testing highlights just how far legislation is behind some of these particularly complex issues.
Tonight I call on the government to hand down its report—a belated report—on the ALRC recommendations. I acknowledge the $7.6 million and I ask the government to ensure that senators and the parliament have
a role in the determination of the committee’s responsibilities. I ask the government to consider making that particular committee an independent authority and to make clear, as soon as possible, specifics such as who will be on that committee, how they will be appointed, to whom they will be accountable and whether they will, for example, table their reports in parliament. Again, as I recall, that is another recommendation in the ALRC report when it suggested the establishment of a commission; that is, that we should see tabled in parliament the report on and the monitoring of the activities related to that commission.

I celebrate the fact that we are leaders in medical research. Our scientists are doing extraordinary work, but they need a regulatory framework that is strong and enforceable. I hope this is the first step.

Mr Adam Dunning
Lieutenant Paul Kimlin
Lieutenant Matthew Davey

Senator HUMPHRIES (Australian Capital Territory) (7.47 pm)—I rise tonight to pay tribute to three outstanding young Canberrans who gave their lives in the service of their country and humanity. I am referring to Australian Protective Service officer Adam Dunning, Lieutenant Paul Kimlin and Lieutenant Matthew Davey.

Adam Dunning was an Australian Federal Police Protective Service officer who was killed on 22 December 2004 while on peacekeeping duties in the Solomon Islands. Lieutenants Kimlin and Davey died on 2 April 2005 when an Australian Navy helicopter crashed on a mercy flight on the earthquake-affected Indonesian island of Nias. Seven other Australians also died in that incident. By all accounts, these young men displayed the highest standards of their professional and personal lives. They were doing good deeds in the name of their country and they epitomised the values that I believe Australians hold dear. Their departure from this world fills us with sadness, but the way they lived is an inspiration to use our lives for good and to the benefit of other people.

Adam Dunning was with one of the first troops deployed to East Timor, where he remained until 2001. He joined the AFP’s Protective Service in March 2003 and was deployed to the Solomons in October 2004 as part of that Australian-led RAMSI mission. RAMSI has done a fine job in disarming militia groups, restoring law and order and rebuilding economic and social infrastructure in that nation, and has, I believe, the support of the overwhelming majority of Solomon Islanders.

One month after Adam arrived in the Solomon Islands, he was confronted by an armed rebel. Despite having the legal right under the rules of engagement to shoot, Adam used diplomacy to convince the rebel to give up his weapon. For this Adam received a rare certificate of commendation. In the early hours of 22 December 2004, Adam Dunning, aged 26, was riding in a four-wheel drive patrol car in an unsettled part of the capital, Honiara, when a sniper with a high-powered rifle opened fire at about 3.10 am. Four of six bullets hit the vehicle Adam was travelling in. Two bullets struck him in the back and he subsequently died.

What type of man was Adam Dunning? At a memorial service at the Royal Military College chapel in Duntroon, his mother Christine said, ‘We were always proud of Adam.’ His girlfriend Elise told the service that Adam had made her feel ‘safe, secure and loved’. Paul Stewart, who joined the RAAF at the same time as Adam, said that Adam was the kind of person who would give you the shirt off his back if you asked him. Fellow Protective Services officer Beau Tennant, who served with Adam in the
Solomons, said, ‘It didn’t matter if you’d only met Adam briefly or if you’d known him for years, you’d never forget him.’

Lieutenants Kimlin and Davey possessed similar attributes. Paul Kimlin joined the Royal Australian Navy in 1996. He graduated from pilot school in 1998 and was posted to HMAS Albatross base in Nowra before going to Indonesia with HMAS Kanimbla, where he was one of five Sea King pilots. His first major overseas posting was East Timor, where he was part of a team that stabilised critically ill patients at the UN hospital. For this he received a United Nations Force Commander’s Commendation. HMAS Kanimbla left Australia to help in Banda Aceh after the Boxing Day tsunami and then headed to earthquake-affected Nias to deliver aid and treat the injured. Paul’s family made the following statement after his death:

Paul was an amazing young man. He was loving, generous, thoughtful, funny, talented and always dedicated to his family and partner, Laura. Paul was one of a kind, a young man full of promise and hope, who died helping others in their time of need.

In 2004 Paul appeared in an Anzac edition of Andrew Denton’s Enough Rope. Recounting his experience in East Timor, he provided a glimpse of the demands on peacekeepers and humanitarian workers. He said:

It’s very hard to absorb it. You’ve got to put it to one side and think what we’re doing is trying to bring these people out of this and provide all the support you can. They were very angry about how the people were treated. You’ve got to give them every support and every piece of aid you can to allow them to rebuild their society.

Lieutenant Matthew Davey was described by his best mate Peter Bowyer as ‘easily the most gifted person I have ever met’. If you look at what Matthew accomplished in his tragically short life it becomes apparent that that comment has a substantial basis. Matthew was a brilliant scholar, a highly regarded intensive care doctor at the Canberra Hospital and a Navy reservist who worked in a number of voluntary organisations. He was on leave from his job when he was called to help the victims of the Indonesian earthquake just one day after returning from helping survivors of the tsunami in Banda Aceh.

For a 30-year-old, Matthew Davey’s record of achievement is somewhat remarkable and serves to highlight his enormous talent and sense of public duty. In 1991, he was the dux of Lake Tuggeranong College before going on to complete a Bachelor of Science with first-class honours majoring in mathematics and neuroscience at the ANU. Matthew was awarded the university medal for the top candidate completing a bachelor degree and the Tillyard Prize for the student whose qualities and contribution to university life had been outstanding. Matthew received the Queen Elizabeth II Silver Jubilee Trust Fellow Award for research at Cornell University Medical College in New York, where he was an exchange student. He received the AMA/JG Hunter Research Scholar award for research at the ANU and the Australian Students Prize for Excellence from the federal government.

He had a passion for paragliding and was safety officer at the Australian Paragliding Centre, holding two cross-country flying records. He was also an excellent ballroom dancer. His fiancee, Rachel Henson, said this about the man who was planning to marry her:

He was one of those guys that if there was a car accident or shooting or whatever, you could guarantee he would be there first.

One of Matthew’s closest friends from medical school, Dr Robert Wilcox, said:

He was one of the most talented and well-rounded blokes you could ever meet. I shall always remember Matt and his beautiful partner
Rachel cutting up the dance floor on our graduation night. What a class act they were.
Canberra and indeed Australia has lost three of its finest. Although I never met any of these young men, I pay tribute to their selflessness, talent and sense of duty. I convey my deepest sympathies to their families and friends who, no doubt buoyed by their memories, have displayed incredible strength throughout this ordeal. Adam Dunning, Paul Kimlin and Matthew Davey displayed the highest standards at home and abroad and their passing leaves us significantly poorer in so many ways.

Senate adjourned at 7.55 pm

DOCUMENTS

Tabling

The following government documents were tabled:


Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 October to 31 December 2004.


Treaties—

Bilateral—Text, together with national interest analysis and annexures—


Multilateral—Text, together with national interest analysis and annexures—


Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]


Taxation Determination TD 2005/13.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

National Competition Policy
(Question No. 32)

Senator Allison asked the Minister representing the Treasurer, upon notice, on 17 November 2004:

(1) Why has the Treasurer imposed competition payment penalties on the Government of South Australian and ignored the arguments it put forward about the social impact that would result from that state removing its ‘proof of need’ test for hotel and retail liquor merchant licences, as required by the National Competition Council.

(2) Does the Treasurer accept advice from the Government of South Australia, and the Drug and Alcohol Services Council, the Salvation Army and the South Australia Police, that removing the ‘proof of need’ test would result in greater alcohol-related harm; if not, why not.

(3) Does the Treasurer accept the arguments put forward by the South Australian Premier on 2 June 2004 that the ‘proof of need’ test protects against business failure in the industry, and against market domination by one or two powerful players, which would lead to a reduction in competition;

(4) What other competition payment penalties will be or have been imposed on state governments, despite arguments put forward by those governments in relation to social and/or health impacts.

Senator Minchin—the Treasurer has provided the following answer to the honourable senator’s question:

(1) (2) and (3) In 1995 the Australian Government and all states and territories agreed to the National Competition Policy (NCP) arrangements. The National Competition Council (NCC) was also established under this agreement as an independent body to assess the progress of governments in implementing NCP and make recommendations on competition payments. Where the states and territories meet their obligations they are able to obtain their maximum competition payments. In total up to 2003-04, the South Australian Government has received nearly $258 million in competition payments and is estimated to receive $50.4 million in 2004-05.

NCP does not require governments to remove all restrictions on competition. It requires them to review restrictions on competition and remove them unless they are in the public interest. That is, where it can be demonstrated that the benefits of the restriction outweigh the costs to the community and the objectives of legislation can only be achieved by restricting competition, reform is not required.

In 1997, South Australia removed a number of restrictions on competition related to liquor licensing, however, it retained its ‘needs test’ (which requires the licensing authority, when determining applications for a new licence, to consider whether existing sellers could meet consumer needs), until a further review could be conducted.

In 2002, the South Australian Government commissioned a NCP review of its ‘needs test’ and called for submissions. The draft report was published in 2003 and found that the ‘needs test’ is a significant restriction on competition that cannot be justified by a public interest case and that it should be abolished. In accordance with the NCP agreements, this review is required to take into consideration, among other things, social welfare and equity considerations. Therefore it should have taken into account the views of bodies such as the Drug and Alcohol Services Council, the Salvation Army and the South Australian Police, where provided to the review committee. The South Australian Government is currently considering the report’s draft recommendations.
Other states, such as Victoria and Queensland, use ‘public interest tests’ when issuing licences that focus on the social, community and health implications of a liquor licence applications. A new licence can be refused if it is not in the public interest. These states do not allow liquor sales from outlets such as milk bars, corner stores and service stations. The NCC has approved these restrictions as being in the public interest.

At the time of the 2003 and 2004 assessments the NCC assessed South Australia as not having met its review and reform obligation in relation to liquor licensing, because the review of the ‘needs test’ was not completed. As a consequence, in its 2004 assessment, the NCC recommended that South Australia’s 2004-05 competition payments be subject to a 5 per cent permanent deduction ($3.0m). A similar penalty was received in 2003-04 ($2.9m). This compares with $50.4 million in competition payments that South Australia is estimated to receive in 2004-05. These payments are in addition to GST revenue provision payments to the South Australian Government totalling an estimated of $3,281 million in 2004-05.

Under the NCP Agreements the states and territories are able to provide comments, to the Treasurer, on the assessment made by the NCC. These comments are taken into consideration by the Treasurer when determining the Government’s response to the NCC’s recommendations on competition policy payments and penalties.

(4) It is not possible to respond in relation to future NCP payments. Up to and including 2003-04, states and territories have received over $3.3 billion in NCP payments and are estimated to receive over $724 million in 2004-05. Permanent deductions and suspensions recommended by the NCC for 2004-05 totalled $104.4 million.

In formulating its payment recommendations, the NCC considers the jurisdictional circumstances specific to each NCP obligation. In particular, the NCC considers whether the decision to retain existing restrictions on competition has been demonstrated as being in the public interest. As agreed by COAG, the Competition Principles Agreement requires that any NCC assessment of public interest take into account, amongst other things, social welfare implications. Penalties are applied where the public interest case has not been made.

Payments and penalties for 2004-05 (subject to adjustment for changes in CPI, population estimates and supplementary assessments) are as below:

<table>
<thead>
<tr>
<th></th>
<th>NSW</th>
<th>VIC</th>
<th>QLD</th>
<th>WA</th>
<th>SA</th>
<th>TAS</th>
<th>ACT</th>
<th>NT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reimbursements</td>
<td>$25.4m</td>
<td>$9.4m</td>
<td>$29.2m</td>
<td>$14.9m</td>
<td>$2.9m</td>
<td>$0.9m</td>
<td>$1.2m</td>
<td>$1.1m</td>
</tr>
<tr>
<td>2004-05</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Available Payments</td>
<td>$260.1m</td>
<td>$192.2m</td>
<td>$150.8m</td>
<td>$76.8m</td>
<td>$59.1m</td>
<td>$18.6m</td>
<td>$12.4m</td>
<td>$7.7m</td>
</tr>
<tr>
<td>Permanent Deductions</td>
<td>-</td>
<td>-</td>
<td>$(7.5m)</td>
<td>$(15.4m)</td>
<td>$(3.0m)</td>
<td>-</td>
<td>-</td>
<td>$(0.4m)</td>
</tr>
<tr>
<td>Suspensions</td>
<td>($52.0m)</td>
<td>-</td>
<td>($30.2m)</td>
<td>($23.0m)</td>
<td>($8.9m)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Actual Payments</td>
<td>$233.6m</td>
<td>$201.6m</td>
<td>$143.3m</td>
<td>$53.5m</td>
<td>$50.4m</td>
<td>$19.8m</td>
<td>$13.6m</td>
<td>$8.4m</td>
</tr>
</tbody>
</table>

(Totals may not add due to rounding. Actual Payments also include adjustments finalising previous years’ competition payments.)

Sports Grants

(Question No. 95)

Senator Denman asked the Minister for the Arts and Sport, upon notice, on 18 November 2004:

(1) In each of the financial years 2003-04 and 2004-05 (to date): (a) how many Commonwealth grants were made to sporting associations or sporting clubs for the maintenance of facilities or equipment

QUESTIONS ON NOTICE
(1) (a) to (c) The following Commonwealth grants were made to sporting associations or sporting clubs for the maintenance of facilities or equipment in the 2003-04 and 2004-05 financial years:

<table>
<thead>
<tr>
<th>STATE</th>
<th>NUMBER OF GRANTS</th>
<th>PROGRAM</th>
<th>NATURE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>4</td>
<td>Australian Sports Commission High Performance Grants Program</td>
<td>Contribution to equipment funding to assist in athlete preparation leading up to Athens 2004 Olympics.</td>
<td>$50 000 $4 800 $79 000 $1 000</td>
</tr>
<tr>
<td>VIC</td>
<td>1</td>
<td>Australian Sports Commission High Performance Grants Program</td>
<td>Contribution to equipment funding to assist in athlete preparation leading up to Athens 2004 Olympics.</td>
<td>$14 000</td>
</tr>
<tr>
<td>QLD</td>
<td>1</td>
<td>Australian Sports Commission High Performance Grants Program</td>
<td>Contribution to equipment funding to assist in athlete preparation leading up to Athens 2004 Olympics.</td>
<td>$6 000</td>
</tr>
</tbody>
</table>

(2) (a) to (c) The following grants have been committed but not yet made to sporting associations or sporting clubs for the maintenance of facilities or equipment in the 2004-05 financial year:

<table>
<thead>
<tr>
<th>STATE</th>
<th>NUMBER OF GRANTS</th>
<th>PROGRAM</th>
<th>NATURE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAS</td>
<td>2</td>
<td>2004 Election Commitments Administered under Department of Communications, Information Technology and the Arts Outcome 2 &quot;Development of A Stronger And Internationally Competitive Australian Sports Sector And Encouragement Of Greater Participation In Sport By All Australians.&quot; (DCITA Outcome 2)</td>
<td>Replacement of bowling green at Bridport Bowls Club Replace clubhouse at North Esk Rowing Club</td>
<td>$25 000 $50 000</td>
</tr>
<tr>
<td>NSW</td>
<td>4</td>
<td>2004 Election Commitments administered under DCITA Outcome 2</td>
<td>Upgrade of Kogarah Oval Upgrade of Penrith Stadium Upgrade of Brookvale Oval Facilities upgrade at Pambula Surf Life Saving Club</td>
<td>$2.3 million $10 million $1 million $250 000</td>
</tr>
</tbody>
</table>
### Sports Grants

**Senator Denman** asked the Minister for the Arts and Sport, upon notice, on 18 November 2004:

1. In each of the financial years 2003-04 and 2004-05 (to date): (a) how many Commonwealth grants were made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in: (i) New South Wales, (ii) Victoria, (iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory and (viii) the Australian Capital Territory; (b) under what program was each grant made; (c) and what was the nature and amount of each grant.

---

#### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>STATE</th>
<th>NUMBER OF GRANTS</th>
<th>PROGRAM</th>
<th>NATURE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>VIC</td>
<td>17</td>
<td>2004 Election Commitments Administered under DCITA Outcome 2</td>
<td>Re-development of Whitten Oval</td>
<td>$4 million</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Skilled Stadium redevelopment#</td>
<td>$2 million</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Boronia Football club facilities</td>
<td>$50 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Romsey Tennis Club facilities*</td>
<td>$15 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woodend/Heskett netball, football and cricket facilities#</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Macedon Football Club facilities</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Yarra Glen Cricket Club facilities</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woori Yallock's junior football and cricket team facilities</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Warburton cricket and football club facilities</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Broadford Bowling Club facilities</td>
<td>$20 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Bermuda Junior Cricket, Football and Netball facilities</td>
<td>$10 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Wallan Cricket Club facilities</td>
<td>$20 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Wallan Football Club facilities</td>
<td>$15 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Kilmore Bowling Club facilities</td>
<td>$15 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hurstbridge Junior Football and Cricket Club facilities</td>
<td>$15 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Yarra Junction Memorial Reserve#</td>
<td>$15 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Alexandra Recreation Reserve and Gallipoli Park Facilities#</td>
<td>$150 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ridge Hill United Football Club facilities</td>
<td>$130 000</td>
</tr>
<tr>
<td>QLD</td>
<td>2</td>
<td>2004 Elections Commitments Administered under DCITA Outcome 2</td>
<td>Peninsular Cricket Club and Redcliffe Junior Rugby Union Club facilities</td>
<td>$150 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Pooraka Football Club facilities</td>
<td>$60 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Modbury Junior Football Club facilities</td>
<td>$35 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ingle Farm Football Club facilities</td>
<td>$35 000</td>
</tr>
<tr>
<td>SA</td>
<td>3</td>
<td>2004 Elections Commitments Administered under DCITA Outcome 2</td>
<td>Pooraka Football Club facilities</td>
<td>$35 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Modbury Junior Football Club facilities</td>
<td>$60 000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ingle Farm Football Club facilities</td>
<td>$35 000</td>
</tr>
</tbody>
</table>

# The Department of Communications, Information Technology and the Arts is currently working with key stakeholders to determine the recipients of the funding. These facilities are also mentioned in the response to Question 96 relating to funding being provided to local government bodies and community organisations as the proponents have not yet been determined.

*a component of the funding is for the development of junior teams

---
In the 2004-05 financial year: (a) how many Commonwealth grants have been committed but not yet made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in: (i) New South Wales, (ii) Victoria, (iii) Queensland, (iv) South Australia, (v) Western Australia, (vi) Tasmania, (vii) the Northern Territory and (viii) the Australian Capital Territory; (b) under what program has each commitment been made; and (c) what is the nature and amount of each commitment.

Senator Kemp—The answer to the honourable senator’s question is as follows:

(1) (a) to (c) The following Commonwealth grants were made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in the 2003-04 and 2004-05 financial years:

<table>
<thead>
<tr>
<th>STATE</th>
<th>NUMBER OF GRANTS</th>
<th>PROGRAM</th>
<th>NATURE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>1</td>
<td>Individual grant for the Mt Pano-rama Racing Circuit, administered under Department of Communications, Information Technology and the Arts, Outcome 2 “Development Of A Stronger and Internationally Competitive Australian Sports Sector And Encouragement Of Greater Participation In Sport Of All Australians” (DCITA Outcome 2)</td>
<td>Redevelopment of the Mount Panorama tourism sporting and recreational precinct.</td>
<td>$10 million</td>
</tr>
<tr>
<td>VIC</td>
<td>1</td>
<td>Individual grant to the 2005 Deaflympic Games administered under DCITA Outcome 2.</td>
<td>To support the staging of the Melbourne 2005 Deaflympic Games.</td>
<td>$4.0 million</td>
</tr>
<tr>
<td>NSW</td>
<td>1</td>
<td>Individual grant for the Gosford Pool administered under Australian Sports Commission Outcome 1 “An Effective National Sports System That Offers Improved Participation In Quality Sport Activities By Australians” (ASC Outcome 1)</td>
<td>To upgrade Gosford Pool.</td>
<td>$0.5 million</td>
</tr>
<tr>
<td>TAS</td>
<td>4</td>
<td>2004 Election Commitments Administered under DCITA Outcome 2</td>
<td>Development of a regional sport and recreation precinct in Launceston. Replace existing swimming pool at Devonport and Burnie. Upgrade the Kingborough Sports Centre.</td>
<td>$0.5 million</td>
</tr>
</tbody>
</table>

$200 000
$25 000
$50 000

(2) (a) to (c) The following Commonwealth grants were committed but have not yet been made to local government bodies or community organisations (other than sporting associations or sporting clubs) for sports or recreation purposes in the 2004-05 financial year:

<table>
<thead>
<tr>
<th>STATE</th>
<th>NUMBER OF GRANTS</th>
<th>PROGRAM</th>
<th>NATURE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW</td>
<td>1</td>
<td>Individual grant for the Gosford Pool administered under ASC Outcome 1</td>
<td>To upgrade Gosford Pool.</td>
<td>$0.5 million</td>
</tr>
<tr>
<td>TAS</td>
<td>4</td>
<td>2004 Election Commitments Administered under DCITA Outcome 2</td>
<td>Development of a regional sport and recreation precinct in Launceston. Replace existing swimming pool at Devonport and Burnie. Upgrade the Kingborough Sports Centre.</td>
<td>$0.5 million</td>
</tr>
</tbody>
</table>

$200 000
$25 000
$50 000
STATE | NUMBER OF GRANTS | PROGRAM | NATURE | AMOUNT
--- | --- | --- | --- | ---
VIC# | 4 | 2004 Election Commitments Administered under DCITA Outcome 2 | Development of a community and sports complex in Youngtown | $2 million
| | | Skilled Stadium re-development | $10 000
| | | Yarra Junction Memorial Reserve | $15 000
| | | Alexandra Recreation Reserve and Gallipoli Park Facilities Woodend/Heskett netball, football and cricket facilities | $10 000

# The Department of Communications, Information Technology and the Arts is currently working with key stakeholders to determine the recipients of the funding. These facilities are also mentioned in the response to Question 95 relating to funding being provided to sporting organisations and sporting clubs as the proponents have not yet been determined.

**Transport and Regional Services: Advertising Campaign**

(Problem No. 117)

Senator Faulkner asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 22 November 2004:

With reference to the proposed AusLink advertising campaign:

1. For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.

2. What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.

3. When will the campaign begin, and when is it planned to end.

4. If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.

5. (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.

6. Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.

7. Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.

8. Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:
QUESTIONS ON NOTICE

(1) (a) The cost of the advertising campaign in 2003-2004 was $727 549; costs for 2004-05 (to February 2005) are $39,000.
   (b) The breakdown of these advertising costs in 2003-04 was: (a) television (TV) placements - nil; (b) radio placements - nil; (c) newspaper placements - $549 169; (d) printing and mail outs - $35 680 (e) research - $142 700. Expenditure for the period July 2004-February 2005 is as follows: (a) television (TV) placements - nil; (b) radio placements - nil; (c) newspaper placements - nil; (d) printing and mail outs - nil; (e) research - $39 000.

(2) (a) Singleton, Ogilvy and Mather.
   (b) Quantum Market Research Pty Ltd.

(3) Initial advertisements were placed following the announcement on 20 January 2004 that the Australian Government had renewed the Roads to Recovery Programme for an additional four years. Further advertising that had been proposed for the period following the launch of the AusLink White Paper did not proceed and there is no further expenditure on the campaign planned for 2004-05.

(4) There is no scheduled mail-out associated with this campaign.

(5) (a) Appropriation provided in 2004-05 from departmental annual price of outputs appropriations for Outcome 1, as well as departmental capital appropriations.
   (b) The appropriation was provided in 2004-05. This includes an additional $1.2m to be provided in 2003-04 (refer to measure description for AusLink – National Land Transport Network on page 47 of the 2004-05 Portfolio Budget Statements (PBS)).
   (c) The appropriation relates to a departmental item.
   (d) Funding was provided in 2004-05 and is part of the departmental funding provided for AusLink – National Land Transport Network. Refer to the measure table on page 27 and the measure description on page 47 of the 2004-05 PBS.

(6) No specific drawing rights have been requested in this advertising campaign. Payments are covered by the drawing rights for departmental appropriations.

(7) No – See 6 above.

(8) Payments for services provided in 2003-04 and 2004-05 in association with the advertising campaign have been made under the power of the department’s general drawing rights.

* Please note that the data provided in the above answer is GST exclusive

Transport and Regional Services: Advertising Campaign

(Question No. 118)

Senator Faulkner asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 22 November 2004:

With reference to the proposed Regional Information Service advertising campaign:

(1) For each of the financial years, 2003-04 and 2004-05: (a) what is the cost of this advertising campaign; and (b) what is the breakdown of these advertising costs for: (a) television (TV) placements; (b) radio placements; (c) newspaper placements; (d) printing and mail outs; and (e) research.

(2) What: (a) creative agency or agencies; and (b) research agency or agencies; have been engaged for the campaign.

(3) When will the campaign begin, and when is it planned to end.

(4) If there is a mail out planned, to whom will it be targeted and what database will be used to select addresses – the Australian Taxation Office database, the electoral database or other.
(5) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.

(6) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.

(7) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (6) above; if so, what are the details of that drawing right.

(8) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) (a) The cost of the advertising campaign in 2003-04 was $395,396; the cost in 2004-05 was $2,367,672. (b) The breakdown of advertising costs in 2003-04 was: (a) television (TV) placements – nil; (b) radio placements – nil; (c) newspaper placements – nil; (d) printing and mail out – $376,396; (e) research – $19,000. The breakdown of advertising costs in 2004-05 was: (a) television (TV) placements – $648,922; (b) radio placements – $137,467; (c) newspaper placements – $801,687; (d) printing and mail out – $779,596; (e) research – nil.

(2) (a) Singleton, Ogilvy and Mather. (b) Quantum Market Research Pty Ltd.

(3) The campaign commenced on 20 June 2004 and ran until 31 August 2004.

(4) The mail-out associated with this campaign was distributed by Australia Post to a range of postcodes which were determined by Australia Post on advice from the department about the required non-metropolitan and urban fringe demographic targeting. Australia Post’s postcode list was then further refined against Geoscience Australia mapping data identifying regional, rural and remote localities. Matters such as roadside mailbox and caravan park deliveries were also taken into account in finalising the postcode list. Individual households were not identified by the department for this mail-out.

(5) (a) Appropriations provided in 2003-04 and 2004-05 from Departmental annual price of outputs appropriations for Outcome 2. (b) The appropriation was provided in both the 2003-04 and 2004-05 financial years. (c) The appropriation relates to a departmental item. (d) Initial funding was provided in 2001-02. Refer to the measure Stronger Regions Programme – awareness raising and access to information on page 27 of the 2001-02 Portfolio Additional Estimates Statements. Additional funding was provided in 2004-05. Refer to the measure Commonwealth Regional Information Service – funding on page 26 of the 2004-05 Portfolio Budget Statements.

(6) No specific drawing rights have been requested for this advertising campaign. Payments are covered by the drawing rights for departmental appropriations.

(7) No – See 6 above.

(8) Payments for services provided in 2003-04 and 2004-05 in association with the advertising campaign have been made under the power of the department’s general drawing rights.

* Please note that the data provided in the above answer is GST exclusive.
Senator Faulkner asked the Minister representing the Treasurer, upon notice, on 19 November 2004:

(1) Not including any advertising campaigns contained in questions on notice nos 105 to 121, for each of the financial years, 2003-04 and 2004-05 to date: (a) what is the cost of any current or proposed advertising campaign in the department; (b) what are the details of the campaign, including: (a) creative agency or agencies engaged; (b) research agency or agencies engaged; (c) the cost of television advertising; (d) the cost and nature of any mail out; and (e) the full cost of advertising placement.

(2) When will the campaign begin, and when is it planned to end.

(3) (a) What appropriations will the department use to authorise any of the payments either committed to be made or proposed to be made as part of this advertising campaign; (b) will those appropriations be made in the 2003-04 or 2004-05 financial year; (c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and (d) if an appropriation relates to a departmental or administered item, what is the relevant line item in the relevant Portfolio Budget Statement for that item.

(4) Has a request been made of the Minister for Finance and Administration to issue a drawing right to pay out moneys for any part of the advertising campaign; if so: (a) what are the details of that request; and (b) against which particular appropriation is it requested that the money be paid.

(5) Has the Minister for Finance and Administration issued a drawing right as referred to in paragraph (4) above; if so, what are the details of that drawing right.

(6) Has an official or minister made a payment of public money or debited an amount against an appropriation in accordance with a drawing right issued by the Minister for Finance and Administration for any part of the advertising campaign.

Senator Minchin—The Treasurer has provided the following answer to the honourable senator’s question:

The Department’s answers to these questions are detailed below:
<table>
<thead>
<tr>
<th>Title of advertising campaign</th>
<th>(1)(a) Cost of the campaign Details</th>
<th>(1)(b) Details</th>
<th>(2) When campaign begins and planned end</th>
<th>(3) (a) Appropriation used; (b) Year appropriation made; (c) Departmental or administered appropriation; (d) Relevant line item in PBS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closure of the HIH Claims Support Scheme to New Applications</td>
<td>$1.4 million</td>
<td>In August 2003 the Government decided to close the Scheme to new applications from 27 February 2004 and undertake an advertising campaign to inform former HIH policy holders of this decision. The campaign covered advertising placements in leading national and local newspapers, professional journals, radio; radio for the print handicapped and ethnic publications.</td>
<td>HMA Blaze</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(a) 2003-04 appropriation, incl. section 31 receipts; (b) 2003-04; (c) departmental; (d) included in supplier expenses on page 40 of PBS.
(4) No.

(5) N/a (as referred to in paragraph (4) above).

(6) Treasury officials have made payments of public money for the above advertising campaign and debited the amounts against an appropriation in accordance with drawing rights issued by the Treasury Chief Financial Officer. (Under the Acts Interpretation Act 1901 s34AB(c), actions performed by the Chief Financial Officer, as sub-delegate of the Minister for Finance and Administration under section 27(1) of the Financial Management and Accountability Act 1997, are deemed to have been performed by the Minister for Finance and Administration).
### 2004/05 - Treasury

<table>
<thead>
<tr>
<th>Title of advertising campaign</th>
<th>(1)(a) Cost of the campaign</th>
<th>(1)(b) Details</th>
<th>(1)(c) Cost of television advertising</th>
<th>(1)(d) Cost and nature of any mail out</th>
<th>(1)(e) Full cost of advertising placement</th>
<th>(2) When campaign begins and planned end</th>
<th>(3) Appropriation used; Year appropriation made; Departmental or Administered appropriation; Relevant line item in PBS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consumer and Financial Literacy Information Programme</td>
<td>$8 million</td>
<td>Details of the programme can be found in the Government’s Understanding Money election policy.</td>
<td>To be determined though tender</td>
<td>To be determined though tender</td>
<td>To be determined</td>
<td>To be determined</td>
<td>Mid-2005 to end-2006</td>
</tr>
</tbody>
</table>
Regional Partnerships
(Question No. 207)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 20 December 2004:

(1) Will the Minister provide details of all additions, omissions and amendments to project details published on the Regional Partnerships grant database at www.regionalpartnerships.gov.au since 9 October 2004.

(2) Where project details have been omitted or amended, will the Minister provide an explanation.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) Project details added, omitted and amended in the period 9 October to 31 December 2004 are provided in the following three attachments:
Attachment A – details of projects added;
Attachment B – details of projects amended; and
Attachment C – details of projects omitted.

(2) Explanations for omissions and amendments are included in the attachments against the relevant projects.
<table>
<thead>
<tr>
<th>STATE</th>
<th>LOCATION</th>
<th>RECIPIENT</th>
<th>PROJECT NAME</th>
<th>DESCRIPTION</th>
<th>ACC</th>
<th>FUNDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>WA</td>
<td>Northam</td>
<td>Wheatbelt Development Commission</td>
<td>Identification and Scoping of Development Opportunities for the Wheatbelt of WA</td>
<td>Regional Partnerships funding will assist the Wheatbelt Development Commission to engage a consultant to examine four key strategic industries that have the potential to provide development opportunities for the Wheatbelt region.</td>
<td>Wheatbelt ACC</td>
<td>$11,000</td>
</tr>
<tr>
<td>SA</td>
<td>Murray Bridge</td>
<td>Murray Mallee Consumer Advisory Group Inc</td>
<td>Centre of Resource and Positive Horizons</td>
<td>Regional Partnerships funding will assist the Murray Mallee Consumer Advisory Group to convert a currently unusable shed into a community resource centre and a base for delivery of mental health and related programmes in the region.</td>
<td>South Central ACC</td>
<td>$212,300</td>
</tr>
<tr>
<td>WA</td>
<td>Marble Bar</td>
<td>Shire of East Pilbara</td>
<td>Marble Bar Township Heritage Walk Trail</td>
<td>Regional Partnerships funding will assist the Shire of East Pilbara to develop a Marble Bar heritage walk trail that will include the redevelopment of the Marble Bar RSL park. The heritage trail will encourage tourists to Pilbara and create positions for Aboriginal rangers and guides.</td>
<td>Pilbara ACC</td>
<td>$66,000</td>
</tr>
<tr>
<td>SA</td>
<td>Mount Gambier</td>
<td>Ryder-Cheshire Foundation SA Inc</td>
<td>Ryder-Cheshire Foundation Mt Gambier Home</td>
<td>Regional Partnerships funding will assist the Ryder-Cheshire Foundation in SA to establish a new facility to provide accommodation as well as services and support for disabled people in the Limestone Coast region of South Australia.</td>
<td>South East (SA) ACC</td>
<td>$165,000</td>
</tr>
<tr>
<td>WA</td>
<td>Point Samson</td>
<td>The Trustees for the Van Herk Family Trust</td>
<td>The Cove Caravan Park</td>
<td>Regional Partnerships funding will assist the Trustees for the Van Herk Family Trust to build a second caravan park in the town of Point Samson.</td>
<td>Pilbara ACC</td>
<td>$275,000</td>
</tr>
</tbody>
</table>
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>STATE</th>
<th>LOCATION</th>
<th>RECIPIENT</th>
<th>PROJECT NAME</th>
<th>DESCRIPTION</th>
<th>ACC</th>
<th>FUNDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>VIC</td>
<td>Mansfield</td>
<td>Mansfield Adult Continuing Educa-</td>
<td>Mansfield Community Shed</td>
<td>Regional Partnerships funding will assist MACE Incorporated to build and fit-out two community education buildings in Mansfield. These facilities will incorporate activities such as woodworking, welding, basic farming skills, needlework and wool spinning, among others, and will be managed by a community steering committee.</td>
<td>North East Victoria ACC</td>
<td>$84,277</td>
</tr>
<tr>
<td>SA</td>
<td>Elizabeth</td>
<td>City of Playford</td>
<td>Learn 2 Earn Rage Cage Project</td>
<td>Regional Partnerships funding will assist the City of Playford to construct a Rage Cage, an open-air multi-purpose sporting facility that will house a number of ball sports played simultaneously and will include a climbing wall as well as ramps for skateboards and bikes.</td>
<td>Adelaide Metropolitan ACC</td>
<td>$60,500</td>
</tr>
<tr>
<td>SA</td>
<td>Gawler</td>
<td>Town of Gawler</td>
<td>Gawler South - Evanston Park Open Space Network</td>
<td>Regional Partnerships funding will assist the Town of Gawler to develop a 5 km open space network and trails for recreational use, from Dead Mans Pass in Gawler to Humphrey George Reserve in Evanston Park.</td>
<td>Adelaide Metropolitan ACC</td>
<td>$165,000</td>
</tr>
<tr>
<td>WA</td>
<td>Rockingham</td>
<td>City of Rockingham</td>
<td>Lark Hill Sporting &amp; Equine Complex Wetlands</td>
<td>Regional Partnerships funding will assist the City of Rockingham to manage the environmentally sensitive wetlands that are located within the proposed Lark Hill Sporting &amp; Equine Complex site.</td>
<td>Peel ACC</td>
<td>$275,000</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>WA</td>
<td>Moora</td>
<td>Shire of Moora</td>
<td>Moora Community Resource Centre</td>
<td>Regional Partnerships funding will assist the Shire of Moora to establish a Community Resource Centre (CRC) in Moora. The CRC will improve access to services for the Moora community and will include an upgraded telecentre, a community library, community meeting space for up to 40 people as well as a community kitchen.</td>
<td>Wheatbelt ACC</td>
<td>$275,000</td>
</tr>
<tr>
<td>WA</td>
<td>Cossack</td>
<td>Cossack Adventure Cruises Pty Ltd</td>
<td>Cossack Café Development</td>
<td>Regional Partnerships funding will assist Cossack Adventure Cruises to upgrade the Cossack café which is located in the historic precinct of the town. This upgrade will include the installation of cyclone and security shutters and expanding the existing bicycle hire business also located in the Cossack café.</td>
<td>Pilbara ACC</td>
<td>$35,471</td>
</tr>
<tr>
<td>WA</td>
<td>Carnarvon</td>
<td>Carnarvon Heritage Group Inc</td>
<td>Design and Construction of an Interpretive Centre for the Carnarvon One Mile Jetty</td>
<td>Regional Partnerships funding will assist the Carnarvon Heritage Group to design and construct a multi-purpose interpretive and exhibition space at the historic Carnarvon One Mile Jetty. The complex will have restaurant facilities, a large multi-purpose open space, a sales and ticketing area as well as office space.</td>
<td>Mid West Gascoyne ACC</td>
<td>$330,000</td>
</tr>
<tr>
<td>TAS</td>
<td>Hobart</td>
<td>Mentor Resources Ltd</td>
<td>Volunteer Mentor Database</td>
<td>Regional Partnerships funding will assist Mentor Resources Ltd to upgrade its current database of volunteer mentors and business clients to allow for faster, more extensive and cost efficient provision of services for its growing number of mentors, clients and stakeholders.</td>
<td>Tasmanian Employment Advisory Council ACC</td>
<td>$22,000</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>WA</td>
<td>Carnarvon</td>
<td>Carnarvon Yacht Club Inc</td>
<td>Carnarvon Recreational Marina</td>
<td>Regional Partnerships funding will assist the Carnarvon Yacht Club to construct a two lane boat ramp with facilities for trailer boats and 22 mooring jetties.</td>
<td>Mid West Gascoyne ACC</td>
<td>$237,226</td>
</tr>
<tr>
<td>NSW</td>
<td>Koonorigan</td>
<td>Koonorigan Residents Building Fund Inc</td>
<td>Upgrade of Community Facility - Koonorigan Hall</td>
<td>Regional Partnerships funding will assist the Koonorigan Residents Building Fund to upgrade the deteriorating Koonorigan community hall. This work will include restumping, repainting, replacing the guttering and other work to restore this community facility.</td>
<td>Northern Rivers ACC</td>
<td>$8,458</td>
</tr>
<tr>
<td>SA</td>
<td>Golden Grove</td>
<td>Uniting Church in Australia, Golden Grove</td>
<td>Golden Grove Church Redevelopment</td>
<td>Regional Partnerships funding will assist the Uniting Church in Australia, Golden Grove to upgrade the Church hall’s existing facilities, including the addition of disabled access and facilities for babies and toddlers as well as extending and upgrading the kitchen to provide improved facilities to allow for catering of events and provide fundraising opportunities.</td>
<td>Adelaide Metropolitan ACC</td>
<td>$187,000</td>
</tr>
<tr>
<td>VIC</td>
<td>Mt Eliza</td>
<td>Mornington Railway Preservation Society</td>
<td>Mornington Railway - Market Assessment and Growth Strategy</td>
<td>Regional Partnerships funding will assist the Mornington Railway Preservation Society to undertake a market viability assessment to establish if an extension to the Mornington Historic Railway will be viable.</td>
<td>South East Development ACC</td>
<td>$38,500</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>NSW</td>
<td>Narooma</td>
<td>Eurobodalla Shire Council</td>
<td>Narooma Youth Café</td>
<td>Regional Partnerships funding will assist Eurobodalla Shire Council to construct the Narooma youth café that will be an extension to the existing Narooma library. A range of programmes will be run from the youth café including programmes for youth to develop practical work skills to enhance their employment opportunities, such as media studies, and joint projects with community groups such as community art and gardening.</td>
<td>South East NSW</td>
<td>$137,500</td>
</tr>
<tr>
<td>QLD</td>
<td>Mackay</td>
<td>Mackay Marina Pty Ltd</td>
<td>Mackay Marina Commercial Fishing Precinct</td>
<td>Regional Partnerships funding will enable Mackay Marina Pty Ltd to reclaim approximately 8000 square metres of land, adjacent to the existing Southern Harbour breakwater, to house the new seafood processing facility.</td>
<td>Mackay Region ACC</td>
<td>$544,500</td>
</tr>
<tr>
<td>TAS</td>
<td>Smithton</td>
<td>Tall Timbers Pty Ltd</td>
<td>Heated Indoor Pool and Gym Facility</td>
<td>Regional Partnerships funding will assist the Tall Timbers company to construct and fit-out an indoor hydrotherapy pool and gym facility on its resort, that will be open to use by the Smithton community.</td>
<td>Tasmanian Employment Advisory Council ACC</td>
<td>$72,600</td>
</tr>
<tr>
<td>WA</td>
<td>Katanning</td>
<td>AQ2 Ltd</td>
<td>Production Capacity Upgrade - Katanning Plant</td>
<td>Regional Partnerships funding will assist AQ2 to expand the production of their water disinfection system.</td>
<td>Great Southern ACC</td>
<td>$214,500</td>
</tr>
<tr>
<td>QLD</td>
<td>Ayr</td>
<td>Burdekin Shire Council</td>
<td>Burdekin - Lucerne Feedstock Feasibility</td>
<td>Regional Partnerships funding will assist Burdekin Shire Council to undertake a feasibility study into establishing a lucerne-based feedstock manufacturing industry in Burdekin.</td>
<td>North Queensland ACC</td>
<td>$22,000</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>QLD</td>
<td>Redcliffe</td>
<td>Redcliffe Opportunities for People’s Enhancement Association Inc (ROPE)</td>
<td>ROPE’S Community Building Safety Obligation</td>
<td>Regional Partnerships funding will assist ROPE to renovate their new premises. These renovations will ensure that ROPE is able to continue to provide positive outcomes for the disabled community of Redcliffe by operating in a safe and accessible venue that is compliant with Occupational Health and Safety standards.</td>
<td>Moreton Bay Coast and Country ACC</td>
<td>$11,539</td>
</tr>
<tr>
<td>NSW</td>
<td>Erina</td>
<td>Central Coast Division of General Practice Limited</td>
<td>Peer-Led Community Self Management Program</td>
<td>Regional Partnerships funding will assist the Central Coast Division of general practice to establish, implement and evaluate a community self management programme to help address the significantly higher incidence rates of respiratory and cardiovascular rates in this New South Wales Central Coast region.</td>
<td>Central Coast ACC</td>
<td>$22,000</td>
</tr>
<tr>
<td>NSW</td>
<td>Gunnedah</td>
<td>Paradise Farms Pty Ltd</td>
<td>Sunflower Kernel</td>
<td>Regional Partnerships funding will assist Paradise Farms to double the capacity of its sunflower kernel dehulling plant. Funding will enable greater diversification of the Paradise Farms cropping regime and create five direct and 12 indirect jobs.</td>
<td>New England North West ACC</td>
<td>$139,260</td>
</tr>
<tr>
<td>NSW</td>
<td>Holbrook</td>
<td>Greater Hume Shire Council</td>
<td>Holbrook Submarine Project</td>
<td>Regional Partnerships funding will assist the Greater Hume Shire Council to centralise equine activities in Holbrook into one centre. The Holbrook Equine Centre will provide world class facilities to attract major regional, state and national equine events to the district.</td>
<td>Albury Wodonga ACC</td>
<td>$85,800</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>WA</td>
<td>Geraldton</td>
<td>Geraldton Fisherman’s Cooperative Ltd</td>
<td>Use Your Heads</td>
<td>Regional Partnerships funding will assist the Geraldton Fisherman’s Cooperative to process an additional sixty percent of Western Rock lobsters, which is currently discarded as waste, into pre-packaged meat and bait.</td>
<td>Mid West Gascoyne ACC</td>
<td>$110,855</td>
</tr>
<tr>
<td>NSW</td>
<td>Maclean</td>
<td>Rotary Centenary Hospital Helipad Trust</td>
<td>Rotary Centenary Hospital Helipad</td>
<td>Regional Partnerships funding will assist the Rotary Centenary Hospital Helipad Trust to construct a helipad at the Maclean District Hospital to improve patient safety, comfort and time in emergency situations of illness, accident, flood, fire and storm.</td>
<td>Northern Rivers ACC</td>
<td>$38,500</td>
</tr>
<tr>
<td>QLD</td>
<td>Edmonton</td>
<td>Yattee Mushrooms Pty Ltd</td>
<td>Cairns Mushrooms</td>
<td>Regional Partnerships funding will assist Yattee Mushrooms Pty Ltd to establish a mushroom farm in Edmonton, a southern suburb of Cairns</td>
<td>Far North Queensland ACC</td>
<td>$550,000 (Reconciliation revealed error in recording approved funding on website.)</td>
</tr>
<tr>
<td>NSW</td>
<td>Condong</td>
<td>NSW Sugar Milling Cooperative Ltd</td>
<td>NSW Sugar JV Co-generation Project</td>
<td>Regional Partnerships funding will assist the NSW Sugar Milling Cooperative to construct two new power plants that will use a combination of renewable and non-renewable fuel sources. These power plants will be one of Australia’s largest renewable electricity generation providers and will make a substantial contribution to Australia’s greenhouse commitment.</td>
<td>Northern Rivers ACC</td>
<td>$11,880,000</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>WA</td>
<td>Albany</td>
<td>City of Albany</td>
<td>Anzacs to Albany (Design Concepts for Proposed Peace/ANZAC Park)</td>
<td>Regional Partnerships funding will assist the City of Albany to prepare a master plan for the new nationally significant ‘Peace (Anzac) Park’ on Albany’s foreshore.</td>
<td>Great Southern ACC</td>
<td>$27,500</td>
</tr>
<tr>
<td>VIC</td>
<td>Mortlake</td>
<td>Marsed Pty Ltd</td>
<td>Clarke Family Trust</td>
<td>Regional Partnerships funding will assist Marsed Pty Ltd to complete the transition of the production facility to frozen products in order to meet established and growing market demands.</td>
<td>Greater Green Triangle ACC</td>
<td>$220,000</td>
</tr>
<tr>
<td>VIC</td>
<td>Ararat</td>
<td>East Grampians Health Service</td>
<td>Ararat Hospital Gardens Development</td>
<td>Regional Partnerships funding will assist the East Grampians Health Service to design and construct gardens at the Ararat hospital. The gardens will link health services and the Ararat community and will also help to raise awareness of environmental issues and create a sense of pride and ownership.</td>
<td>Greater Green Triangle ACC</td>
<td>$44,000</td>
</tr>
<tr>
<td>NSW</td>
<td>Taree</td>
<td>Greater Taree City Council</td>
<td>Manning Quay - Design and Construct</td>
<td>Regional Partnerships funding will assist the Greater Taree City Council to complete stage two of the Manning quay project by constructing a wharf, a performance space, cycleways, fish cleaning facilities, a crane pad for launching boats as well as completing river wall enhancements along the Manning River.</td>
<td>Australia’s Holiday Coast ACC</td>
<td>$203,500</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>WA</td>
<td>Wanneroo</td>
<td>City of Wanneroo</td>
<td>Wanneroo Business Grow Centre</td>
<td>Regional Partnerships funding will contribute to the development of an integrated business solutions centre in Wanneroo. The Centre will be an access point and resource centre for regional small business to identify potential partners, markets and labour supply and to link the major developments in the region.</td>
<td>Perth ACC</td>
<td>$63,635</td>
</tr>
<tr>
<td>QLD</td>
<td>Rockhampton</td>
<td>Horse Australia Rockhampton Association Inc</td>
<td>Horse Australia 2005</td>
<td>Regional Partnerships funding will assist the Horse Australia Rockhampton Association to stage a major competitive horse industry event in Rockhampton in May 2005.</td>
<td>Central Queensland ACC</td>
<td>$220,000</td>
</tr>
<tr>
<td>QLD</td>
<td>Kingaroy</td>
<td>Kingaroy Shire Council</td>
<td>Kingaroy Heritage Precinct Interpretive Arena</td>
<td>Regional Partnerships funding will assist Kingaroy Shire Council to upgrade a group of historical buildings to house local craft groups to enable tourists to mingle and purchase local products as they are being crafted. The project will also establish an outdoor interpretive arena at the rear of the soon-to-be-constructed Visitor Information Centre in Kingaroy’s heritage precinct.</td>
<td>Wide Bay Burnett ACC</td>
<td>$99,000</td>
</tr>
<tr>
<td>VIC</td>
<td>Melton</td>
<td>Melton Shire Council</td>
<td>Toolern Vale Recycled Water Project</td>
<td>Regional Partnerships funding will assist in providing access to recycled water for irrigators in the region. The project will address the lack of reliable water supply for the region, increase agricultural production, assist in combating weed infestations and increase fire fighting capacities.</td>
<td>Melbourne’s West ACC</td>
<td>$88,000</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>----------------------------------</td>
<td>-----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>TAS</td>
<td>Sheffield</td>
<td>Tandara Lodge Community Care Inc</td>
<td>Community Wellbeing Centre</td>
<td>Regional Partnerships funding will assist Tandara Lodge Community Care to construct and fit out a regional hydrotherapy centre. The Centre will complement the services provided by allied health and general practitioners in the region and will provide greater opportunities for social participation and health outcomes in the Sheffield region of Tasmania.</td>
<td>Tasmanian Employment Advisory Council ACC</td>
<td>$165,000</td>
</tr>
<tr>
<td>VIC</td>
<td>Brunswick</td>
<td>Social Firm Management Group</td>
<td>Flat Bottle Company</td>
<td>Regional Partnerships funding will assist the Social Firm Management Group to purchase the Flat Bottle Company and transform it into a ‘social firm’. Social firms are commercially viable businesses that are run by an integrated workforce of disabled and non-disabled people.</td>
<td>Northern ACC</td>
<td>$165,000</td>
</tr>
<tr>
<td>QLD</td>
<td>Maryborough</td>
<td>The Maryborough Sugar Factory</td>
<td>Australian Prime Fibre Project - Phase 2</td>
<td>Regional Partnerships funding will assist the Maryborough Sugar Factory to trial the process of using dried sugar cane tops, lucerne and other green crops into stock feed for the export market.</td>
<td>Wide Bay Burnett ACC</td>
<td>$440,000</td>
</tr>
</tbody>
</table>
## QUESTIONS ON NOTICE

### Attachment B

<table>
<thead>
<tr>
<th>RECIPIENT</th>
<th>PROJECT NAME</th>
<th>DESCRIPTION</th>
<th>ACC</th>
<th>FUNDING</th>
<th>Date amended</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country Week Pty Ltd</td>
<td>Country Week</td>
<td>This project will fund a Country Week Expo at Olympic Park in Sydney over three days in August, aimed at changing the perception of country New South Wales and attracting metropolitan residents and businesses to relocate to regional New South Wales.</td>
<td>New England North West ACC</td>
<td>$110,000</td>
<td>12-Nov-04</td>
<td>Details of relevant ACC added to project</td>
</tr>
<tr>
<td>Yattee Mushrooms Pty Ltd</td>
<td>Cairns Mushrooms</td>
<td>Regional Partnerships funding will assist Yattee Mushrooms Pty Ltd to establish a mushroom farm in Edmonton, a southern suburb of Cairns</td>
<td>Far North Queensland ACC</td>
<td>$550,000</td>
<td>08-Dec-04</td>
<td>Reconciliation revealed error in recording approved funding on website.</td>
</tr>
<tr>
<td>STATE</td>
<td>LOCATION</td>
<td>RECIPIENT</td>
<td>PROJECT NAME</td>
<td>DESCRIPTION</td>
<td>ACC</td>
<td>FUNDING</td>
</tr>
<tr>
<td>-------</td>
<td>----------</td>
<td>-----------</td>
<td>--------------</td>
<td>-------------</td>
<td>-----</td>
<td>---------</td>
</tr>
<tr>
<td>QLD</td>
<td>Roma</td>
<td>Roma Town Council</td>
<td>Hibernian Hall Arts and Cultural Precinct</td>
<td>Regional Partnership funding will assist in the construction of a new multi-purpose cultural and arts centre in Roma, which will include a new library and art gallery. The project will meet the needs of various arts and cultural groups by having a centralised location and will increase opportunities for tourism in the region.</td>
<td>Southern Inland QLD ACC</td>
<td>$170,500</td>
</tr>
<tr>
<td>QLD</td>
<td>Gladstone</td>
<td>Queensland Police - Citizens Youth Welfare Association</td>
<td>Gladstone PCYC Centre (Stage Two)</td>
<td>Regional Partnership funding will go towards the installation of airconditioning and contribute to the second stage of the construction of the Gladstone PCYC Multipurpose Centre.</td>
<td>Central Queensland ACC</td>
<td>$50,851</td>
</tr>
<tr>
<td>WA</td>
<td>Rockingham</td>
<td>City of Rockingham</td>
<td>West Coast Dive Park</td>
<td>Regional Partnerships funding will assist the City of Rockingham to develop the West Coast Dive Park. Funding will be used to sink a purpose-prepared dive wreck to join the 12 wrecks that already lie off the coast of Rockingham.</td>
<td>Peel ACC</td>
<td>$110,000</td>
</tr>
</tbody>
</table>
Regional Partnerships
(Question No. 237)

Senator O’Brien asked the Minister representing the Treasurer, upon notice, on 22 December 2004:

(1) Which Regional Partnerships program funding announcements were submitted to the department for costing pursuant to the Charter of Budget Honesty during the 2004 election caretaker period.

(2) For each case: (a) what are the details of the Regional Partnerships funding announcement including the amount of funding; and (b) on what date were the details submitted.

(3) On what date was a media statement released by the Secretary of the department (or Secretaries) informing the public of the costing request, consistent with the Charter of Budget Honesty Costing of Election Commitment Guidelines jointly issued by the Secretary of the Department of the Treasury and the Secretary of the Department of Finance and Administration in 2004 (the guidelines).

(4) If no media statement was released, why not.

(5) If a media statement was released, will the Minister provide a copy; if not, why not.

(6) Did the Secretary of the department (or Secretaries) seek further information from the Prime Minister to facilitate accurate costing, as provided in the guidelines; if so: (a) on what date; (b) what further information was sought; and (c) what was the Prime Minister’s response.

(7) (a) On what date were costings related to the announcement released; and (b) will the Minister provide a copy of the relevant findings; if not, why not.

(8) If the findings were not released, did the Secretary of the department (or Secretaries) release a media statement informing the public that a policy costing was not possible; if so, will the Minister provide a copy of the media statement; if not, why not.

(9) If no media statement was released, why not.

Senator Minchin—The Treasurer has provided the following answer to the honourable senator’s question:

(1) No Regional Partnerships programme funding announcements were costed by the Treasury during the 2004 election caretaker period.

(2) to (9) See answer to (1).

Commonwealth Regional Information Service
(Question No. 250)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 22 December 2004:

With reference to the Commonwealth Regional Information Service (CRIS), launched on 1 August 2002:

(1) (a) By year, what is the total cost of the CRIS call centre operation in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs; and (c) what is the budgeted cost of the call centre operation in the 2004-05 financial year.

(2) By year, how many calls has the CRIS 1800 number received in the financial years 2002-03, 2003-04 and 2004-05 to date.

(3) (a) By year, what total costs have been incurred in relation to the production and distribution of the Commonwealth Regional Information Directory (CRID) in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs; and (c) what is the budgeted cost for production and distribution in the 2004-05 financial year.
QUESTIONS ON NOTICE

(4) (a) By year, how many copies of the CRID have been distributed in the financial years 2002-03, 2003-04 and 2004-05 to date; and (b) what total number of copies are expected to be distributed in the 2004-05 financial year.

(5) (a) By year, what total costs have been incurred in relation to the production and distribution of the quick reference guide known as the Commonwealth Regional Information Book (CRIB) in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs including design, printing and postage; and (c) what is the budgeted cost for production and distribution in the 2004-05 financial year.

(6) (a) By year, how many copies of the CRIB have been distributed in each of the following financial years: (i) 2002-03, (ii) 2003-04, and (iii) 2004-05 to date, by year; and (b) what total number of copies are expected to be distributed in the 2004-05 financial year.

(7) With reference to the household distribution of the CRIB, what information source was used to identify households.

(8) (a) What is the total cost of the CRIS media campaign in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs including production, and advertising by television, radio and print media; and (c) what is the budgeted cost for media in the 2004-05 financial year.

(9) Does the firm Singleton Ogilvy and Mather maintain the contract to provide the CRIS advertising campaign; if so, what are the terms of the contract; if not, which advertising firm holds the contract and what are the terms of the contract.

(10) (a) By year, what is the total cost of the CRIS travelling show in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs; and (c) what is the budgeted cost for the travelling show in the 2004-05 financial year.

(11) (a) By year, what is the total cost of production and distribution of CRIS community information stands in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs; and (c) what is the budgeted cost for community information stands in the 2004-05 financial year.

(12) Which community and/or business organisations have received community information stands.

(13) (a) By year, what is the total cost of maintaining the regional entry point Internet portal managed by the department in the financial years 2002-03, 2003-04 and 2004-05 to date; (b) will the Minister provide a breakdown of the costs; and (c) what is the budgeted cost for maintenance of the portal in the 2004-05 financial year.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) (a)

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>568,483</td>
</tr>
<tr>
<td>2003-04</td>
<td>328,213</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>156,556</td>
</tr>
</tbody>
</table>

(b)

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>Call centre set-up costs</td>
<td>104,228</td>
</tr>
<tr>
<td></td>
<td>Call centre contract fees</td>
<td>430,110</td>
</tr>
<tr>
<td></td>
<td>1800 line call costs</td>
<td>34,145</td>
</tr>
</tbody>
</table>
### Questions on Notice

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003-04</td>
<td>Call centre set-up costs</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Call centre contract fees</td>
<td>226,835</td>
</tr>
<tr>
<td></td>
<td>1800 line call costs</td>
<td>26,853</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>Call centre set-up costs</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Call centre contract fees</td>
<td>156,556</td>
</tr>
<tr>
<td></td>
<td>1800 line call costs</td>
<td>15,000 (estimate)</td>
</tr>
</tbody>
</table>

(c) $416,000

(2)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Call numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>38,519</td>
</tr>
<tr>
<td>2003-04</td>
<td>23,637</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>13,345</td>
</tr>
</tbody>
</table>

(3) (a)

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>223,389</td>
</tr>
<tr>
<td>2003-04</td>
<td>10,814</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>7,880</td>
</tr>
</tbody>
</table>

(b)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>Production</td>
<td>159,695</td>
</tr>
<tr>
<td></td>
<td>Distribution</td>
<td>62,694</td>
</tr>
<tr>
<td>2003-04</td>
<td>Production</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Distribution</td>
<td>10,814</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>Production</td>
<td>7,036</td>
</tr>
<tr>
<td></td>
<td>Distribution</td>
<td>844</td>
</tr>
</tbody>
</table>

(c) $220,000

(4) (a)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>28,680</td>
</tr>
<tr>
<td>2003-04</td>
<td>11,424</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>4,896</td>
</tr>
</tbody>
</table>

(b) 20,000

(5) (a)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>1,264,035</td>
</tr>
<tr>
<td>2003-04</td>
<td>376,396</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>793,667</td>
</tr>
</tbody>
</table>

(b)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>Design</td>
<td>33,455</td>
</tr>
<tr>
<td></td>
<td>Printing</td>
<td>727,382</td>
</tr>
<tr>
<td></td>
<td>Postage</td>
<td>464,616</td>
</tr>
<tr>
<td>2003-04</td>
<td>Design</td>
<td>5,550</td>
</tr>
<tr>
<td></td>
<td>Printing</td>
<td>376,396</td>
</tr>
<tr>
<td></td>
<td>Postage</td>
<td>Nil</td>
</tr>
</tbody>
</table>
### QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>Design</td>
<td>14,072</td>
</tr>
<tr>
<td></td>
<td>Printing</td>
<td>369,798</td>
</tr>
<tr>
<td></td>
<td>Postage</td>
<td>409,798</td>
</tr>
</tbody>
</table>

(c) $1,028,500

(6) (a)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) 2002-03</td>
<td>2,800,000</td>
</tr>
<tr>
<td>(ii) 2003-04</td>
<td>4,200</td>
</tr>
<tr>
<td>(iii) 2004-05 (to Dec 04)</td>
<td>2,801,680</td>
</tr>
</tbody>
</table>

(b) 2,801,680

(7) The 2004 CRIB was distributed by Australia Post to a range of postcodes which were determined by Australia Post on advice from the department about the required non-metropolitan and urban fringe demographic targeting. Australia Post’s postcode list was then further refined against Geoscience Australia mapping data identifying regional, rural and remote localities. Matters such as roadside mailbox and caravan park deliveries were also taken into account in finalising the postcode list. Individual households were not identified by the department for this mail-out.

(8) (a)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>2,669,212</td>
</tr>
<tr>
<td>2003-04</td>
<td>239,084</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>1,605,546</td>
</tr>
</tbody>
</table>

(b) —

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>Production</td>
<td>Nil</td>
</tr>
<tr>
<td></td>
<td>Advertising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Creative</td>
<td>1,427,411</td>
</tr>
<tr>
<td></td>
<td>Television</td>
<td>301,630</td>
</tr>
<tr>
<td></td>
<td>Radio</td>
<td>876,873</td>
</tr>
<tr>
<td></td>
<td>Newspapers</td>
<td></td>
</tr>
<tr>
<td>2003-04</td>
<td>Production</td>
<td>220,084</td>
</tr>
<tr>
<td></td>
<td>Advertising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Creative</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Television</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Radio</td>
<td>nil</td>
</tr>
<tr>
<td></td>
<td>Newspapers</td>
<td>nil</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>Production</td>
<td>17,470</td>
</tr>
<tr>
<td></td>
<td>Advertising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Creative</td>
<td>648,922</td>
</tr>
<tr>
<td></td>
<td>Television</td>
<td>137,467</td>
</tr>
<tr>
<td></td>
<td>Radio</td>
<td>801,687</td>
</tr>
<tr>
<td></td>
<td>Newspapers</td>
<td></td>
</tr>
</tbody>
</table>

(c) $2,215,000

(9) Singleton, Ogilvy & Mather (SOM) was appointed in April 2004 to develop campaign creative, for advertising that ran between July and September 2004. That contract is now at an end and there is currently no incumbent creative agency working on CRIS advertising. SOM was engaged under a standard contract for services with the department and expenditure on creative for the CRIS adver
(10) (a)  
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>165,698</td>
</tr>
<tr>
<td>2003-04</td>
<td>18,350</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>9,534</td>
</tr>
</tbody>
</table>

(b)  
| Year          | Activity          | Amount ($) |
|---------------|-------------------|
| 2002-03       | Airfares          | 33,582     |
|               | Accommodation/meals | 40,359    |
|               | Site & equipment hire | 42,840    |
|               | Taxis/car hire & fuel | 21,372    |
|               | Advertising        | 4,520      |
|               | Freight            | 23,025     |
| 2003-04       | Airfares          | 10,295     |
|               | Accommodation/meals | 7,210      |
|               | Site & equipment hire | 1,495    |
|               | Taxis/car hire & fuel | 9,128     |
|               | Advertising        | 2,503      |
|               | Freight            | 2,550      |
| 2004-05 (to Dec 04) | Airfares | 1,654     |
|               | Accommodation/meals | 1,412      |
|               | Site & equipment hire | 2,295     |
|               | Taxis/car hire & fuel | 1,325     |
|               | Advertising        | nil        |
|               | Freight            | 881        |

(c) $30,285

(11) (a)  
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>24,663</td>
</tr>
<tr>
<td>2003-04</td>
<td>1,530</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>nil</td>
</tr>
</tbody>
</table>

(b)  
| Year          | Activity          | Amount ($) |
|---------------|-------------------|
| 2002-03       | Purchase of displays | 20,523    |
|               | Distribution      | 4,140      |
| 2003-04       | Purchase of displays | nil       |
|               | Distribution      | 1,530      |
| 2004-05 (to Dec 04) | Purchase of displays | nil      |
|               | Distribution      | nil        |

(c) $17,891

(12) See Attachment A.

(13) (a)  
<table>
<thead>
<tr>
<th>Year</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>67,300</td>
</tr>
<tr>
<td>2003-04</td>
<td>69,300</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>35,850</td>
</tr>
</tbody>
</table>
(b)—

<table>
<thead>
<tr>
<th>Year</th>
<th>Activity</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>In house resources (est)</td>
<td>67,300</td>
</tr>
<tr>
<td>2003-04</td>
<td>In house resources (est)</td>
<td>69,300</td>
</tr>
<tr>
<td>2004-05 (to Dec 04)</td>
<td>In house resources (est)</td>
<td>35,850</td>
</tr>
</tbody>
</table>

(c) $449,000 (includes in-house resources estimated at $71,700)

Attachment A

Commonwealth Regional Information Service

Community Information Stand Locations

<table>
<thead>
<tr>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muttaburra Post Office</td>
<td>Muttaburra QLD 4732</td>
</tr>
<tr>
<td>Post Office</td>
<td>Meandarra QLD 4422</td>
</tr>
<tr>
<td>Alpha Hospital</td>
<td>Alpha QLD 4724</td>
</tr>
<tr>
<td>Barcaldine Hospital</td>
<td>Barcaldine QLD 4725</td>
</tr>
<tr>
<td>Bush Nursing Centre</td>
<td>Bollon QLD 4488</td>
</tr>
<tr>
<td>Information Officer, DPI</td>
<td>Gayton QLD 4343</td>
</tr>
<tr>
<td>Kilkivan Community Health Centre</td>
<td>Kilkivan QLD 4600</td>
</tr>
<tr>
<td>Qld Police Service/Rolleston Police Station</td>
<td>Rolleston QLD 4702</td>
</tr>
<tr>
<td>ACIS</td>
<td>Julia Creek QLD 4823</td>
</tr>
<tr>
<td>Australian Country Information Service</td>
<td>Monto QLD 4630</td>
</tr>
<tr>
<td>CETDA</td>
<td>Chinchilla QLD 4413</td>
</tr>
<tr>
<td>Flinders Shire Library</td>
<td>Hughenden QLD 4821</td>
</tr>
<tr>
<td>Anglicare</td>
<td>Biloela QLD 4715</td>
</tr>
<tr>
<td>Anglicare</td>
<td>Emerald QLD 4720</td>
</tr>
<tr>
<td>Blackwater Rural and Isolated Acco</td>
<td>Blackwater QLD 4717</td>
</tr>
<tr>
<td>Anglicare Central Queensland</td>
<td>Agnes Waters QLD 4677</td>
</tr>
<tr>
<td>Anglicare Central Queensland RIAS</td>
<td>Barcaldine QLD 4725</td>
</tr>
<tr>
<td>Mental Health Anglicare CQ</td>
<td>Rockhampton QLD 4700</td>
</tr>
<tr>
<td>Support Worker, [ch] Anglicare CQ(RIAS)</td>
<td>Longreach QLD 4730</td>
</tr>
<tr>
<td>Anglicare Western Region</td>
<td>Toowoomba QLD 4350</td>
</tr>
<tr>
<td>Coordinator, [ch] Anglicare, Gladstone Family Resource Centre</td>
<td>Gladstone QLD 4680</td>
</tr>
<tr>
<td>Baptist Union of Queensland</td>
<td>Boonah QLD 4310</td>
</tr>
<tr>
<td>Coordinator, [ch] Frontier Services NQ Rural Family</td>
<td>Hughenden QLD 4821</td>
</tr>
<tr>
<td>Support Service</td>
<td>Mount Isa QLD 4825</td>
</tr>
<tr>
<td>NW Isolated Care, Frontier Services</td>
<td>Bundaberg QLD 4670</td>
</tr>
<tr>
<td>Society of St. Vincent de Paul</td>
<td>Maryborough QLD 4650</td>
</tr>
<tr>
<td>St Vincent de Paul Society</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Central Queensland Institute of TAFE</td>
<td>Mount Isa QLD 4825</td>
</tr>
<tr>
<td>School of the Air</td>
<td>Mount Isa QLD 4825</td>
</tr>
<tr>
<td>Office Administrator, [fc] South West Financial Services Inc</td>
<td>Charleville QLD 4470</td>
</tr>
<tr>
<td>Aramac Shire Council</td>
<td>Aramac QLD 4726</td>
</tr>
<tr>
<td>Community Development Officer, [lga] Broadsound Shire</td>
<td>Clairview QLD 4741</td>
</tr>
<tr>
<td>Burke Shire Council</td>
<td>Burketown QLD 4830</td>
</tr>
<tr>
<td>Coordinator, [lga] Cardwell Shire Community Support Centre Inc</td>
<td>Tully QLD 4854</td>
</tr>
<tr>
<td>Crow’s Nest Shire Council</td>
<td>Crow’s Nest QLD 4355</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Esk and Kilcoy Shire Councils</td>
<td>Esk QLD 4312</td>
</tr>
<tr>
<td>Banana Shire Library Service</td>
<td>Biloela QLD 4715</td>
</tr>
<tr>
<td>Cooloola Shire Library Service</td>
<td>Gympie QLD 4570</td>
</tr>
<tr>
<td>Librarian, [lib] Nambour Library</td>
<td>Nambour QLD 4560</td>
</tr>
<tr>
<td>Barambah Telecentre</td>
<td>Wondai QLD 4606</td>
</tr>
<tr>
<td>Barcoo Family Care Group Inc.</td>
<td>Blackall QLD 4472</td>
</tr>
<tr>
<td>Beechmont Community Association</td>
<td>Beechmont QLD 4211</td>
</tr>
<tr>
<td>Black Stump Medical Centre</td>
<td>Blackall QLD 4472</td>
</tr>
<tr>
<td>Community Development Worker, Caloundra Community Centre Inc.</td>
<td>Currimundi QLD 4551</td>
</tr>
<tr>
<td>Care Goondiwindi Association Inc.</td>
<td>Goondiwindi QLD 4390</td>
</tr>
<tr>
<td>Community Development Services Inc</td>
<td>Stanthorpe QLD 4380</td>
</tr>
<tr>
<td>Community Information Centre</td>
<td>Ayr QLD 4807</td>
</tr>
<tr>
<td>Community Information Service</td>
<td>Cairns QLD 4870</td>
</tr>
<tr>
<td>Community Support Centre Innisfail Inc.</td>
<td>Innisfail QLD 4860</td>
</tr>
<tr>
<td>Department of Families</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Domestic Violence Resource Service</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Eacham Community Help Organisation Inc (ECHO)</td>
<td>Malanda QLD 4885</td>
</tr>
<tr>
<td>Esk/Kilroy Community Support Association Inc</td>
<td>Esk QLD 4312</td>
</tr>
<tr>
<td>Freedom House Dysart</td>
<td>Dysart QLD 4745</td>
</tr>
<tr>
<td>George Street Neighbourhood Centre Ass Inc</td>
<td>South Mackay QLD 4740</td>
</tr>
<tr>
<td>Coordinator, Gin Gin Community Information Centre</td>
<td>Gin Gin QLD 4671</td>
</tr>
<tr>
<td>Manager, Gladstone City Council Community Advisory Service</td>
<td>Gladstone QLD 4680</td>
</tr>
<tr>
<td>Glass House Mountains Neighbourhood Centre</td>
<td>Glass House Mountains QLD 4518</td>
</tr>
<tr>
<td>Gympie &amp; District Community Centreplace Inc</td>
<td>Gympie QLD 4570</td>
</tr>
<tr>
<td>Jimboomba Central Neighbourhood Centre</td>
<td>Jimboomba QLD 4280</td>
</tr>
<tr>
<td>Julatten Initiative Group</td>
<td>Mount Molloy QLD 4871</td>
</tr>
<tr>
<td>Kalbar Regional Organisation for Promotion</td>
<td>Kalbar QLD 4309</td>
</tr>
<tr>
<td>Lifeline Rural Family Support Unit</td>
<td>Dalby QLD 4405</td>
</tr>
<tr>
<td>Mackay Children’s Contact Service</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Mainstream Community Association Inc</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Maleny Neighbourhood Centre</td>
<td>Maleny QLD 4552</td>
</tr>
<tr>
<td>Mareeba Information and Support Centre</td>
<td>Mareeba QLD 4880</td>
</tr>
<tr>
<td>Marlin Coast Neighbourhood Centre</td>
<td>Smithfield QLD 4878</td>
</tr>
<tr>
<td>Morris House Neighbourhood Centre</td>
<td>Landsborough QLD 4550</td>
</tr>
<tr>
<td>Mossman Community Centre</td>
<td>Mossman QLD 4873</td>
</tr>
<tr>
<td>Co-ordinator, Mundubbera Community Development Association Inc.</td>
<td>Mundubbera QLD 4626</td>
</tr>
<tr>
<td>Centre Co-ordinator, Murilla Community Centre Inc.</td>
<td>Miles QLD 4415</td>
</tr>
<tr>
<td>Neighbourhood Centre Maryborough Inc.</td>
<td>Maryborough QLD 4650</td>
</tr>
<tr>
<td>Tewantin RSL Branch</td>
<td>Tewantin QLD 4565</td>
</tr>
<tr>
<td>Proston BP Service Station</td>
<td>Proston QLD 4613</td>
</tr>
<tr>
<td>Ravenshoe Community Centre Inc</td>
<td>Ravenshoe QLD 4872</td>
</tr>
<tr>
<td>Ravenswood Restoration &amp; Preservation Association</td>
<td>Ravenswood QLD 4816</td>
</tr>
<tr>
<td>Richmond Information Provision Service</td>
<td>Richmond QLD 4822</td>
</tr>
<tr>
<td>Rural Education Research and Development Centre,</td>
<td>Townsville QLD 4811</td>
</tr>
<tr>
<td>James Cook University</td>
<td></td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Burnett Community Training Centre Inc</td>
<td>Kingaroy QLD 4610</td>
</tr>
<tr>
<td>St George Youth and Community Association</td>
<td>St George QLD 4487</td>
</tr>
<tr>
<td>Coordinator, Tableland Neighbourhood and Information Centre</td>
<td>Atherton QLD 4883</td>
</tr>
<tr>
<td>Tambo Community Development Centre</td>
<td>Tambo QLD 4478</td>
</tr>
<tr>
<td>Tambo Primary Health Centre</td>
<td>Tambo QLD 4478</td>
</tr>
<tr>
<td>Community Development Officer, Tara Neighbourhood Centre</td>
<td>Tara QLD 4421</td>
</tr>
<tr>
<td>Taroom District Development Association</td>
<td>Taroom QLD 4420</td>
</tr>
<tr>
<td>Tin Can Bay Resource &amp; Referral Association Inc</td>
<td>Tin Can Bay QLD 4580</td>
</tr>
<tr>
<td>Victims of Crime Association of Queensland, Mackay Branch</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Winton Neighbourhood Centre</td>
<td>Winton QLD 4735</td>
</tr>
<tr>
<td>Aramac Shire Council</td>
<td>RTC, Gordon Street, Aramac QLD 4726</td>
</tr>
<tr>
<td>Disability Services Queensland</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Dispute Resolution Centre</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Home and Community Care</td>
<td>Palm Island QLD 4816</td>
</tr>
<tr>
<td>Theodore Police Station</td>
<td>Theodore QLD 4719</td>
</tr>
<tr>
<td>Wuni-Oombra Family Disability Respite Care Aboriginal Corporation</td>
<td>Palm Island QLD 4816</td>
</tr>
<tr>
<td>Youth Information and Referral Service Inc.</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Lifeline Mackay - Whitsunday</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>Mackay Region Area Consultative Committee</td>
<td>Mackay QLD 4740</td>
</tr>
<tr>
<td>T.J.O’Neill Memorial Library</td>
<td>Kingaroy QLD 4610</td>
</tr>
<tr>
<td>Moreton Bay Coast &amp; Country ACC</td>
<td>Caboolture QLD 4510</td>
</tr>
<tr>
<td>Kilcoy Public Library</td>
<td>Kilcoy QLD 4515</td>
</tr>
<tr>
<td>Kilcoy Shire Council</td>
<td>Kilcoy QLD 4515</td>
</tr>
<tr>
<td>Silkwood &amp; District Action Group</td>
<td>Silkwood QLD 4856</td>
</tr>
<tr>
<td>Cooloola Shire Council - Youth Development Unit</td>
<td>Gympie QLD 4570</td>
</tr>
<tr>
<td>Mutturbarra Post Office</td>
<td>Mutturbarra QLD 4732</td>
</tr>
<tr>
<td>Office of Warren Snowdon, Member for the NT</td>
<td>Alice Springs NT 0870</td>
</tr>
<tr>
<td>Office of Warren Snowdon, Member for the NT</td>
<td>Darwin NT 0801</td>
</tr>
<tr>
<td>Anglicare Top End</td>
<td>Katherine NT 0851</td>
</tr>
<tr>
<td>Good Beginnings Australia Ltd</td>
<td>Katherine NT 0851</td>
</tr>
<tr>
<td>Nhulunbuy Community Neighbourhood Centre</td>
<td>Nhulunbuy NT 0881</td>
</tr>
<tr>
<td>Tennant Creek Town Council</td>
<td>Tennant Creek NT 0860</td>
</tr>
<tr>
<td>Defence Community Organisation</td>
<td>Tindal NT 0853</td>
</tr>
<tr>
<td>Lajamanu Women’s Centre</td>
<td>Via Katherine NT 0852</td>
</tr>
<tr>
<td>Anglicare Top End ‘Palmerston &amp; Rural Office’</td>
<td>Winnellie NT 0821</td>
</tr>
<tr>
<td>Esperance Districts Agcare Inc.</td>
<td>Esperance WA 6450</td>
</tr>
<tr>
<td>Australian Country Information Service</td>
<td>Ravensthorpe WA 6346</td>
</tr>
<tr>
<td>Australian Country Information Service</td>
<td>Newman WA 6753</td>
</tr>
<tr>
<td>Australian Country Information Service Mt Marshall</td>
<td>Bencubbin WA 6477</td>
</tr>
<tr>
<td>Wyndham Action Group</td>
<td>Wyndham WA 6740</td>
</tr>
<tr>
<td>Frontier Services</td>
<td>South Hedland WA 6722</td>
</tr>
<tr>
<td>Frontier Services Migrant Service</td>
<td>South Hedland WA 6722</td>
</tr>
<tr>
<td>Uniting Church Frontier Services</td>
<td>Carnarvon WA 6701</td>
</tr>
<tr>
<td>Central Agcare</td>
<td>Corrigin WA 6375</td>
</tr>
<tr>
<td>NAME</td>
<td>LOCATION</td>
</tr>
<tr>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>Central Wheat Belt Community Support Group</td>
<td>Moora WA 6510</td>
</tr>
<tr>
<td>Northern Districts Community Support Group</td>
<td>Morawa WA 6623</td>
</tr>
<tr>
<td>Dardanup Shire Council</td>
<td>Eaton WA 6232</td>
</tr>
<tr>
<td>Mullewa Shire</td>
<td>Mullewa WA 6630</td>
</tr>
<tr>
<td>Manager of Community Services, [lga] Shire of Christmas Island</td>
<td>Christmas Island WA 6798</td>
</tr>
<tr>
<td>Shire of Derby/West Kimberly</td>
<td>Derby WA 6728</td>
</tr>
<tr>
<td>Cervantes Public Library</td>
<td>Cervantes WA 6511</td>
</tr>
<tr>
<td>Geraldton Public Library</td>
<td>Geraldton WA 6530</td>
</tr>
<tr>
<td>Harvey Public Library</td>
<td>Harvey WA 6220</td>
</tr>
<tr>
<td>Jerramungup Public Library</td>
<td>Jerramungup WA 6337</td>
</tr>
<tr>
<td>Boyup Brook Telecentre</td>
<td>Boyup Brook WA 6244</td>
</tr>
<tr>
<td>Bruce Rock Telecentre Inc</td>
<td>Bruce Rock WA 6418</td>
</tr>
<tr>
<td>Cunderdin and District Telecentre</td>
<td>Cunderdin WA 6407</td>
</tr>
<tr>
<td>Coordinator, [tel] Kellerberrin District Telecentre Inc</td>
<td>Kellerberrin WA 6410</td>
</tr>
<tr>
<td>Kojonup Telecentre Incorporated</td>
<td>Kojonup WA 6395</td>
</tr>
<tr>
<td>Kulen Telecentre</td>
<td>Kulen WA 6365</td>
</tr>
<tr>
<td>Lakes Link Telecentre</td>
<td>Lake Grace WA 6353</td>
</tr>
<tr>
<td>Lancelin &amp; Coastal Districts Resource &amp; Telecentre</td>
<td>Lancelin WA 6044</td>
</tr>
<tr>
<td>Narembeen Telecentre</td>
<td>Narembeen WA 6369</td>
</tr>
<tr>
<td>Toodyay Telecentre</td>
<td>Toodyay WA 6566</td>
</tr>
<tr>
<td>Williams Telecentre</td>
<td>Williams WA 6391</td>
</tr>
<tr>
<td>Management Support Officer, Aboriginal Affairs Department WA</td>
<td>Albany WA 6330</td>
</tr>
<tr>
<td>Broome Lotteries House</td>
<td>Broome WA 6725</td>
</tr>
<tr>
<td>Project Officer, Carnarvon Family Support Centre</td>
<td>Carnarvon WA 6701</td>
</tr>
<tr>
<td>Carnarvon Family Support Service Inc</td>
<td>Carnarvon WA 6701</td>
</tr>
<tr>
<td>Central Wheatbelt Enterprise Centre</td>
<td>Tammin WA 6409</td>
</tr>
<tr>
<td>Cocos Keeling Produce</td>
<td>Indian Ocean WA 6799</td>
</tr>
<tr>
<td>Collie Business Enterprise Centre</td>
<td>Collie WA 6225</td>
</tr>
<tr>
<td>Coordinator, Commonwealth Carelink Centre Southwest</td>
<td>Bunbury WA 6230</td>
</tr>
<tr>
<td>Eastern Districts Business Enterprise Centre</td>
<td>Corrigin WA 6375</td>
</tr>
<tr>
<td>Kununurra Neighbourhood House</td>
<td>Kununurra WA 6743</td>
</tr>
<tr>
<td>Local Information Network Karratha</td>
<td>Karratha WA 6714</td>
</tr>
<tr>
<td>Margaret River Community Resource Service</td>
<td>Margaret River WA 6285</td>
</tr>
<tr>
<td>Midwest Gascoyne Youth Action Scheme</td>
<td>Geraldton WA 6531</td>
</tr>
<tr>
<td>Manager, Narrogin Business Enterprise Agency</td>
<td>Narrogin WA 6312</td>
</tr>
<tr>
<td>Newdegate Telecentre</td>
<td>Newdegate WA 6355</td>
</tr>
<tr>
<td>Northcliffe Family Centre</td>
<td>Northcliffe WA 6262</td>
</tr>
<tr>
<td>Nungarin Community Development Group</td>
<td>Nungarin WA 6490</td>
</tr>
<tr>
<td>Paraburdoo &amp; Tom Price Youth Support Association</td>
<td>Tom Price WA 6751</td>
</tr>
<tr>
<td>Peel Development Commission</td>
<td>Mandurah WA 6210</td>
</tr>
<tr>
<td>MidWest Chamber of Commerce &amp; Industry</td>
<td>Geraldton WA 6530</td>
</tr>
<tr>
<td>MidWest Gascoyne Area Consultative Committee</td>
<td>Geraldton WA 6530</td>
</tr>
<tr>
<td>South West Area Consultative Committee Inc.</td>
<td>Bunbury WA 6230</td>
</tr>
<tr>
<td>Newman Neighbourhood Centre</td>
<td>Newman WA 6753</td>
</tr>
<tr>
<td>Library and Information Service, Derby Public Library, Shire of Derby/West Kimberley</td>
<td>Derby WA 6728</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>NAME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library and Information Service, Fitzroy Office, Shire of Derby/West Kimberley</td>
<td>Fitzroy Crossing 6765</td>
</tr>
<tr>
<td>Kingston Soldiers’ Memorial Hospital</td>
<td>Kingston Se SA 5275</td>
</tr>
<tr>
<td>Kingston Community Health Service</td>
<td>Kingston SA 5275</td>
</tr>
<tr>
<td>ACCESS</td>
<td>Meltrose SA 5483</td>
</tr>
<tr>
<td>Mallee Financial &amp; Information Service</td>
<td>Lameroo SA 5302</td>
</tr>
<tr>
<td>Spencer Institute, Cleve Campus</td>
<td>Cleve SA 5640</td>
</tr>
<tr>
<td>Rural Counsellor, [fc] Barossa Hills &amp; Plains Rural Counselling Service</td>
<td>Fairview Park SA 5126</td>
</tr>
<tr>
<td>Mid North Information Service</td>
<td>Clare SA 5453</td>
</tr>
<tr>
<td>Murraylands Rural Counselling Service</td>
<td>Karoonda SA 5307</td>
</tr>
<tr>
<td>SE Rural Counselling Service</td>
<td>Millicent SA 5280</td>
</tr>
<tr>
<td>Yorke Peninsula Rural Counselling and Information Service</td>
<td>Nantawarra SA 5550</td>
</tr>
<tr>
<td>Alexandrina Council</td>
<td>Goolwa SA 5214</td>
</tr>
<tr>
<td>District Council of Peterborough</td>
<td>Peterborough SA 5422</td>
</tr>
<tr>
<td>Balaklava Community Library</td>
<td>Balaklava SA 5461</td>
</tr>
<tr>
<td>Librarian, [lib] Berri Campus, Murray Institute of TAFE</td>
<td>Berri SA 5343</td>
</tr>
<tr>
<td>Bodertown Public Library</td>
<td>Bordertown SA 5268</td>
</tr>
<tr>
<td>Kingscote Public Library</td>
<td>Kingscote SA 5222</td>
</tr>
<tr>
<td>Brown’s Well Community School</td>
<td>Paruna SA 5311</td>
</tr>
<tr>
<td>Miltaburra Area School</td>
<td>Streaky Bay SA 5680</td>
</tr>
<tr>
<td>Port Lincoln Library</td>
<td>Port Lincoln SA 5606</td>
</tr>
<tr>
<td>Port Pirie Regional Library</td>
<td>Port Pirie SA 5540</td>
</tr>
<tr>
<td>Librarian, [lib] Spencer Institute of TAFE, Port Pirie Campus</td>
<td>Port Pirie SA 5540</td>
</tr>
<tr>
<td>Streaky Bay Community School Library</td>
<td>Streaky Bay SA 5680</td>
</tr>
<tr>
<td>Whyalla Information Services, Whyalla Library</td>
<td>Whyalla SA 5600</td>
</tr>
<tr>
<td>Yankalilla Community Library</td>
<td>Yankalilla SA 5203</td>
</tr>
<tr>
<td>District Council of Barunga West (Rural Transaction Centre)</td>
<td>Port Broughton SA 5522</td>
</tr>
<tr>
<td>Cockburn-Burns Outback Telecentre</td>
<td>Cockburn SA 5440</td>
</tr>
<tr>
<td>Wudinna and Districts Telecentre</td>
<td>Wudinna SA 5652</td>
</tr>
<tr>
<td>Yunta Tele-Centre</td>
<td>Yunta SA 5440</td>
</tr>
<tr>
<td>Reception, Community Access Centre - Millicent &amp; Districts</td>
<td>Millicent SA 5280</td>
</tr>
<tr>
<td>Coober Pedy Information Centre</td>
<td>Coober Pedy SA 5723</td>
</tr>
<tr>
<td>Information Service Officer, Far West Rural Service Group Inc</td>
<td>Streaky Bay SA 5680</td>
</tr>
<tr>
<td>Gladstone and District Community Health and Welfare Centre Inc.</td>
<td>Gladstone SA 5473</td>
</tr>
<tr>
<td>Murray Bridge Information Centre</td>
<td>Murray Bridge SA 5253</td>
</tr>
<tr>
<td>Murraylands Regional Development Board</td>
<td>Murray Bridge SA 5153</td>
</tr>
<tr>
<td>Port Augusta Community Information Service</td>
<td>Port Augusta SA 5700</td>
</tr>
<tr>
<td>Rural Assistance and Facility Service</td>
<td>Balaklava SA 5461</td>
</tr>
<tr>
<td>Rural Communities Information Service</td>
<td>Meningie SA 5264</td>
</tr>
<tr>
<td>Coordinator, Shop Six Community Resource Centre</td>
<td>Kingscote SA 5223</td>
</tr>
<tr>
<td>Co-ordinator, South East Community Information Service</td>
<td>Mount Gambier SA 5290</td>
</tr>
<tr>
<td>Southern Goyder Information Service</td>
<td>Robertstown SA 5381</td>
</tr>
<tr>
<td>NAME</td>
<td>LOCATION</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Tailem Bend Community Centre</td>
<td>Tailem bend SA 5260</td>
</tr>
<tr>
<td>Torrens Valley Community Centre</td>
<td>Birdwood SA 5234</td>
</tr>
<tr>
<td>Tumby Bay Community Development Board</td>
<td>Tumby Bay SA 5605</td>
</tr>
<tr>
<td>Yorke Peninsula Farmsafe Group</td>
<td>Moonta SA 5558</td>
</tr>
<tr>
<td>President,</td>
<td>Hamilton VIC 3300</td>
</tr>
<tr>
<td>Office of Michael Ronaldson MP, Member for Ballarat</td>
<td>Ballarat VIC 3350</td>
</tr>
<tr>
<td>Cobaw Community Health</td>
<td>Kyneton VIC 3444</td>
</tr>
<tr>
<td>Dartmoor Bush Nursing</td>
<td>Dartmoor VIC 3304</td>
</tr>
<tr>
<td>Dept of Natural Resources &amp; Environment</td>
<td>Sea Lake VIC 3353</td>
</tr>
<tr>
<td>Information Officer, (sgov) Goulburn Valley Community Care Centre</td>
<td>Shepparton VIC 3630</td>
</tr>
<tr>
<td>McIvor Health and Community Services</td>
<td>Heathcote VIC 3523</td>
</tr>
<tr>
<td>Portland &amp; District Community Health Centre</td>
<td>Portland VIC 3305</td>
</tr>
<tr>
<td>Primary Care Clinic</td>
<td>Bendigo VIC 3552</td>
</tr>
<tr>
<td>ACIS East Gippsland Shire Business Centre</td>
<td>Omeo VIC 3898</td>
</tr>
<tr>
<td>Latrobe Information and Support Centre</td>
<td>Morwell VIC 3840</td>
</tr>
<tr>
<td>Family Support Service, The Salvation Army</td>
<td>Bendigo VIC 3552</td>
</tr>
<tr>
<td>Kilmany Family Care</td>
<td>Sale VIC 3850</td>
</tr>
<tr>
<td>Kilmany Family Care</td>
<td>Leongatha VIC 3953</td>
</tr>
<tr>
<td>Mildura and District Educational Council Inc.</td>
<td>Mildura VIC 3502</td>
</tr>
<tr>
<td>G.V. Agcare Inc.</td>
<td>Kyabram VIC 3619</td>
</tr>
<tr>
<td>Alpine Shire</td>
<td>Bright VIC 3741</td>
</tr>
<tr>
<td>Campaspe Shire Council</td>
<td>Echuca VIC 3564</td>
</tr>
<tr>
<td>HACC Corangamite Shire</td>
<td>Camperdown VIC 3264</td>
</tr>
<tr>
<td>Delatite Shire</td>
<td>Benalla VIC 3671</td>
</tr>
<tr>
<td>Office Manager, [lga] East Gippsland Shire Council</td>
<td>Bairnsdale VIC 3875</td>
</tr>
<tr>
<td>Horsham Rural City Council</td>
<td>Horsham VIC 3402</td>
</tr>
<tr>
<td>Community Services Officer AVOCA, [lga] Pyrenees</td>
<td>Beaufort VIC 3373</td>
</tr>
<tr>
<td>Shire, Avoca Office</td>
<td></td>
</tr>
<tr>
<td>Mortlake Library</td>
<td>Mortlake VIC 3272</td>
</tr>
<tr>
<td>Wodonga Library</td>
<td>Wodonga VIC 3690</td>
</tr>
<tr>
<td>Welshpool Rural Transaction Centre</td>
<td>Welshpool VIC 3966</td>
</tr>
<tr>
<td>Bairnsdale Neighbourhood House</td>
<td>Bairnsdale VIC 3875</td>
</tr>
<tr>
<td>Beaufort Community Resource Centre</td>
<td>Beaufort VIC 3373</td>
</tr>
<tr>
<td>Programs Manager, Birchip Business &amp; Learning Centre</td>
<td>Birchip VIC 3483</td>
</tr>
<tr>
<td>Bush Link Mobile Children’s Network</td>
<td>Foster VIC 3960</td>
</tr>
<tr>
<td>Team Leader, Counselling, Cobaw Community Health Service</td>
<td>Kyneton VIC 3444</td>
</tr>
<tr>
<td>Cohuna Neighbourhood House</td>
<td>Cohuna VIC 3568</td>
</tr>
<tr>
<td>Manager, Community Information &amp; Referral Centre</td>
<td>Wodonga VIC 3689</td>
</tr>
<tr>
<td>Community Information Cardinia</td>
<td>Pakenham VIC 3810</td>
</tr>
<tr>
<td>Frances Hewett Community Centre</td>
<td>Hamilton VIC 3300</td>
</tr>
<tr>
<td>Gannawarra Neighbourhood House Inc</td>
<td>Kerang VIC 3579</td>
</tr>
<tr>
<td>Gellibrand Community House</td>
<td>Gellibrand River VIC 3239</td>
</tr>
<tr>
<td>Genoa Community Centre</td>
<td>Genoa VIC 3891</td>
</tr>
<tr>
<td>Glentworth RTC</td>
<td>Glentworth VIC 3293</td>
</tr>
<tr>
<td>Horsham Community Information Centre</td>
<td>Horsham VIC 3402</td>
</tr>
<tr>
<td>HOTRACCS</td>
<td>Swan Hill VIC 3585</td>
</tr>
<tr>
<td>Kaniva A &amp; P Society</td>
<td>Kaniva VIC 3419</td>
</tr>
<tr>
<td>NAME</td>
<td>LOCATION</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>La Trobe Information &amp; Support Centre Inc.</td>
<td>Morwell VIC 3840</td>
</tr>
<tr>
<td>Project Officer, Leitchville &amp; District Development Group</td>
<td>Leitchville VIC 3567</td>
</tr>
<tr>
<td>Luke’s Place</td>
<td>Morwell VIC 3840</td>
</tr>
<tr>
<td>Mallee Family Care Inc</td>
<td>Mildura VIC 3500</td>
</tr>
<tr>
<td>Mallee Track health &amp; Community Services</td>
<td>Underbool VIC 3509</td>
</tr>
<tr>
<td>Mallee Track Ouyen Neighbourhood House</td>
<td>Ouyen VIC 3490</td>
</tr>
<tr>
<td>Maryborough Community Information Centre</td>
<td>Maryborough VIC 3465</td>
</tr>
<tr>
<td>Moe Neighbourhood House</td>
<td>Moe VIC 3825</td>
</tr>
<tr>
<td>Moe and Community Development Committee Inc.</td>
<td>Moe VIC 3825</td>
</tr>
<tr>
<td>Mount Beauty Neighbourhood Centre</td>
<td>Mount Beauty VIC 3699</td>
</tr>
<tr>
<td>Murrurundi Neighbourhood Centre</td>
<td>Murrurundi VIC 3512</td>
</tr>
<tr>
<td>Nyora and District Community Health Centre</td>
<td>Nyora VIC 3987</td>
</tr>
<tr>
<td>Old Courthouse Community Centre</td>
<td>Casterton VIC 3311</td>
</tr>
<tr>
<td>Coordinator, Otway Health &amp; Community Services</td>
<td>Apollo Bay VIC 3233</td>
</tr>
<tr>
<td>Philip Island Community and Learning Centre</td>
<td>Cowes VIC 3922</td>
</tr>
<tr>
<td>Pyramid Hill Neighbourhood House</td>
<td>Pyramid Hill VIC 3575</td>
</tr>
<tr>
<td>Red Cliffs Community Resource Centre</td>
<td>Red Cliffs VIC 3496</td>
</tr>
<tr>
<td>Remote Family Services</td>
<td>Bairnsdale VIC 3875</td>
</tr>
<tr>
<td>Robinvale Network House</td>
<td>Robinvale VIC 3549</td>
</tr>
<tr>
<td>Rushworth Community House</td>
<td>Rushworth VIC 3612</td>
</tr>
<tr>
<td>Sea Lake Neighbourhood House</td>
<td>Sea Lake VIC 3531</td>
</tr>
<tr>
<td>Sunraysia Information &amp; Referral Service</td>
<td>Mildura VIC 3502</td>
</tr>
<tr>
<td>Swan Hill Community House</td>
<td>Swan Hill VIC 3585</td>
</tr>
<tr>
<td>Talbot Taskforce</td>
<td>Talbot VIC 3371</td>
</tr>
<tr>
<td>Tallangatta Community Education Centre Inc.</td>
<td>Tallangatta VIC 3700</td>
</tr>
<tr>
<td>Terang Resources Inc</td>
<td>Terang VIC 3264</td>
</tr>
<tr>
<td>Venus Bay Community Centre</td>
<td>Venus Bay VIC 3951</td>
</tr>
<tr>
<td>Warracknabeal Neighbourhood House and Learning Centre</td>
<td>Warracknabeal VIC 3393</td>
</tr>
<tr>
<td>Wimmera Community Care Centre</td>
<td>Stawell VIC 3380</td>
</tr>
<tr>
<td>Project Officer, Wimmera Information Network INC</td>
<td>Horsham VIC 3400</td>
</tr>
<tr>
<td>Wyeproof Community Resource Centre</td>
<td>Wyeproof VIC 3527</td>
</tr>
<tr>
<td>Yea &amp; District Community House</td>
<td>Yea VIC 3717</td>
</tr>
<tr>
<td>Westbury Licensed Post Office</td>
<td>Westbury TAS 7303</td>
</tr>
<tr>
<td>Westbury Community Health Centre</td>
<td>Westbury TAS 7303</td>
</tr>
<tr>
<td>Australian Country Information Service St Marys</td>
<td>St Marys TAS 7215</td>
</tr>
<tr>
<td>Acis - King Island Council</td>
<td>Currie TAS 7256</td>
</tr>
<tr>
<td>Circular Head Aboriginal Corporation</td>
<td>Smithton TAS 7330</td>
</tr>
<tr>
<td>Manager Human Resources, [lga] Burnie City Council</td>
<td>Burnie TAS 7320</td>
</tr>
<tr>
<td>PACE; Tasman Council</td>
<td>Nubeena TAS 7184</td>
</tr>
<tr>
<td>Southern Midlands Council</td>
<td>Oatlands TAS 7120</td>
</tr>
<tr>
<td>Beaconsfield Online Access Centre</td>
<td>Beaconsfield TAS 7270</td>
</tr>
<tr>
<td>Bruny Island Online Access Centre</td>
<td>Alonnah TAS 7150</td>
</tr>
<tr>
<td>Campbell Town Online Access Centre</td>
<td>Campbell Town TAS 7210</td>
</tr>
<tr>
<td>Deloraine Online Access Centre</td>
<td>Deloraine TAS 7304</td>
</tr>
<tr>
<td>Edith Creek Online Access Centre</td>
<td>Edith Creek TAS 7330</td>
</tr>
<tr>
<td>Coordinator, [onac] Geeveston Online Access Centre</td>
<td>Geeveston TAS 7116</td>
</tr>
<tr>
<td>Glenora Online Access Centre</td>
<td>Gretna TAS 7140</td>
</tr>
<tr>
<td>NAME</td>
<td>LOCATION</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Mole Creek Online</td>
<td>Mole Creek TAS 7304</td>
</tr>
<tr>
<td>Ridgley Online Access Centre</td>
<td>Ridgley TAS 7321</td>
</tr>
<tr>
<td>Rosebery Online Access Centre</td>
<td>Rosebery TAS 7470</td>
</tr>
<tr>
<td>Tullah Online Access Centre</td>
<td>Tullah TAS 7321</td>
</tr>
<tr>
<td>Woodbridge Online Access Centre</td>
<td>Woodbridge TAS 7162</td>
</tr>
<tr>
<td>Coordinator, [onac] Zeehan Online Access Centre</td>
<td>Zeehan TAS 7469</td>
</tr>
<tr>
<td>Advocates for Survivors of Child Abuse Tasmania</td>
<td>Devonport TAS 7310</td>
</tr>
<tr>
<td>Central Highlands Council</td>
<td>Hamilton TAS 7140</td>
</tr>
<tr>
<td>Derby Online Access Centre</td>
<td>Derby TAS 7264</td>
</tr>
<tr>
<td>Devonport Youth, Drugs &amp; Alcohol Service</td>
<td>Devonport TAS 7310</td>
</tr>
<tr>
<td>Co-ordinator, Dorset Centre Inc</td>
<td>Scottsdale TAS 7260</td>
</tr>
<tr>
<td>Fingal Valley Neighbourhood House Inc</td>
<td>Fingal TAS 7214</td>
</tr>
<tr>
<td>Job Placement, Employment and Training</td>
<td>Burnie TAS 7320</td>
</tr>
<tr>
<td>Countrylink Contact, KARE Inc, Family Support Service</td>
<td>Sheffield TAS 7306</td>
</tr>
<tr>
<td>Latrobe Youth &amp; Community Access Centre</td>
<td>Latrobe TAS 7307</td>
</tr>
<tr>
<td>Link - Deloraine</td>
<td>Deloraine TAS 7304</td>
</tr>
<tr>
<td>Loading Zone</td>
<td>Devonport TAS 7310</td>
</tr>
<tr>
<td>Treasurer, Maydena Community Development Association</td>
<td>Maydena TAS 7140</td>
</tr>
<tr>
<td>North East Community House</td>
<td>Scottsdale TAS 7260</td>
</tr>
<tr>
<td>Northern Joblink</td>
<td>Launceston TAS 7250</td>
</tr>
<tr>
<td>Northern Midlands Council</td>
<td>Longford TAS 7301</td>
</tr>
<tr>
<td>St. Helens Neighbourhood House Association</td>
<td>St Helens TAS 7216</td>
</tr>
<tr>
<td>Tresca Community Centre</td>
<td>Exeter TAS 7275</td>
</tr>
<tr>
<td>Winnaleah Online Access Centre Inc</td>
<td>Winnaleah TAS 7265</td>
</tr>
<tr>
<td>Working it out</td>
<td>Burnie TAS 7320</td>
</tr>
<tr>
<td>Wyndarra Centre Inc</td>
<td>Smithton TAS 7330</td>
</tr>
<tr>
<td>Youth Drop In Centre</td>
<td>New Norfolk TAS 7140</td>
</tr>
<tr>
<td>Youth Health Team</td>
<td>Burnie TAS 7320</td>
</tr>
<tr>
<td>Zeehan Neighbourhood Centre</td>
<td>Zeehan TAS</td>
</tr>
<tr>
<td>Aberdeen Branch Library</td>
<td>Aberdeen NSW 2336</td>
</tr>
<tr>
<td>Commonwealth CARElink - Far North Coast</td>
<td>Alstonville NSW 2477</td>
</tr>
<tr>
<td>Central Tablelands Rural Lands Protection Board</td>
<td>Bathurst NSW 2795</td>
</tr>
<tr>
<td>Bellingen Neighbourhood Centre</td>
<td>Bellingen NSW 2454</td>
</tr>
<tr>
<td>Community Transport Home Living Support Scheme</td>
<td>Berridale NSW 2628</td>
</tr>
<tr>
<td>Berrigan Shire Council</td>
<td>Berrigan NSW 2712</td>
</tr>
<tr>
<td>Bombala Council</td>
<td>Bombala NSW 2632</td>
</tr>
<tr>
<td>Braidwood Rural Lands Protection Board</td>
<td>Braidwood NSW 2622</td>
</tr>
<tr>
<td>Australian Country Information Service</td>
<td>Brewarrina NSW 2839</td>
</tr>
<tr>
<td>Rural Lands Protection Board</td>
<td>Broken Hill NSW 2880</td>
</tr>
<tr>
<td>Business &amp; Community Partnership</td>
<td>Broken Hill NSW 2880</td>
</tr>
<tr>
<td>Westside Plaza Community Information Booth</td>
<td>Broken Hill NSW 2880</td>
</tr>
<tr>
<td>Moss Vale Rural Lands Protection Board</td>
<td>Camden NSW 2570</td>
</tr>
<tr>
<td>Chequerboard Hill Inc</td>
<td>Casino NSW 2470</td>
</tr>
<tr>
<td>Cobar Information and Training Service</td>
<td>Cobar NSW 2835</td>
</tr>
<tr>
<td>Interrelate Childrens Contact Centre</td>
<td>Coffs Harbour NSW 2450</td>
</tr>
<tr>
<td>Western Plains Regional Development</td>
<td>Condobolin NSW 2877</td>
</tr>
<tr>
<td>Community Health, Coolah Hospital</td>
<td>Coolah NSW 2843</td>
</tr>
<tr>
<td>Coolah District Development Group</td>
<td>Coolah NSW 2843</td>
</tr>
<tr>
<td>NAME</td>
<td>LOCATION</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>North East Riverina Rural Counselling Service Inc</td>
<td>Coolamon NSW 2701</td>
</tr>
<tr>
<td>Monaro Regional Library</td>
<td>Cooma NSW 2630</td>
</tr>
<tr>
<td>Australian Country Information Stand</td>
<td>Coonabarabran NSW 2357</td>
</tr>
<tr>
<td>Crookwell Neighbourhood Centre</td>
<td>Crookwell NSW 2583</td>
</tr>
<tr>
<td>Southern Riverina Rural Advisory Service</td>
<td>Deniliquin NSW 2710</td>
</tr>
<tr>
<td>Denman &amp; District Development Association Inc</td>
<td>Denman NSW 2328</td>
</tr>
<tr>
<td>Hickory House Management Committee</td>
<td>Dorrigo NSW 2453</td>
</tr>
<tr>
<td>Assistant Co-ordinator, Dungog Information and Neighbourhood Service</td>
<td>Dungog NSW 2420</td>
</tr>
<tr>
<td>RTC Gresford Community Group Inc</td>
<td>East Gresford NSW 2311</td>
</tr>
<tr>
<td>Anglicare Centre South East</td>
<td>Eden NSW 2551</td>
</tr>
<tr>
<td>Eden Community Access Centre</td>
<td>Eden NSW 2551</td>
</tr>
<tr>
<td>Centacare</td>
<td>Forbes NSW 2871</td>
</tr>
<tr>
<td>Castlereagh Advisory Centre Inc.</td>
<td>Gilgandra NSW 2827</td>
</tr>
<tr>
<td>Gilgandra Shire Council</td>
<td>Gilgandra NSW 2827</td>
</tr>
<tr>
<td>Glen Innes Community Centre</td>
<td>Glen Innes NSW 2370</td>
</tr>
<tr>
<td>Northern New England Rural Lands Protection Board</td>
<td>Glenn Innes NSW 2370</td>
</tr>
<tr>
<td>Grafton Branch of Clarence Regional Library</td>
<td>Grafton NSW 2460</td>
</tr>
<tr>
<td>Weddin Community Services Inc.</td>
<td>Grenfell NSW 2810</td>
</tr>
<tr>
<td>Gundagai Neighbourhood Centre</td>
<td>Gundagai NSW 2722</td>
</tr>
<tr>
<td>Gunnedah Global Information Centre (Public Library)</td>
<td>Gunnedah NSW 2380</td>
</tr>
<tr>
<td>Southern Riverina Rural Advisory Service</td>
<td>Hay NSW 2711</td>
</tr>
<tr>
<td>Hay Rural Lands Protection Board</td>
<td>Hay NSW 2711</td>
</tr>
<tr>
<td>Hillston Rural Lands Protection Board</td>
<td>Hillston NSW 2675</td>
</tr>
<tr>
<td>Murray Rural Lands Protection Board</td>
<td>Jerilderie NSW 2716</td>
</tr>
<tr>
<td>Junee Community Centre</td>
<td>Junee NSW 2663</td>
</tr>
<tr>
<td>Khancoban Welfare Council</td>
<td>Khancoban NSW 2642</td>
</tr>
<tr>
<td>Information Centre, Commonwealth Carelink Centre</td>
<td>Kiama NSW 2533</td>
</tr>
<tr>
<td>Kyogle Family Support Services</td>
<td>Kyogle NSW 2474</td>
</tr>
<tr>
<td>Information Facilitator, [fc] Lower Lauchlan Community Services</td>
<td>Lake Cargelligo NSW 2672</td>
</tr>
<tr>
<td>Tweed-Lismore Rural Lands Protection Board</td>
<td>Lismore NSW 2480</td>
</tr>
<tr>
<td>Lismore Children’s Contact Centre</td>
<td>Lismore NSW 2480</td>
</tr>
<tr>
<td>Lismore Neighbourhood Centre</td>
<td>Lismore NSW 2480</td>
</tr>
<tr>
<td>Lithgow Information &amp; Neighbourhood Centre</td>
<td>Lithgow NSW 2790</td>
</tr>
<tr>
<td>Community Worker, [lga] Nambucca Shire Council</td>
<td>Macks ville NSW 2447</td>
</tr>
<tr>
<td>Commonwealth Carelink Centre - Mid North Coast</td>
<td>Macks ville NSW 2447</td>
</tr>
<tr>
<td>Nambucca Valley Neighbourhood Centre</td>
<td>Macks ville NSW 2447</td>
</tr>
<tr>
<td>Ertleong Hotel / Post Office</td>
<td>Majors Creek NSW 2622</td>
</tr>
<tr>
<td>Molong Library</td>
<td>Molong NSW 2866</td>
</tr>
<tr>
<td>Northern Regional Library &amp; Information Service</td>
<td>Moree NSW 2400</td>
</tr>
<tr>
<td>Moree Rural Lands Protection Board</td>
<td>Moree NSW 2400</td>
</tr>
<tr>
<td>Moree Family Support</td>
<td>Moree NSW 2400</td>
</tr>
<tr>
<td>Dr Mackay Community Centre</td>
<td>Moruya NSW 2537</td>
</tr>
<tr>
<td>Wingeacarrabbee Shire Council</td>
<td>Moss Vale NSW 2577</td>
</tr>
<tr>
<td>Mullumbimby and District Neighbourhood Centre Inc</td>
<td>Mullumbimby NSW 2482</td>
</tr>
<tr>
<td>Upper Hunter Regional Library</td>
<td>Muswellbrook NSW 2333</td>
</tr>
<tr>
<td>Narrabri Neighbourhood Centre</td>
<td>Narrabri NSW 2390</td>
</tr>
<tr>
<td>Narrromine Health Service</td>
<td>Narronine NSW 2821</td>
</tr>
</tbody>
</table>
**Trafifura Fuels Australia Pty Ltd**

*(Question No. 297)*

Senator O’Brien asked the Minister representing the Minister for Trade, upon notice, on 23 December 2004:

(1) Did the Minister, his office and/or the department ask the Australian Embassy in Brazil in August 2002 and/or September 2002 to make enquiries about the proposed export of ethanol to Australia by Trafifura Fuels Australia Pty Ltd.
QUESTIONS ON NOTICE

(2) How did the Minister, his office and/or the department become aware of the proposed shipment.
(3) On what date did the Minister, his office and/or the department become aware of the proposed shipment.
(4) Who made this request.
(5) Why was the request made.
(6) Was the request made at the behest of the Prime Minister, another minister, an ethanol producer, and/or an industry organisation.
(7) On what date was this request made.
(8) In what form was the request made.
(9) Who received this request.
(10) Did the Australian Embassy in Brazil make this enquiry on behalf of the Minister, his office and/or the department; if so, on what date(s) was this enquiry made and what form did it take.
(11) What information was provided to the Minister, his office and/or the department.
(12) On what date and in what form was this information provided.
(13) On what dates and to whom did the Minister, his office and/or the department communicate the information provided by the Embassy.

Senator Hill—The following answer has been provided by the Minister for Trade to the honourable senator’s question:

(1) DFAT asked the Australian Embassy in Brazil in August 2002 to make enquiries about a shipment by an unidentified shipper.
(2) I (Mr Vaile) and my office became aware of the proposed shipment through representations made by Manildra Group. DFAT was asked by PM&C to inquire about it.
(3) My office became aware of a proposed shipment on 22 August and I (Mr Vaile) on 23 August. DFAT became aware of a proposed shipment on 23 August when PM&C asked DFAT to make the enquiry (details that it was by Trafigura Fuels Australia were advised by Brasilia on 29 August 2002).
(4) A Section Head in Americas Branch.
(5) PM&C asked for our assistance in obtaining information.
(6) At the time that DFAT was requested by PM&C to make enquiries, I was not aware that such a request had been made.
(7) 26 August 2002.
(8) Email.
(9) An officer in the Australian Embassy, Brazil.
(10) Yes; 27 August 2002 and 13 September; by phone.
(11) DFAT was advised of the ship’s location, departure date, destination and buyer.
(12) 29 August 2002. By email.
(13) DFAT emailed this information from the Australian Embassy in Brazil to PM&C on 29 August 2002 and a further email on 13 September 2002.

Australian Maritime Safety Authority

(Question No. 347)

Senator Mark Bishop asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 23 February 2005:

QUESTIONS ON NOTICE
With reference to the Minister’s media statement (reference TRS13/Budget, dated 11 May 2004) regarding the provision of a pressurised, twin-engine turbine aircraft on permanent stand-by in Darwin, for Australian Maritime Safety Authority operations, can the following details be provided: (a) the date on which the tender was released; (b) the date of placement and media used to publicise the release of the tender; (c) the number of expressions of interest received; (d) the name of the successful tenderer; (e) who made the final decision; and (f) the amount to be paid under the contract by the Commonwealth.

**Senator Ian Campbell**—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(a) 2 July 2004  
(b) AMSA Internet site and newspaper advertising in “The Australian” on 2 and 3 July 2004.  
(c) Eight offers were received  
(d) AeroRescue Pty Ltd, a subsidiary of Paspaley Pearls Pty Ltd  
(e) The AMSA Board approved the decision of the AMSA tender evaluation panel.  
(f) $24.5 million over a seven year contract.

**Pharmaceutical Benefits Scheme**  
(Question No. 369)

**Senator Allison** asked the Minister representing the Minister for Health and Ageing, upon notice, on 8 March 2005:

With reference to the Government’s reduction pricing measure in relation to the Pharmaceutical Benefits Scheme (PBS):

(1) How is the 12.5 per cent policy different from current pricing.  
(2) How many drugs will be subject to the 12.5 per cent measure.  
(3) Why was the policy recently changed in the Minister’s announcement on 7 February 2005.  
(4) How does the amended policy differ from the original measure announced in October 2004.  
(5) Given that the policy has changed: (a) how can the amount of money estimated to be taken out of the PBS still be the same; and (b) does the generics industry agree that this is still the case.  
(6) Has the Government been provided with any updated estimate from the generics industry on the likely savings from the amended measure announced on 7 February 2005; if so, what was their estimate.  
(7) (a) To what extent did the Government seek the advice of other stakeholders, such as consumer groups and manufacturers, on the impact of this measure before announcing this policy; (b) can a list of the groups consulted be provided, including the dates of those consultations.  
(8) Is it correct that patient premiums, over and above the PBS co-payment, could rise substantially for some medicines under the new policy.  
(9) Has the Government made any estimate of the likely rise in patient premiums under this policy; if so: (a) how much will this be; and (b) for which types of medicines.  
(10) Has the Government received any advice from industry on this; if so, what advice.  
(11) How will this policy generate savings by encouraging ‘people to use generic medicines and reduce the cost of the PBS’ (Minister’s Questions and Answers document) when it will reduce the price of patented and brand name medicines by the same amount, namely 12.5 per cent.  
(12) (a) How many generic brands will disappear owing to the 12.5 per cent price reduction; and (b) has the department undertaken any modelling on this.
(13) What information does the Government have on the impact of the flow-on effects that the 12.5 per cent cut to generics will have upon community pharmacy in relation to the whole PBS manufacturing, supply and retail chain.

(14) (a) Has the Government undertaken any modelling on the impact of the policy throughout the whole prescription medication system, for example, from newly listed PBS medicines, and the way they will be now priced, through to the availability of commercially unviable generic brands now that they will have a drop in the price paid; and (b) what does this modelling show.

(15) (a) Does the Government have statistics on the proportion of pharmacies that are commercially-at-risk or, financially, only marginally viable; and (b) has the department estimated the impact of this policy on those pharmacies.

(16) Has the Government been briefed on the consequences to rural and regional pharmacies on this savings measure; if so, what are the likely consequences.

(17) Are there any plans to extend or expand this policy further.

(18) Is it correct that the savings from this measure are not going to be used in the PBS.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) When the first new brand of a PBS medicine wishes to be included on the PBS, the manufacturer must offer a mandatory price reduction of 12.5% from the price currently used by the Government for subsiding purposes. This is known as the PBS benchmark price. As the PBS uses a reference pricing system, the reduction will:

- Flow on to all other brands of that medicine.
- Flow on to all forms and strengths of that medicine which are administered in the same way.
- Flow on to all other medicines in the same category (ie therapeutic group).
- Only apply once in each therapeutic group of medicines.
- Be applied to combination medicines (when one type of medicine is combined with another type of medicine in the one formulation) on a pro-rata basis.

Under the previous policy, drug manufacturers offer voluntary price reductions. These voluntary price reductions vary widely, but the average is about 3%. The new policy will require price reductions of at least 12.5% for the first new brand of any drug that seeks to be listed on the PBS in the 1 August 2005 update or any time after that.

(2) It is difficult to predict how many drugs will be affected by this measure as it will be dependent on the number of new listings where the 12.5% price reduction applies. Major drugs which will come off patent in the near future include simvastatin, sertraline and fosinopril.

(3) The Minister for Health and Ageing announced on 7 February 2005 that the Australian Government has clarified its new pricing arrangements for listing a new brand of medicine on the PBS. After consultations with industry the Government decided that the price reduction will occur only once in a reference priced group of medicines. Previously, it was to occur each time a new brand of any drug within a reference priced group was listed on the PBS and in some groups this would mean the price reduction would affect the group more than once. The policy was amended to take into account concerns expressed in the consultation process about the impact of the policy and the savings to be achieved.

(4) See answer to question (3) above.

(5) (a) The savings estimate reflects the changed new policy and takes into account additional information provided by both the Generic Medicines Industry Association and Medicines Australia during the stakeholder consultations on the policy. The industry costing models included higher members
of new brand entries compared to the costing models used by government. (b) The Government has not been provided with any revised estimate of savings that may have been commissioned by the industry sources since the February announcement.

(6) No.

(7) (a) During January 2005, the Department of Health and Ageing met separately with Medicines Australia, Generic Medicines Industry Association, National Pharmaceutical Services Association and the Pharmacy Guild of Australia. The Department of Health and Ageing also met with the Consumers’ Health Forum of Australia to gain perspective on consumer issues related to the policy. (b) The Department consulted with the following organisations in January 2005:

<table>
<thead>
<tr>
<th>Generic Medicines Industry Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting 1: 10 January 2005</td>
</tr>
<tr>
<td>Meeting 2: 17 January 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Medicines Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting 1: 11 January 2005</td>
</tr>
<tr>
<td>Meeting 2: 17 January 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>National Pharmaceutical Services Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting: 11 January 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The Pharmacy Guild of Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting: 20 January 2005</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consumers’ Health Forum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting: 19 January 2005</td>
</tr>
</tbody>
</table>

(8) It is difficult to predict whether companies will apply to increase premiums as a result of this policy and no estimates have been made by the Department. However, there will always be an interchangeable medicine available on the PBS which is at the benchmark price so that the consumer can choose to pay no more than the PBS copayment. This has always been an important principle in the PBS reference pricing system.

(9) (a) and (b) No.

(10) Medicines Australia has publicly stated that patient premiums may rise as a result of this policy. Some industry representatives believe consumers will pay more as a result of the measure, with recent media reports also making this claim. Other industry representatives believe the premiums will remain the same averaging about $2 to $3 and that no more market share will be gained by generics.

(11) This policy will help to reduce the cost of the PBS by reducing the PBS benchmark prices for subsidising purposes. It may encourage consumers to use generic medicines, which are priced at the ‘benchmark’ amount as some manufacturers of the originator brands may apply price premiums or increase their price premiums.

(12) (a) and (b) The Department has done no modelling on whether any generic manufacturers might choose to remove their products from the PBS.

(13) The Department is aware that this policy will have some impact on manufacturers, wholesalers and pharmacies.

Manufacturers - If a manufacturer wishes to list a new brand of a medicine already included on the Pharmaceutical Benefits Scheme (PBS), it will need to offer a 12.5% reduction to the PBS benchmark price.

QUESTIONS ON NOTICE
Pharmacies - The policy will also have an impact on pharmacies as a component of their remuneration from the Australian Government is linked to the prices of PBS medicines.

Wholesalers – The policy will have an impact on wholesalers because the wholesaler margin is linked to the prices of PBS medicines.

(14) (a) The Government is unable to predict the commercial behaviour of manufacturers in relation to listing new drugs or removing drugs from the PBS. If a new medicine is truly innovative and offers better health outcomes then the Government will pay a higher price for this medicine than other existing PBS listed medicines. (b) The Australian Government has no information on the future commercial decisions of manufacturers with regards to PBS listing.

(15) (a) and (b) No.

(16) The Australian Government has consulted on the policy and has received advice on the impact on pharmacies. The Government does not consider there will be any adverse impacts on regional and rural pharmacies as a result of this policy, beyond the reduction in remuneration through mark-ups on price.

(17) No.

(18) The PBS is a demand driven program based on legislated entitlements to cost effective medicines. Savings from this measure are returned to the Australian Government and provide capacity for reallocation to other health priorities. This will not affect the entitlements of Australians to receive PBS subsidised medicines.

**Australian Technical Colleges**

(Question No. 383)

**Senator Allison** asked the Minister representing the Minister for Education, Science and Training, upon notice, on 8 March 2005:

(1) What discussions did the Federal Government have with state and territory governments prior to the announcement of the Australian Technical Colleges (ATC), and prior to the release of a discussion paper on the ATC, dated 13 January 2005.

(2) What was the outcome of these discussions.

(3) Has any agreement been reached with the states over the funding arrangements of the technical colleges.

(4) Will there be any assistance measures for students who cannot afford the fees at a technical college.

(5) What measures will the Government introduce to ensure the best qualified students will have access to the technical colleges.

(6) By the closing date of expressions of interest, which areas had no expression of interest for an ATC.

**Senator Vanstone**—The Minister for Vocational and Technical Education on behalf of the Minister for Education, Science and Training has provided the following answer to the honourable senator’s question:

(1) Prior to the announcement of the election commitment on Australian Technical Colleges (ATCs) there were no discussions with state and territory governments.

In November 2004, prior to the release of the discussion paper on ATCs, the Secretary of the Department of Education, Science and Training, Ms Lisa Paul, wrote to Chief Executive Officers of State and Territory education authorities seeking comments on the operation of the Colleges. A progress report was also provided to the States through the Australian Education Systems Official
Questions on Notice

Committee on 5 November 2004 and there have been discussions between Commonwealth and State/Territory officials clarifying existing arrangements for schools.

(2) States have indicated in-principle support for ATCs and are continuing to examine the form such support should take.

(3) States have indicated normal eligibility requirements for schools funding will apply to ATCs which will need to be registered as a school in the State/Territory in which they operate by the time they commence providing tuition to students.

As registered schools, Colleges will receive Australian Government funding under the Schools Assistance Act 2004 and should be considered for any recurrent funding provided by the States/Territories. This funding would be in addition to the targeted funding that will be allocated to Colleges through the Australian Technical Colleges legislation.

(4) and (5) The setting of fees and student admission policies will be matters for individual ATCs to determine, as they are now for individual schools. The Request for Proposal states that to be eligible for government funding an ATC must be run on a not-for-profit basis. No additional fees (ie fees over and above existing fees levied at the school) can be charged at an existing school that is successful in applying for funding to become an ATC. If a Proposal for ATC funding is based on the intention to establish a new school to operate as an ATC, then the Proposal must justify the level of fees to be charged.

All Proposals must also take account of the impact of the level of fees on ensuring equitable access for students and must include strategies to attract capable and committed students from diverse backgrounds with a clear commitment for trade work. In addition, Proposals must be able to demonstrate their capability in this area by including in their Business Plan, an operating plan which provides information on projected enrolments, selection, transition and support policies.

(6) None. All regions were covered by at least one expression of interest.

Detention Centres
(Question No. 429)

Senator Brown asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 9 March 2005:

With respect to the media release VPS 96.04 by the Minister on 5 July 2004 headed ‘Unauthorised Boat Arrivals: One Child in Detention Centre’ in which the Minister claimed that ‘only one child, whose parents were unauthorised boat arrivals, is in a mainland detention centre’:

(1) (a) How many children, whose parents were unauthorised boat arrivals, are currently residing in a mainland detention centre; (b) how many children are residing in detention centres that are not on the Australian mainland; and (c) what is the maximum time that any such child has been in detention.

(2) (a) How many children are residing in detention centres for which the department has responsibility, whether on the mainland or not, whose parents were not unauthorised boat arrivals; and (b) what is the maximum time that any such child has been in detention.

Senator Vanstone—The answer to the honourable senator’s question is as follows:

(1) (a) As at 16 March 2005, there were no children, whose parents were unauthorised boat arrivals, currently residing in a mainland immigration detention centre.

(b) As at 16 March 2005, there were 10 children residing in the Christmas Island Immigration Reception and Processing Centre.

(c) As at 16 March 2005, the maximum time that any such child currently residing in an immigration detention centre had spent in that centre was approximately 20 months (arriving 1 July 2003).
(2) (a) As at 16 March 2005, there were 46 children residing in immigration detention centres whose parents were not unauthorised boat arrivals.

(b) As at 16 March 2005, the maximum time that any such child currently residing in an immigration detention centre had spent in that centre was approximately 34 months (arriving 5 May 2002).

Taxation Administration

(Question No. 434)

Senator Webber asked the Minister for Revenue and Assistant Treasurer, upon notice, on 18 March 2005:

(1) With reference to the Part IVA (Income Tax Assessment Act 1936) Panel meeting held on 27 and 28 May 1999 which resulted in tax avoidance accusations against many of 41 000 taxpayers, some of which were not upheld in court (for example, the Vincent case): Were outside experts Verick, Momsen and Phillips present.

(2) With reference to tax ruling 95/33, which approved round robin loans in some circumstances and which Deputy Commissioner Doherty cited with approval when giving the Golden Vintage private ruling in 1997 and which the Assistant Commissioner Kevin Fitzpatrick disclaimed knowledge of in Economics Legislation Committee hearings on additional estimates on 17 February 2005: was tax ruling 95/33 considered at the Part IVA Panel meeting held on 27 and 28 May 1999.

(3) For each of the years 1992 to 1998: (a) how many applications were received for private rulings on group investment projects in the Australian Taxation Office (ATO) 2002 settlement list; and (b) how many of those applications were given unfavourable rulings by the ATO.

Senator Coonan—As this question deals with matters of taxation administration, I asked the Commissioner of Taxation for advice:

(1) and (2) The record of the meeting has been provided to you in response to your question at the Budget Estimates in 2004.

(3) The request would necessitate an intensive search of manual records dating back over 13 years, much of which predates the current ruling and record system. Given the passage of time it is highly unlikely to provide any meaningful result. Accordingly, the Minister is not prepared to ask the Commissioner to expend the significant resources that would be required to try to address the request.

Child Support Agency and Centrelink: Employee Entitlements

(Question No. 437)

Senator Mason asked the Minister representing the Minister for Human Services, upon notice, on 10 March 2005:

With respect to:

(a) the Child Support Agency, and

(b) Centrelink (the agencies):

(1) For the last calendar or financial year for which the agencies have records:

(a) what is the total number of sick leave days taken by each agency’s employees; and

(b) for that same period, what was the average number of sick leave days taken per full-time equivalent employee of each agency.

(2) Under the agencies’ Certified Agreements or individual contracts, what is the sick leave entitlement allowable to employees of each agency as part of their terms of employment.

(3) Do the agencies monitor and review their employees’ use of sick leave entitlement.
Senator Patterson—The Minister for Human Services has provided the following answer to the honourable senator’s question:

With respect to Centrelink:

(1) (a) For the 2003-04 financial year, the number of days taken for sick leave was 283,882.

(b) The average number of sick days taken was 11.52 days per full-time equivalent employee.

(2) Centrelink’s Certified Agreement and individual Australian Workplace Agreements provide for 20 days personal leave a year which may be accessed for various leave purposes including for sickness. Unused personal leave days in any year accrue and may be granted, in accordance with standard leave provisions, to the employee in subsequent years.

(3) Personal leave (including for sickness) taken by an individual employee is directly monitored and reviewed by the employee’s line manager on an ongoing basis, and in line with agency wide strategies and policies. Overall leave usage levels are considered by the agency’s executive as part of regular performance management, monitoring and review.

Veterans’ Affairs: Employee Entitlements

(Question No. 445)

Senator Mason asked the Minister for Veterans’ Affairs, upon notice, on 10 March 2005:

(1) For the last calendar or financial year for which the department has records: (a) what is the total number of sick leave days taken by the department’s employees; and (b) for that same period, what was the average number of days of sick leave taken per full-time equivalent employee of the department.

(2) Under the department’s Certified Agreement or individual contracts, what is the sick leave entitlement allowable to employees of the department as part of their terms of employment.

(3) Does the department monitor and review its employees’ use of sick leave entitlement.

Senator Hill—The Minister for Veterans’ Affairs has provided the following answer to the honourable senator’s question:

(1) (a) For the calendar year 2004, the department’s employees took 25,696 days of Personal Leave for personal illness (sick leave). This figure includes 1,149 days without pay.

(b) This was an average of 10.3 days per full-time equivalent (FTE) employee. This figure includes 0.5 days without pay.

(2) DVA’s Enterprise Agreements specify the Personal Leave entitlement for all Public Service Act employees. Similar arrangements also apply to full time statutory office holders. Each employee is entitled to, and accumulates, 18 days Personal Leave credits at full pay each year. Personal Leave has a broader definition than sick leave as it also includes leave for carer responsibilities and personal emergencies.

DVA current Enterprise Agreements state in Clause 28.26 that:

“Personal Leave may be granted by the manager in the following circumstances:

i. to attend appointments for health care;

ii. where the employee is ill or injured;

iii. to care for members of their immediate family or household who are ill;

iv. where related to the death of a close friend or family member;

v. for a period of up to 1 week for emergency care purposes and to allow employees to put longer term care arrangements in place;

vi. other emergency reasons considered appropriate; and
vii. single or part day absences may be accessed for the purposes of moving house, urgent care of family or household members for reasons other than illness or attending graduation ceremonies at which the employee is the recipient of the qualification.

Where an employee has used their accumulated entitlement to Personal Leave at full pay, they may be granted Personal Leave Without Pay.

Eligible employees may also be granted war service sick leave while unfit for duty because of war-caused conditions. In 2004, a total of 31.2 days of war service sick leave was granted to DVA employees.

(3) DVA monitors and reviews its employees’ use of Personal Leave entitlement by:

- national quarterly reports on unscheduled absences provided as part of the Balanced Scorecard to the Executive Management Group. Unscheduled absences includes Personal Leave up to 5 days;
- six monthly Workforce Reports provided to the Executive Management Group which includes unscheduled absences;
- various reports on Personal Leave usage and other leave usage provided to the Executive Management Group as appropriate;
- Human Resource areas in each DVA Office have access to these reports and provide information and advice to managers as appropriate; and
- DVA is in the process of developing a Managing Attendance Policy which will provide guidelines to managers on monitoring and reviewing attendance, including Personal Leave.

**Partnerships Against Domestic Violence**

*(Question No. 451)*

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) Is the Government aware that the Australian Domestic and Family Violence Clearinghouse may be forced to close after 30 June 2005, when the Partnerships Against Domestic Violence initiative ceases, if it does not continue to receive Government funding.

(2) Will the Government allocate separate funding to the clearinghouse from 1 July 2005, to ensure that it is able to continue operating: (a) if so (i) how much funding will the Government allocate to the clearinghouse, and (ii) for what period will the Government extend the clearinghouse’s funding; and (b) if not, where does the Government intend to direct the funds previously allocated to the clearinghouse.

(3) (a) Is the Minister aware that, when launching the Partnerships Against Domestic Violence initiative in 1997, the Prime Minister said “the initiative should be seen as a substantial beginning to a new commitment”; (b) in light of the imminent closure of the Partnerships initiative, how does the Government intend to fulfil this commitment.

(4) Why did the Government decide to discontinue funding for Partnerships Against Domestic Violence.

(5) Will Partnerships Against Domestic Violence be replaced by a similar initiative; if so: can details be provided; if not, why not.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) No.

(2) (a) (i) Funding for the Australian Domestic and Family Violence Clearinghouse is from October 1999 to June 2005. Options for future funding will be considered in the Budget context. (ii) Please
refer to answer to (2) (a) (i) (b) The Australian Domestic and Family Violence Clearinghouse is funded through the Partnerships Against Domestic Violence initiative. Funding for this initiative is from October 1999 to 30 June 2005. Options for future funding will be considered in the Budget context.

(3) (a) Yes. (b) Current funding under the Partnerships Against Domestic Violence initiative is from July 2001 to June 2005. Options for future funding will be considered in the Budget context.

(4) Partnerships Against Domestic Violence was a two stage $50 million initiative from 1997 to 2005.

(5) Future funding options will be considered in the Budget context.

National Domestic Violence Hotline
(Question No. 452)

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) How many calls on a monthly basis did the Government’s National Domestic Violence Hotline receive in 2004.

(2) How many calls did the hotline receive in January 2005.

(3) How many of the calls received so far by the hotline were: (a) from women; and (b) from children.

(4) What was the main reason (for example, domestic violence, sexual assault, general information, advice) for these callers contacting the hotline.

(5) What information are callers given when they contact the hotline.

(6) In 2004, how many calls to the hotline were referred to existing domestic violence support services for ongoing support.

(7) In January 2005, how many calls to the hotline were referred to existing domestic violence support services for ongoing support.

(8) For what reasons were the remaining calls to the hotline not referred to existing domestic violence support services.

(9) To which supportive organisations were those callers referred, and can a breakdown of the number of referrals per organisation be provided.

(10) How does the hotline determine to which is the most appropriate organisation to refer callers.

(11) Is the Government aware that many callers felt they were referred to an inappropriate organisation, therefore needing to be referred on to a more appropriate organisation, and thus apparently being forced to retell their story of abuse.

(12) How many referrals to existing support services were taken up by callers, and can this be included as a percentage of all referrals.

(13) What reasons, if any, did callers give for not taking up referrals to existing support services.

(14) In the 2003-04 financial year, how much did the Government allocate to domestic violence support services.

(15) For the 2004-05 financial year, what is the Government’s estimated level of funding for domestic violence support services.

(16) Does the Government pay a fee for services for each referral from the hotline; if so, how much does the Government pay per referral.

(17) If the Government does pay a fee to support services for each referral, or provides other additional funding to services to which it refers callers, how is this fee determined, for example, does it aim to cover the cost of a referral to the support service.
Does the Government intend to increase funding to domestic violence support services, given the increased demand for their services generated by the hotline; if not, why not.

What training do hotline staff receive.

What qualifications must hotline staff have to be eligible for employment.

How many men and how many women staff the hotline.

Were specialist sexual assault and family violence services excluded from tendering for the provision of the 1800 Hotline service; if so, why.

How long does the Government expect to operate the hotline.

If this decision is yet to be made, can the Government specify when it expects a final decision to be made on the how long the hotline will operate.

If the hotline is a temporary measure, how will it be phased out.

If the Government intends to operate the hotline on a temporary basis, why did the Government decide against referring callers to existing domestic violence support services.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) From its start in June 2004 until the end of December 2004, the Violence Against Women. Australia Says No helpline, received 38,673 calls.

<table>
<thead>
<tr>
<th>Month</th>
<th>No. of Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>June</td>
<td>16,110</td>
</tr>
<tr>
<td>July</td>
<td>8,599</td>
</tr>
<tr>
<td>August</td>
<td>4,437</td>
</tr>
<tr>
<td>September</td>
<td>3,091</td>
</tr>
<tr>
<td>October</td>
<td>2,724</td>
</tr>
<tr>
<td>November</td>
<td>2,112</td>
</tr>
<tr>
<td>December</td>
<td>1,600</td>
</tr>
<tr>
<td>Total</td>
<td>38,673</td>
</tr>
</tbody>
</table>

(2) The Violence Against Women. Australia Says No helpline received 1,481 calls in January 2005.

(3) (a) The Violence Against Women. Australia Says No helpline has received approximately 75 per cent of its total calls from women. This figure can only be considered indicative, as callers are not required to state their gender.

(b) The Violence Against Women. Australia Says No helpline is confidential and callers are not required to specify their ages.

(4) The main reason that callers have contacted the Violence Against Women. Australia Says No helpline was domestic violence.

(5) Callers are given information according to their needs. The trained telephone counsellors assess callers’ needs and either manage the call themselves or refer the caller to a specialised service for additional support. The range and circumstances of callers is very diverse. The Helpline receives calls from people:

- seeking immediate help;
- wishing to talk through experiences of years past;
- wanting extra copies of the booklet;
- wanting to express solidarity with women experiencing violence;
- concerned about friends and loved ones; and
- looking for advice for perpetrators.
(6) 9,022 referrals were made to existing services through the Violence Against Women. Australia Says No helpline in 2004. This figure cannot be broken down specifically to domestic violence support services.

(7) 259 referrals were made to existing services through the Violence Against Women. Australia Says No helpline in January 2005. This figure cannot be broken down specifically to domestic violence support services.

(8) Reason for not referring calls are not recorded.

(9) Callers to the Violence Against Women. Australia Says No helpline were referred to a very wide range of existing support organisations that were entered on the contractors’ JustLook database. The data on how many were referred to each individual agency is not readily available, and in the case of smaller services in rural and regional areas, providing this information may compromise the confidentiality and safety of those calling the line.

(10) Counsellors at the Violence Against Women. Australia Says No helpline refer callers to the most appropriate service, according to an assessment of the callers’ needs.

(11) No. The Government does not have any evidence to support a claim that many callers were referred to an inappropriate organisation.

(12) Referrals made from the Violence Against Women. Australia Says No helpline are not tracked, for confidentiality reasons.

(13) Referrals made from the Violence Against Women. Australia Says No helpline are not tracked, for confidentiality reasons.

(14) The Australian Government provides extensive funding across a range of initiatives and programmes that directly or indirectly may support domestic violence services including through State/Territory housing and health funding agreements. It is not possible to identify the exact amounts.

(15) The Australian Government provides extensive funding across a range of initiatives and programmes that directly or indirectly may support domestic violence services including through State/Territory housing and health funding agreements. It is not possible to identify the exact amounts.

(16) The Government pays a capped fee to non-government services and specialist domestic violence and sexual assault services for a referral from the Violence Against Women. Australia Says No helpline. It is not a fee for service, as the payment is made in recognition of the potential impact of the referral not the actual delivery of service. The Government pays $100 per referral.

(17) The fee acknowledges the fact that Lifeline referred callers to a particular service. Callers may or may not use this referral.

(18) Ongoing funding for domestic violence services is the responsibility of the State and Territory governments. The Australian Government has provided funding to services per referral generated by the Violence Against Women. Australia Says No helpline.

(19) Counsellors at the Violence Against Women. Australia Says No helpline receive Lifeline Australia training and training specific to counselling callers in relation to domestic violence and sexual assault.

(20) Counsellors at the Violence Against Women. Australia Says No helpline must have completed the Lifeline telephone counselling training and specific training in counselling on domestic violence and sexual assault issues.

(21) Both men and women staff the Violence Against Women. Australia Says No helpline, and callers may request to speak to either. The number of female and male staff will change with shifts in rostering and staff turnover.

QUESTIONS ON NOTICE
(22) Those organisations that offered a nationwide service that had experience addressing the multiplicity of issues that callers may ring about, including financial, alcohol and drug advice, as well as issues of domestic violence and sexual assault, were approached to tender for the provision of the helpline.


(24) While the current contractual arrangements are from 20 May 2004 to 6 June 2005, a final decision is yet to made about how long the Violence Against Women. Australia Says No helpline will run.

(25) Please refer to answer to question (24).

(26) In the context of the Violence Against Women. Australia Says No campaign, a national helpline was required.

**Supported Accommodation Assistance Program**

(Question No. 453)

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) Can the Government confirm that the Supported Accommodation Assistance Program (SAAP) funds the majority of the specialised services to which the National Domestic Violence Hotline refers callers.

(2) Can the Government confirm that women, children and young people trying to get shelter and assistance from family violence, comprise the majority of clients of SAAP services.

(3) Can the Government confirm that changes to SAAP funding arrangements announced by the Minister in December 2004, will result in significant cuts to SAAP funding; if so: (a) why was this decision made, given the increased demand on SAAP services as a result of the referrals from the hotline; and (b) can details of new funding arrangements be provided, including a breakdown by program.

(4) What other accommodation options are available for victims of violence who are at risk of homelessness if SAAP is unable to assist them.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) No, the National Domestic Violence Hotline refers callers to a range of services, including a number of supported accommodation services, some of which may be funded under SAAP.

(2) No, people seeking SAAP assistance because of family violence made up some 22 per cent of all occasions of support provided by SAAP in 2002-03. SAAP also provided assistance to a large number of people with other different reasons for seeking help such as eviction, ending of previous accommodation, relationship breakdown, financial difficulty and substance abuse.

(3) The claim that the new funding arrangements will result in significant cuts is rejected. (a) The Australian Government offer to all state and territory ministers for SAAP V funding was announced on 17 December 2004. New funding arrangements are currently subject to negotiation with the states and territories and have not yet been finalised.

For SAAP V the Australian Government is offering $931.7 million compared to $833 million in SAAP IV. This is an increase of around $176 million in ongoing funding. Further details of the Australian Government’s offer to states and territories can be found in the Minister’s media release of 17 December 2004.

(b) Refer to 3(a).
(4) Victims of violence who are at risk of homelessness seek housing assistance from a wide range of sources. These include SAAP services, public and community housing, State and Territory government funded homelessness refuges, the private rental market, community organisations and friends and family.

Anti-Domestic-Violence Advertising Campaign

(Question No. 454)

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) Does the Government have any plans to run an anti-domestic violence advertising campaign such as ‘No Respect, No Relationship’, for young people, which aims to prevent violence before it occurs.

(2) How much has the Government spent so far on the ‘Australia Says No’ campaign.

(3) How much did the Government spend on ‘No Respect, No Relationship’ before it decided to go ahead with ‘Australia Says No’, and can an itemised breakdown of costs be provided.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) As part of the commitments in the election 2004 policy statement, Australian Women – Opportunities for Life, the Government stated that it would rerun the Violence Against Women. Australia Says No campaign.

(2) The Government has spent $20,039,580 on the Violence Against Women. Australia Says No campaign.

(3) $2,746,346, as itemised in the table below.

<table>
<thead>
<tr>
<th>CONSULTANT</th>
<th>EXPENDITURE (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grey Worldwide Melbourne</td>
<td>$262,940</td>
</tr>
<tr>
<td>Reamont</td>
<td>$518,000</td>
</tr>
<tr>
<td>Smart Love</td>
<td>$742,500</td>
</tr>
<tr>
<td>Vibe Australia</td>
<td>$174,060</td>
</tr>
<tr>
<td>Gavin Jones Communications</td>
<td>$68,000</td>
</tr>
<tr>
<td>Cultural Partners Australia</td>
<td>$253,500</td>
</tr>
<tr>
<td>Haystac Public Affairs</td>
<td>$474,327</td>
</tr>
<tr>
<td>Elliot and Shanahan</td>
<td>$167,500</td>
</tr>
<tr>
<td>Incidental (various suppliers)</td>
<td>$85,519</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,746,346</td>
</tr>
</tbody>
</table>

Australian Centre for the Study of Sexual Assault

(Question No. 455)

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) Will the Government continue to fund the Australian Centre for the Study of Sexual Assault (ACSSA) after 30 June 2005; if not, why not.

(2) If the Government discontinues funding to ACSSA, will it replace the services ACSSA currently provides to policy-makers and sexual assault services, such as access to research, and advice on sexual assault prevention and good practice in the field; if so, can details be provide; and if not, why not.
(3) Does the Government intend to continue funding each of the other programs and initiatives which come under the National Initiative to Combat Sexual Assault (NICSA), such as the NICSA-funded position at the Australian Institute of Criminology; if so: can the Government provide details, and if not, why not.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) The Australian Centre for the Study of Sexual Assault is contracted to provide services until 30 June 2005. Funding for the Centre is sourced from the National Initiative to Combat Sexual Assault from January 2003 to June 2005. Future Australian Government funding for sexual assault issues will be considered in the Budget context.

(2) Refer to answer to question (1).

(3) The Australian Institute of Criminology is currently obligated under a memorandum of understanding to provide a dedicated sexual assault position. Funding for this position is sourced from the National Initiative to Combat Sexual Assault (NICSA) from June 2002 to June 2005. Future Australian Government funding will be considered in the Budget context.

Other programs and initiatives currently funded under NICSA are:
- the Australian Centre for the Study of Sexual Assault – see answers to Questions (1) and (2);
- the Personal Safety Survey – funding has been re-phased into 2005-06 and 2006-07 for the completion of this survey.

Women’s Programs
(Question No. 456)

Senator Stott Despoja asked the Minister Assisting the Prime Minister for Women’s Issues, upon notice, on 14 March 2005:

(1) With reference to the funding of Women’s Development programs in each of the financial years 2003-04 (estimated actual) and 2004-05 (Budget estimate), of $1.5 million per annum, and the forward estimate for the 2005-06 financial year for this program of $500,000, what are the reasons for this decrease.

(2) With reference to the estimated funding in the 2004-05 Budget for the National Approach Against Sexual Assault of $2.17 million in the 2005-06 financial year, down from $12.7 million in the 2003-04 financial year (estimated actual) and $5.1 million in the 2004-05 financial year (Budget estimate), what are the reasons for this decrease.

(3) With reference to the absence in the 2004-05 Budget of forward estimates for the 2005-06 financial year for the National Leadership Initiative and Informed Choices for Women programs, can the Government confirm that these programs will be discontinued after the 2004-05 financial year.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) Additional funding was provided for the Women’s Development Programme for four years from 1 July 2001 to 30 June 2005. Future funding will be considered in the Budget context.

(2) The National Initiative to Combat Sexual Assault (NICSA) is a four-year budget initiative from 2001-02 to 2004-05.

The initiative was initially funded with $16.5 million. An additional $6.7 million was appropriated to NICSA in the 2004-05 Budget for the National Elimination of Violence Campaign (Violence Against Women. Australia Says No). Funding under NICSA has been allocated across 2001-02 to 2004-05 to reflect project needs. There has not been any decrease in funding.

Funding for 2005-06 (and 2006-07) has been rephased from 2003-04 and 2004-05 to meet the contract requirements for the Australian Bureau of Statistics Personal Safety Survey.
(3) Funding for these programs is from 1 July 2001 to 30 June 2005. Options for future funding will be considered in the Budget context.

Women in Detention
(Question No. 468)

Senator Bartlett asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 17 March 2005:

With reference to the 1999 Ayers Report which recommended that pregnant women should not be deported if their safety cannot be assured:

1. How many women have been deported, while pregnant, since the release of the Ayers report.
2. To which countries have these women been returned.
3. Were they deported alone, or with partners/family.
4. How long were these women held in detention.

Senator Vanstone—The answer to the honourable senator’s question is as follows:

1. The Department does not have this information readily available and to collate this information would involve a manual examination of individual files and is an unreasonable diversion of departmental resources.

Under the Immigration Detention Standards which are part of the Detention Services Contract, removees are medically assessed for their fitness to travel before being removed. This includes pregnant detainees.

Airlines also have their own guidelines governing travel approval for pregnant women.

2 to (4) The Department does not have this information readily available and to collate this information would involve a manual examination of individual files and is an unreasonable diversion of departmental resources.

Tasmania: Proposed Pulp Mill
(Question No. 472)

Senator Brown asked the Minister for the Environment and Heritage, upon notice, on 17 March 2005:

With reference to Gunns’ proposed pulp mill at Bell Bay in Tasmania:

1. From January 2002 to date, what communications have there been between the Minister, the Minister’s staff or department and Gunns Ltd relating to the proposed pulp mill, and in each case:
   (a) what was the date of the communication; (b) what was the nature of the communication;
   (c) who was involved in the communication; and (d) what was the purpose and content of the communication.

2. (a) What conditions apply to the Government’s offer of $5 million assistance for the pulp mill; and
   (b) when is the money likely to be made available.

Senator Ian Campbell—The answer to the honourable senator’s question is as follows.

1. As a matter of routine, I as the Minister for the Environment and Heritage, my staff and officers of my Department communicate on a regular basis with proponents, non-government organisations and members of the community regarding proposed developments with likely impacts on the environment. While I would not expect there to be numerous communications in this case, the effort required to answer this question in examining Departmental files and checking with all relevant Departmental staff, staff within my Office, the previous Minister and his staff would involve an unreasonable diversion of resources for my Department.
(2) (a) The Prime Minister announced on 29 June 2004 that the Australian Government was prepared to consider contributing up to $5 million to assist with project costs, conditional upon the feasibility study commissioned by Gunns Limited concluding that an environmental best practice pulp mill is economically viable. (b) No decision has been made as to when this money is likely to be made available.

**Australian Broadcasting Corporation: Complaints**  
(Question No. 475)

Senator Santoro asked the Minister for Communications, Information Technology and the Arts, upon notice, on 17 March 2005:

(1) Has Senator Brown made complaints to state and other Australian Broadcasting Corporation (ABC) offices concerning the ABC’s coverage of: The Greens, Senator Brown and any other issues; if so: (a) how many complaints have been recorded; and (b) where was each complaint directed.

(2) For each complaint, can the following be provided: (a) the date of the complaint; (b) the substance of the complaint; and (c) the means of communication.

(3) In each case, was the complaint resolved; if so, how was it resolved.

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) to (3) The ABC advises that it treats all complaints seriously and confidentially. Therefore, the Corporation is unable to disclose the details of any complaints submitted by Senator Bob Brown or indeed any other audience member. An exception to these privacy provisions is when the complainant makes public their complaint. The ABC may choose in these circumstances to also make public the Corporation’s response.

**Recherche Bay**  
(Question No. 476)

Senator Brown asked the Minister for the Environment and Heritage, upon notice, on 18 March 2005:

With reference to the Minister’s refusal of emergency listing of north-east peninsula of Recherche Bay on the National Heritage List:

(1) Given the published reasons for not placing the north-east peninsula of Recherche Bay on the National Heritage List (see paragraphs 33, 40 and 42), why did the Minister not apply the precautionary principle in making this decision.

(2) Can the Minister confirm that the assessment is based on site-specific information, particularly relating to the French Garden and the observatory site. Were the broad values of the peninsula as a whole investigated; if not, why not.

(3) Can the Minister confirm that these broader values, including the potential for other sites of significance such as additional gardens, will be impacted on and potentially destroyed by the proposed logging.

(4) What action has the Minister taken to obtain the missing information.

Senator Ian Campbell—The answer to the honourable senator’s question is as follows:

(1) Section 324F of the Environment Protection and Biodiversity Conservation Act 1999 specifies the statutory preconditions for including a place on the National Heritage List, as an emergency listing. The preconditions are that I believe that the place is wholly in the Australian jurisdiction, may have one or more National Heritage values; and any of those values is under threat.
(2) My published Statement of Reasons provides information on which the assessment is based and the investigation of the broad values of the peninsula.

(3) My Statement of Reasons makes clear that, whilst I was able to form the belief that the place may have National Heritage values, I also formed the view that these potential values were not under threat, and that if the Tasmanian Government does not apply and enforce protective measures under the Forest Practices Code and the Forest Practices Plan then the threat to these values may need to be reassessed.

(4) The Australian Heritage Council will be seeking information it considers necessary and appropriate to conclude its assessment by 2 June 2005.

Therapeutic Drugs
(Question No. 485)

Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 30 March 2005:

With reference to the approval by the Therapeutic Goods Administration (TGA) of mifepristone (RU486) for use in Australia and the amendment of the Therapeutic Goods Act in 1996 to prevent its importation:

(1) Has mifepristone been manufactured in Australia since 1996.

(2) Has there been any application to the TGA for a licence to manufacture mifepristone and if so, what was the result.

(3) If not, will the Government consider relaxing the 1996 rule preventing its importation.

(4) Does the Government still consider mifepristone suitable for use in Australia: (a) if not, why not; and (b) if so, how is it to be made available.

(5) Is the Government aware that mifepristone has emerged as promising treatment for certain breast cancers, ovarian cancer, meningioma, endometriosis, Cushing’s syndrome, adrenal cancer, glaucoma, uterine fibroid tumours, induction of labour, cervical ripening and contraception. If so, how does the Government intend to make it available for people with these conditions.

(6) What are the guidelines for decision making in cases requiring Ministerial approval.

(7) What procedures has the Government established to ensure that Ministerial decisions are made on the basis of current scientific evidence.

(8) What, if any, other therapeutic drugs require Ministerial approval before they can be imported or registered in Australia.

(9) On what basis is the decision made to require Ministerial approval for the importation of drugs that have been deemed safe and effective.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) No.

(2) The Therapeutic Goods Administration (TGA) has not received either an application to manufacture or to register mifepristone.

(3) The 1996 amendment to the Therapeutic Goods Act 1989 (the Act) does not preclude an application being made to import or apply for product approval for mifepristone as an abortifacient. The amendment states ‘In spite of any other provision of this Act, a person must not, without the written approval of the Minister, import any restricted goods into Australia’. (Section 6AA of the Act). The amendment also states, ‘In spite of any provision of this Division, restricted goods must not be evaluated or registered or listed without the written approval of the Minister.’ (Section 23AA of the
Act). Under the amendments, a written approval shall be laid before each House of Parliament by the Minister within 5 sitting days of it being given. A ‘restricted good’ is defined as medicines (including progesterone antagonists and vaccines against human chorionic gonadotrophin) intended for use in women as abortifacients. Separately, any product intended for use as a human abortifacient requires an import permit under the Customs (Prohibited Imports) Regulations.

(4) (a) The Government has no opinion on the suitability of mifepristone for use in Australia as no data has been submitted to the TGA for a review. (b) For an abortifacient to be marketed in Australia, an application would need to be submitted with supporting data to demonstrate the quality, safety, and effectiveness for the proposed use – the same as for any prescription drug. The Government cannot compel a company to submit an application, nor can it register a product in the absence of an application. In addition, written Ministerial approval is required before a restricted good, such as RU486, may be evaluated for marketing approval. Ministerial approvals, including any conditions must be tabled before each House of Parliament within five days of the approval being given.

(5) The Government is aware that mifepristone can be used as a treatment in some tumours. There have been several instances since June 1996 where mifepristone (RU486) has been used for the treatment of brain tumours and serious endocrine conditions. In these cases, the drug was obtained under the Special Access Scheme arrangements for supply of unregistered drugs for use in life-threatening conditions. Because the RU486 was not being used as an abortifacient, Ministerial approval for importation of the drug was not required. The Special Access Scheme is administered by the TGA.

(6) The Minister for Health and Ageing would receive an application and make a decision based on the material submitted with the application.

(7) See 3 and 4 above. Also, the Minister for Health and Ageing is required under the current legislation to table the decision in the Parliament.

(8) Under amendments made to the Act in 1996, all products defined as ‘restricted goods’ require Ministerial approval for the importation, evaluation and registration.

(9) The decision to require Ministerial approval for the importation of ‘restricted goods’ was made by the Parliament in 1996, through an amendment to the Act.

Gambling
(Question No. 487)

Senator Allison asked the Minister for Family and Community Services, upon notice, on 4 April 2004:

With reference to the ‘National Framework on Problem Gambling 2004-2008’, for each of the key focus areas, objectives and strategies:

(1) What progress has been made.

(2) What is the timeframe for completion.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(1) Implementation of the National Framework on Problem Gambling 2004-2008 is the responsibility of the Ministerial Council on Gambling. The Ministerial Council on Gambling will formally lodge the National Framework on Problem Gambling with the Council of Australian Governments in September 2005. A draft National Framework on Problem Gambling reporting framework has been developed jointly by State and Territory Governments and the Australian Government. The reporting framework was agreed at the April meeting of the Ministerial Council on Gambling, and will report on progress in implementing all of the strategies under each Key Focus Area. My view is that expenditure by jurisdictions to address Key Focus Areas should be reported, however this stipulation was not supported by the State and Territory Ministers.
(2) It is anticipated that the Ministerial Council on Gambling will provide the first National Framework on Problem Gambling progress report to the Council of Australian Governments at the end of 2005.

Gambling
(Question No. 488)

Senator Allison asked the Minister for Family and Community Services, upon notice, on 4 April 2005:

What progress has been made on recommendations 1 to 11 on pages 4 to 6 of the report, Problem Gambling: ATM/EFTPOS Functions and Capabilities (ATM report 25 September 2002), prepared for the department by KPMG Consulting.

Senator Patterson—The answer to the honourable senator’s question is as follows:

The Problem Gambling: ATM/EFTPOS Functions and Capabilities research was commissioned by the Australian Government to build the evidence base to inform responses to problem gambling. The regulation of gambling is a State and Territory Government responsibility and discussions are continuing.

Phishing
(Question No. 506)

Senator Ludwig asked the Minister for Justice and Customs, upon notice, on 11 April 2005:

With reference to ‘phishing’ (the creation of bogus financial sites or purported official messages soliciting banking passwords and account numbers or credit card numbers from internet users, which are then used to plunder the accounts of the internet users): (a) how many reports of phishing scams has the Government received; (b) were these reports made before or after the user had responded to the e-mail; (c) how many people reported that they have suffered losses from this scheme; and (d) how many are estimated to have not reported the crime.

Senator Ellison—The answer to the honourable senator’s question is as follows:

(a) From 1 July 2004 to 31 March 2005, the Australian High Tech Crime Centre received 1449 complaints of phishing.
(b) Both.
(c) Generally victims report losses to their financial institutions. This is a question more appropriately answered by the banking industry.
(d) This is not known.

Unmanned Aerial Vehicle
(Question No. 510)

Senator Ludwig asked the Minister for Justice and Customs, upon notice, on 11 April 2005:

With reference to the trial by the Australian Customs Service of the unmanned aerial vehicle:

(1) At what stage is the trial.
(2) Have any reports of the trial been produced; if so, can copies be provided: if not, when will a report be produced.
(3) (a) How much of the $660,000 trial budget has been expended; and (b) can a breakdown be provided of the budget, including the areas under which money has so far been expended.
(4) Under what project does the trial fall.
Senator Ellison—The answer to the honourable senator’s question is as follows:
(1) The trial has not yet commenced. An Evaluation Team is assessing the responses to the Request for Tender which closed on 14 April 2005.
(2) No. A report will be produced after the trial is concluded by the successful tenderer.
(3) (a) None of the $660,000 has been expended to date. (b) The $660,000 will be expended solely on the trial.
(4) The trial is a stand-alone project. The evaluation of the trial will be used to validate target data from the High Frequency Surface Wave Radar, and other sources, and inform Customs as to how a UAV could be integrated into future concepts of operations.

Treasury: Fraud
(Question No. 517)

Senator Ludwig asked the Minister representing the Treasurer, upon notice, on 11 April 2005:
In each of the financial years 2000-01, 2001-02, 2002-03, 2003-04 and 2004-05 to date, how many cases of fraud against the department have been a result of forged documentation including any of the following: (a) forged drivers’ licence; (b) forged birth certificates; (c) forged Australian citizenship papers; (d) forged passports, either Australian or other nationalities (please specify); and (e) forged marriage certificates, either Australian or other nationalities (please specify).

Senator Minchin—The Treasurer has provided the following answer to the honourable senator’s question:
2000-01 - Nil return and including nil return for (a) to (e)
2001-02 - Nil return and including nil return for (a) to (e)
2002-03 - Nil return and including nil return for (a) to (e)
2003-04 - Nil return and including nil return for (a) to (e)
2004-05 - Nil return and including nil return for (a) to (e)

Finance and Administration: Fraud
(Question No. 521)

Senator Ludwig asked the Minister for Finance and Administration, upon notice, on 11 April 2005:
In each of the financial years 2000-01, 2001-02, 2002-03, 2003-04 and 2004-05 to date, how many cases of fraud against the department have been a result of forged documentation including any of the following: (a) forged drivers’ licences; (b) forged birth certificates; (c) forged Australian citizenship papers; (d) forged passports, either Australian or other nationalities (please specify); and (e) forged marriage certificates, either Australian or other nationalities (please specify).

Senator Minchin—The answer to the honourable senator’s question is as follows:
No cases as prescribed in your question have been recorded in the Department for the financial years stated.

Environment and Heritage: Travel
(Question No. 535)

Senator O’Brien asked the Minister for the Environment and Heritage, upon notice, on 12 April 2005:
For each of the financial years 2002-03, 2003-04 and 2004-05 to date, how many trips were taken by officers of the Minister’s department and agencies to Christmas Island and/or the Cocos (Keeling) Islands, including on how many occasions: (a) officers travelled to the islands through Denpasar, Indonesia; (b) officers travelled from the islands through Denpasar; and (c) the transit through Denpasar consisted of a stopover of: (i) one night, or (ii) more than one night.

Senator Ian Campbell—The answer to the honourable senator’s question is as follows:

2002-03 – Christmas Island – 15; Cocos (Keeling) Islands – 16
(a) nil
(b) nil
(c) not applicable

2003-04 – Christmas Island – 14; Cocos (Keeling) Islands – 23
(a) nil
(b) nil
(c) not applicable

2004-05 to date - Christmas Island – 26; Cocos (Keeling) Islands – 44
(a) nil
(b) nil
(c) not applicable

Note: trip numbers reflected in the answer are flight sectors and represent the number of times officers arrived in each of the destinations. Some of the trips were round trips that included both destinations.

Finance and Administration: Goods and Services
(Question No. 543)

Senator Sherry asked the Minister for Finance and Administration, upon notice, on 13 April 2005:

(1) What is the normal period of payment of accounts from suppliers of goods and services to the department.
(2) How many suppliers have not been paid within the period for payment, and in each case, what was the reason for late payment.

Senator Minchin—The answer to the honourable senator’s question is as follows:

The normal period of payment of accounts from suppliers of goods and services to the Department of Finance and Administration is 30 days from receipt of a correctly rendered invoice.

In the six month period 1 October 2004 to 31 March 2005, the Department of Finance and Administration (Finance) paid 97.13% of invoices based on value within 30 days, which equates to 11,000 invoices paid within 30-days and 472 invoices paid after the 30-day period.

The reasons for the payment of the 472 invoices after the 30-day period are not readily available and would impose an extensive administrative burden on the Department.