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

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

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FORTY-FIRST PARLIAMENT
FIRST SESSION—FOURTH PERIOD

Governor-General

His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commandant 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

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 Nationals—Senator the Hon. Ronald Leslie Doyle Boswell
Deputy Leader of The Nationals—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
Nationals Whip—Senator Julian John James McGauran

Opposition Whips—Senators George Campbell, Linda Jean Kirk and Ruth Stephanie Webber
Australian Democrats Whip—Senator Andrew John Julian Bartlett

Printed by authority of the Senate
### Members of the Senate

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(1) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. John Joseph Herron, resigned.
(2) Chosen by the Parliament of Victoria to fill a casual vacancy vice Hon. Richard Kenneth Robert Alston, resigned.
(3) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

PARTY ABBREVIATIONS
AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Labor Party; FF—Family First Party; LP—Liberal Party of Australia; NATS—The Nationals

Heads of Parliamentary Departments
Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister
Minister for Trade and Deputy Prime Minister
Treasurer
Minister for Transport and Regional Services
Minister for Defence and Leader of the Government in the Senate
Minister for Foreign Affairs
Minister for Health and Ageing and Leader of the House
Attorney-General
Minister for Finance and Administration, Deputy Leader of the Government in the Senate and Vice-President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House
Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs
Minister for Education, Science and Training
Minister for Family and Community Services and Minister Assisting the Prime Minister for Women’s Issues
Minister for Industry, Tourism and Resources
Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service
Minister for Communications, Information Technology and the Arts
Minister for the Environment and Heritage

The Hon. John Winston Howard MP
The Hon. Mark Anthony James Vaile MP
The Hon. Peter Howard Costello MP
The Hon. Warren Errol Truss MP
Senator the Hon. Robert Murray Hill
The Hon. Alexander John Gosse Downer MP
The Hon. Anthony John Abbott MP
The Hon. Philip Maxwell Ruddock MP
Senator the Hon. Nicholas Hugh Minchin
The Hon. Peter John McGauran MP
Senator the Hon. Amanda Eloise Vanstone
The Hon. Dr Brendan John Nelson MP
Senator the Hon. Kay Christine Lesley Patterson
The Hon. Ian Elgin Macfarlane MP
The Hon. Kevin James Andrews MP
Senator the Hon. Helen Lloyd Coonan
Senator the Hon. Ian Gordon Campbell

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

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<td>Senator the Hon. Christopher Martin Ellison</td>
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<tr>
<td>Minister for Fisheries, Forestry and Conservation</td>
<td>Senator the Hon. Ian Douglas Macdonald</td>
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<td>Minister for the Arts and Sport</td>
<td>Senator the Hon. Charles Roderick Kemp</td>
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<tr>
<td>Minister for Human Services</td>
<td>The Hon. Joseph Benedict Hockey MP</td>
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<tr>
<td>Minister for Citizenship and Multicultural Affairs</td>
<td>The Hon. John Kenneth Cobb MP</td>
</tr>
<tr>
<td>Minister for Revenue and Assistant Treasurer</td>
<td>The Hon. Malcolm Thomas Brough MP</td>
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<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td>Minister for Vocational and Technical Education and Minister Assisting the Prime Minister</td>
<td>The Hon. Gary Douglas Hardgrave MP</td>
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<tr>
<td>Minister for Ageing</td>
<td>The Hon. Julie Isabel Bishop MP</td>
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<tr>
<td>Minister for Small Business and Tourism</td>
<td>The Hon. Frances Esther Bailey MP</td>
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<tr>
<td>Minister for Local Government, Territories and Roads</td>
<td>The Hon. James Eric Lloyd MP</td>
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<tr>
<td>Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence</td>
<td>The Hon. De-Anne Margaret Kelly MP</td>
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<td>Minister for Workforce Participation</td>
<td>The Hon. Peter Craig Dutton MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Finance and Administration</td>
<td>The Hon. Dr Sharman Nancy Stone MP</td>
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<td>The Hon. Teresa Gambaro MP</td>
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<td>Parliamentary Secretary (Trade)</td>
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<td>Parliamentary Secretary (Foreign Affairs) and Parliamentary Secretary to the Minister for Immigration and Multicultural and Indigenous Affairs</td>
<td>The Hon. Bruce Fredrick Billson MP</td>
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<td>Parliamentary Secretary to the Prime Minister</td>
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<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon. Christopher John Pearce MP</td>
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<td>Parliamentary Secretary to the Minister for the Environment and Heritage</td>
<td>The Hon. Gregory Andrew Hunt MP</td>
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<td>Parliamentary Secretary (Children and Youth Affairs)</td>
<td>The Hon. Sussan Penelope Ley MP</td>
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<td>Parliamentary Secretary to the Minister for Education, Science and Training</td>
<td>The Hon. Patrick Francis Farmer MP</td>
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<td>Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry</td>
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SHADOW MINISTRY

Leader of the Opposition
The Hon. Kim Christian Beazley MP

Deputy Leader of the Opposition and Shadow Minister for Education, Training, Science and Research
Jennifer Louise Macklin MP

Leader of the Opposition in the Senate, Shadow Minister for Indigenous Affairs and Shadow Minister for Family and Community Services
Senator Christopher Vaughan Evans

Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology
Senator Stephen Michael Conroy

Shadow Minister for Health and Manager of Opposition Business in the House
Julia Eileen Gillard MP

Shadow Treasurer
Wayne Maxwell Swan MP

Shadow Attorney-General
Nicola Louise Roxon MP

Shadow Minister for Industry, Infrastructure and Industrial Relations
Stephen Francis Smith MP

Shadow Minister for Foreign Affairs and Trade and Shadow Minister for International Security
Kevin Michael Rudd MP

Shadow Minister for Defence
Robert Bruce McClelland MP

Shadow Minister for Regional Development
The Hon. Simon Findlay Crean MP

Shadow Minister for Primary Industries, Resources, Forestry and Tourism
Martin John Ferguson MP

Shadow Minister for Environment and Heritage, Shadow Minister for Water and Deputy Manager of Opposition Business in the House
Anthony Norman Albanese MP

Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories
Senator Kim John Carr

Shadow Minister for Public Accountability and Shadow Minister for Human Services
Kelvin John Thomson MP

Shadow Minister for Finance
Lindsay James Tanner MP

Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services
Senator the Hon. Nicholas John Sherry

Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women
Tanya Joan Plibersek MP

Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility
Senator Penelope Ying Yen Wong

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

Shadow Minister for Consumer Affairs and Health Regulation
Laurie 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 Small Business and Competition
Joel Andrew Fitzgibbon MP

Shadow Minister for Transport
Senator Kerry Williams Kelso O’Brien

Shadow Minister for Sport and Recreation
Senator Kate Alexandra Lundy

Shadow Minister for Homeland Security and Security
The Hon. Archibald Ronald Bevis MP

Shadow Minister for Veterans’ Affairs and Shadow Special Minister of State
Alan Peter Griffin MP

Shadow Minister for Defence Industry, Procurement and Personnel
Senator Thomas Mark Bishop

Shadow Minister for Immigration
Anthony Stephen Burke MP

Shadow Minister for Aged Care, Disabilities and Carers
Senator Jan Elizabeth McLucas

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

Shadow Minister for Overseas Aid and Pacific Island Affairs
Robert Charles Grant Sercombe MP

Shadow Parliamentary Secretary for Reconciliation and the Arts
Peter Robert Garrett MP

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

Shadow Parliamentary Secretary for Defence and Veterans’ Affairs
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 Industry, Infrastructure and Industrial Relations
Bernard Fernando Ripoll MP

Shadow Parliamentary Secretary for Immigration
Ann Kathleen Corcoran MP

Shadow Parliamentary Secretary for Treasury
Catherine Fiona King MP

Shadow Parliamentary Secretary for Science and Water
Senator Ursula Mary Stephens

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

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Tuesday, 9 August 2005

The Senate met at 12.30 pm

SENATORS SWORN

His Excellency Major General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross, Governor-General of the Commonwealth of Australia, entered the chamber and, taking his seat on the dais, said:

Honourable senators:

I am present to administer to senators elected to serve in the Senate from 1 July 2005 the oath or affirmation of allegiance, as required by section 42 of the Constitution.

The Clerk—I inform the Senate that on 29 July 2005 the President received a letter from Senator Susan Mary Mackay resigning her place as a senator for the state of Tasmania. Pursuant to the provisions of section 21 of the Constitution, the President notified the Governor of Tasmania of the vacancy in the representation of that state caused by the resignation. I table the relevant documents.

The Clerk produced and laid on the table the certificates of election of senators elected to serve in the Senate for the respective states from 1 July 2005:

New South Wales—William Daniel Heffernan, Steven Patrick Hutchins, Concetta Anna Fierravanti-Wells, John Philip Faulkner, Fiona Joy Nash, Michael George Forshaw

Queensland—Brett John Mason, Jan Elizabeth McLucas, George Henry Brandis, Joseph William Ludwig, Barnaby Thomas Gerard Joyce, Russell Brunell Trood

South Australia—Nicholas Hugh Minchin, Anne McEwen, Annette Hurley, Alan Baird Ferguson, Dana Johanna Wortley, Amanda Eloise Vanstone

Tasmania—Eric Abetz, Kerry Williams Kelso O’Brien, Guy Barnett, Helen Beatrice Polley, Stephen Shane Parry, Christine Anne Milne


Western Australia—Christopher Martin Ellison, Christopher Vaughan Evans, Ian Gordon Campbell, Glenn Sterle, Judith Anne Adams, Rachel Mary Stiewert

The abovenamed senators (with the exception of Senator Vanstone—leave of absence) made and subscribed the oath or affirmation of allegiance.

His Excellency the Governor-General having congratulated senators and retired—

PRESIDENT

Election

Senator HILL (South Australia—Leader of the Government in the Senate) (12.47 pm)—Mr Clerk, I remind the Senate that the time has come when it is necessary for the Senate to choose one of its members to be President. I propose to the Senate for its President Senator Calvert, and I move:

That Senator Calvert take the chair of the Senate as President.

The Clerk—Are there any other nominations?

Senator BROWN (Tasmania) (12.47 pm)—Mr Clerk, I propose to the Senate for its President Senator Nettle, and I move:

That Senator Nettle take the chair of the Senate as President.

I commend Senator Nettle because she will not fail to promote the Senate’s independence as a watchdog on the government. She will consult with all senators and acknowledge the crossbench. Senator Nettle will, perhaps most importantly, protect and preserve the independence of the Senate and the President of the Senate and not allow the Senate to become a rubber stamp or cipher of either the executive in another place or the office of the Prime Minister. I commend Senator Nettle to this high office.
The Clerk—Are there any further nominations? There being two candidates for the presidency, I invite the candidates to address the Senate.

Senator Calvert—I submit myself to the will of the Senate.

Senator Nettle—I submit myself to the will of the Senate.

The Clerk—There being two candidates, the Senate will proceed to a ballot. Before proceeding to a ballot, the bells will be rung for four minutes.

The bells having been rung—

The Clerk—The Senate will now proceed to a ballot. Ballot papers will be distributed to honourable senators, who are requested to write upon the paper the name of the candidate for whom they wish to vote. The clerks will now distribute ballot papers to all honourable senators. The candidates are Senator Calvert and Senator Nettle.

A ballot having been taken—

The Clerk—The result of the ballot is: Senator Calvert, 67 votes; and Senator Nettle, seven votes. Senator Calvert is therefore elected President of the Senate in accordance with the standing orders and will take the chair.

Senator Calvert having been conducted to the dais—

The PRESIDENT (Senator Calvert) (1.05 pm)—Honourable senators, thank you again for according me the immense privilege of being your President. I will endeavour to undertake the duties of office and particularly to regulate debate in this chamber in a fair and impartial manner, with perhaps a little humour along the way.

Senator HILL (South Australia—Leader of the Government in the Senate) (1.06 pm)—Mr President, I am pleased to have the opportunity to again congratulate you on assuming the role of President of the Senate. In your case we have had the benefit of seeing you in practice, and you have been judged on performance. It is good to see that you received such a strong vote across the chamber, and I take that as a cross-chamber expression of support for the way in which you have carried out your office. Your office is obviously an important one, not only symbolically but also in practice. The task of chairing the Senate and being its President is not an easy one. Even though the numbers might have changed somewhat, I suspect the task will still be a challenging one. We on this side of the chamber, and obviously others, believe that you have conducted your responsibilities objectively and fairly. We congratulate you on that, and for that you receive our further endorsement.

We believe the personal dignity you have brought to the chamber, recognising the importance of this institution as a critical part of Australian democracy, is something that should also be commended, and it is another reason why we support you today. You also have a governance role in terms of the Department of the Senate and in ensuring that the Senate is served efficiently and well. I know from my experience that you have taken on that task responsibly and carried it out to the standard that we would wish to see.

We thank you for your service in the past. We are pleased to be able to congratulate you, in my case personally, on behalf of the government and on behalf of coalition senators. We wish you well for the future.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (1.08 pm)—Mr President, I want to congratulate you, on behalf of the Labor opposition, on your re-election to the important office of Senate President. It is the case, as is clear from the numbers, that the Labor Party to a person voted for you.
Government senators interjecting—

Senator CHRIS EVANS—Even though it is a secret ballot, I can assure you all the Labor senators voted for you. We may be down on numbers but the old practices remain! We congratulate you because we think it is a very important position, and we also continue to support the practice that the President comes from the government party. We think there are a range of practices, procedures and precedents that have been developed by the Senate over time that have served the Senate and Australian democracy well. This is one of them, and we will continue to argue for the others as well.

Senator Calvert, you as President did justice to the office in your previous term. We do accept that you have acted impartially—despite perhaps paying a little too much attention to Senator Conroy’s and my own contributions to the Senate on occasions! But hopefully we will continue to enjoy a positive relationship and you will continue to bring credit to the office.

I do want to say that of course I think there is a fundamental difference with this term: the President is now responsible for a Senate where there is a government majority. That has not been the practice for a long time and I think that will put extra pressure on the President, as governments inevitably apply that pressure to Presiding Officers. I urge you to resist that and to continue to act with independence and impartiality, but I do accept that the processes will result in greater pressure on the office of the President. We also urge you to continue the process of consultation with non-government senators that has marked the practice in the Senate for a long time—of consulting widely and trying to get agreement where possible—so allowing the smooth functioning of the Senate and allowing all senators to fulfil their obligations to the electorate and the states they represent. We think that has been an important part of the efficient functioning of the Senate and has made for a stronger democracy.

Unfortunately, I think there is an issue I will have to take up with you later today which is of serious concern, and I flag that. But I do want to indicate on this occasion our congratulations, Mr President, and I look forward to your success in the office.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (1.11 pm)—Mr President, I add the congratulations of the Australian Democrats to your re-election as President of this chamber.

Government senators interjecting—

The PRESIDENT—Order!

Senator ALLISON—I join with the Labor Party in asking you to ensure that people do not interrupt when people are speaking in the chamber. We know from experience that you have presided over the chamber with fairness and integrity, and we look forward to more of that. We expect that you will be impartial, and I think you have shown that in the past. But we also ask you to do better, if anything, in consulting with those members of this chamber who are not part of the government. Again, we will take this issue up, along with Labor, a little later today.

It will be a challenge. The next while is not a time that many of us in this chamber have experienced—that is, when the government has the numbers—so your role will be more important than ever before. We ask you to make sure that you consider the views of those in this chamber who are not part of the government, and I am sure you will do that.

Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (1.12 pm)—Mr President, I congratulate you on your newly appointed position and say that the vote you received is indicative of the es-
teem in which you are held in the Senate. It was a magnificent vote from all sides of the Senate, and I look forward to working with you in the coming years. On behalf of my National Party colleagues, we join with other members of the Liberal Party and the Labor Party and other Independent members in congratulating you on your appointment.

Senator BROWN (Tasmania) (1.13 pm)—Mr President, I add my congratulations to you on reassuming the role of President of the Senate. It is a very great duty on your shoulders to carry out your commitment to fairness in the coming years. That will be under close scrutiny and will be called into order if it is a commitment not made.

Let me also say at the outset, Mr President, that the role of President is to be there for all senators, it is to avoid politics from that chair, it is to rule without fear and favour and it is to treat all senators equally. The matter has already been alluded to as regards a rearrangement of question time and allocations this afternoon without consultation—without reference to senators who are involved. Your first process there is more on the foul than the fair. This is early days, but it is our responsibility as senators to defend the office. The challenge for you is to reach the measures that the office requires. I offer you all assistance in achieving that and wish you well in the role.

Senator FIELDING (Victoria) (1.14 pm)—Mr President, on behalf of Family First, I congratulate you on your re-election. I do not know you well, but I know that since the election last year you and your staff have been very helpful, and I am hoping to continue to work with you.

The PRESIDENT (1.15 pm)—I thank party leaders and other honourable senators for their kind words of congratulations on my re-election as President.

As well as your President, I genuinely consider myself to be the servant of the wonderful Australian Senate that a lot of you have just become a part of. I remind all senators that my door is always open to you in regard to any matter relating to the Senate, and in relation to my wider responsibilities for the administration of the parliament.

During the last three years, I have been pleased to be involved in further measures to streamline the administration of the parliament. Notably this has involved the amalgamation of the three joint departments after 90 years of attempts.

But in particular I note my satisfaction at the cooperation between the parliamentary departments to further the public understanding of our democracy and its importance to Australia.

I record my thanks to the Clerk and the other clerks at the table, to the Black Rod, the attendants and the other chamber staff, and to all the other officers of the Senate for their support for me as President since 2002.

The Department of the Senate is perhaps one of the smaller departments in the Commonwealth, but that size is not reflected in the diligence of its staff, the quality of its work and the exceptional support given to all honourable senators.

I also record my warm thanks to the previous Deputy President, Senator John Hogg, and to the panel of temporary chairmen of committees, some of whom have now retired from the Senate.

Much has been said in other places about what this new Senate will or will not bring about. It is not appropriate for me as your President to speculate on this, but I do know, after 18 years in the chamber, that more will be achieved with an attitude of goodwill and cooperation on all sides, which has usually been the hallmark of this place.
Having said that, I want to make a particular point: it is my firm expectation that the courtesies of debate, convention and proper behaviour in this chamber will be adhered to. That applies to all senators. I hope that can be done in a cooperative manner, but if not I make clear now that the chair will not hesitate to act to protect and enforce the standing orders.

There is one other person, outside this chamber, who is important to me today. I refer to my wife, Jill, in the gallery. She has been there to temper my wilder ideas in the past and I am sure she will be a very good sounding board for me in the future. She is always there to remind me of any mistakes I make. I could not do the job without her and I thank her very much for her help. I thank you all again for your confidence in me as your President.

Senator HILL (South Australia—Leader of the Government in the Senate) (1.18 pm)—I wish to inform honourable senators that the Governor-General will be pleased to receive Mr President and such honourable senators as desire to accompany him in the Members Hall immediately.

Sitting suspended from 1.18 pm to 1.45 pm

The PRESIDENT (Senator the Hon. Paul Calvert) took the chair, and read prayers.

The PRESIDENT (1.45 pm)—I have to report that, accompanied by honourable senators, this afternoon I presented myself to the Governor-General as the choice of the Senate as President. The Governor-General congratulated me upon my election and presented me with a commission to administer to senators the oath or affirmation of allegiance. I table the commission.

DEPUTY PRESIDENT AND CHAIRMAN OF COMMITTEES

Senator HILL (South Australia—Leader of the Government in the Senate) (1.46 pm)—I remind the Senate that it should now choose one of its members to be Deputy President and Chair of Committees.

Election

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (1.46 pm)—I propose to the Senate for its Deputy President and Chair of Committees Senator Hogg, and I move:

That Senator Hogg be appointed Deputy President and Chair of Committees.

In support of that nomination can I say that I think Senator Hogg served the parliament very well in the role in the last term and has earned the respect of all senators. I commend his nomination to the Senate.

The PRESIDENT—Are there any further nominations?

Senator BROWN (Tasmania) (1.47 pm)—I propose to the Senate for its Deputy President and Chair of Committees Senator Milne, and I move:

That Senator Milne be appointed Deputy President and Chair of Committees.

Senator Milne has extensive parliamentary experience in Tasmania where she was both in the accord arrangement with the Labor Party and then led the Greens during the period in which the Liberal government was in office. She also has extensive experience in national and international fora including in the International Union for the Conservation of Nature, including in the chair. Mr President, I am informed that the vote we had for your office this afternoon was the first since 1987. I think this will be perhaps the first vote for the Deputy President in nearly a decade. It is a very healthy thing. We have in Senator Milne an extremely accomplished
potential Deputy President and Chair of Committees. I recommend her to the Senate.

Senator Hogg—Mr President, I submit myself to the will of the Senate.

Senator Milne—Mr President, I submit myself to the will of the Senate.

The President—There being two nominations, in accordance with the standing orders a ballot will be held. Before proceeding to ballot, the bells will be rung for four minutes.

The bells having been rung—

The President—Order! The Senate will now proceed to ballot. Ballot papers will be distributed to all honourable senators, who are requested to write upon the paper the name of the candidate for whom they wish to vote. The candidates are Senator Hogg and Senator Milne. I invite Senator George Campbell and Senator Siewert to act as scrutineers.

A ballot having been taken—

The President—The result of the ballot is as follows: Senator Hogg, 70 votes; and Senator Milne, four votes. I declare Senator Hogg elected Deputy President and Chairman of Committees in accordance with the standing orders.

Senator Hogg (Queensland) (2.06 pm)—Firstly, I would like to thank the Senate for its support and the honour conferred upon me again. Secondly, I would like to congratulate you, Mr President, on your re-election. I will continue to work with you in the same manner that I have over the previous term. I would like to thank my colleagues for their support. Last but not least I would like to thank my wife, Sue, and my family for the support they have given me in helping me to perform my duties. Thank you.

Senator Hill (South Australia—Leader of the Government in the Senate) (2.07 pm)—On behalf of the government side, I congratulate Senator Hogg on his election as Deputy President and Chairman of Committees. As will be obvious from the vote, he was supported by the coalition, and that is a recognition—a bit like in your case, Mr President—of our observation of his performance. We believe that Senator Hogg has acted impartially and has carried out his functions in a way that builds on the dignity and the standing of the chamber. It also allows all individual senators to have a fair opportunity to contribute to the processes of this place.

We firstly supported him for those reasons and we secondly supported him in these circumstances because we believe that the practice of electing the President from the government side and the Deputy President from the opposition side has worked well. Practice has shown that it can contribute to the better management of the chamber. I wanted to make that point because some might see this as the first test for the government in the utilisation of its numbers—its new majority in the chamber. In its first test, in demonstrating its desire for this chamber to continue to function in a cooperative way, it voted for a Labor Party representative. When that continues to be in the best interests of the chamber and the functioning of this Senate, that is the way that the government intends to operate.

In making those points, I want to mention what might be described as the particular generosity of the National Party in joining with the Liberals as part of the coalition in making that decision. The tradition was that when the coalition had the numbers in the chamber it took both positions: the Liberals obtained the presidency and the deputy presidency went to the National Party. So I want to put on the public record our thanks to the National Party for their cooperation in that regard. It is again an illustration of the strength of this coalition to ensure that it will
act in the best interests of good government and good Senate practice.

I will make two further points. I congratulate Senator Hogg also on getting the votes of all the Australian Democrats. It is in the spirit of what I was talking about: the parties in this place wanting to cooperate to get the outcome that will best serve the interests of the Senate. Three of the Australian Democrats might reflect on that further.

Finally, in his continuing tasks as Chairman of Committees, I invite Senator Hogg to look again at the functioning of the Senate committee system. In my view it has not worked as well as it could in recent years. That has had something to do with the proliferation of committees that has occurred. The advantage of practice over some years is that you have the opportunity to assess what is working well and what is not working so well. One of the responsibilities of the Chairman of Committees in his oversight of the committee system of this chamber is to make an objective and sensible judgment on those matters and help guide the Senate towards the best outcome of its committee structure and the ability of the Senate to use its committee system to advance the interests of the nation.

Senator Conroy interjecting—

The PRESIDENT—Order! Senator Conroy, you will withdraw that remark. It is unparliamentary and you know it is.

Senator Conroy—I withdraw the remark.

Senator HILL—It did not take long to get an objection from Senator Conroy. With those few words, I again congratulate Senator Hogg and wish him well.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (2.11 pm)—I will go back to the subject matter after that contribution and congratulate Senator Hogg on his election as Deputy President and Chairman of Committees. It is a testament to the work he has done over the last few years that he enjoys the support of senators around the chamber for his diligence, his application and his fairness in doing the job. We were very pleased to nominate and support him again and I am sure he will continue to work constructively for the betterment of the Senate.

I must say that Senator Hill’s suggestion that this is the first test of the government’s commitment to accountability is an interesting one. There are much sternier tests ahead than that. While he might congratulate the National Party, some of us might think that there are other reasons for the National Party not having a candidate that could get the support of the government in this ballot. That might have had more to do with it, but I do not want to go there. Also, I think the government had a fairly bitter experience the last time it decided to support a candidate for the job who was not a nominee of the Australian Labor Party. There is a bit of history to that.

In congratulating Senator Hogg I will say that, while there is a practice and a precedent that the government have chosen to uphold on this occasion, I would urge them to be consistent with that, and that certainly does not fit with their propositions for question time or estimates processes, as flagged by Senator Hill. I also note the warning to us that there is an agenda on the Senate committees, which again has not been discussed with anyone, but I do not think that will fall to Senator Hogg. I think Senator Hogg will find that others who are inside the government will be beavering away on that subject and we will be informed when they have come to a concluded view. I do not want to divert from the main function, which is to congratulate Senator Hogg, wish him well in the job and assure him of the continuing support of Labor senators.
Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (2.14 pm)—I too would like to join with the Leader of the Government in the Senate and the Leader of the Opposition in the Senate in congratulating Senator Hogg. I think he makes a very good back-up for you, Mr President, and he is held in high esteem on both sides of the chamber. In fact, Senator Hill made the observation that the National Party are generous enough not to go for this position, but if it were not for Senator Hogg I think we may have had other views. We support him and we wish him the best.

Opposition senators interjecting—

Senator BOSWELL—Opposition senators are extremely ungracious.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (2.15 pm)—I add my words of congratulation on the election of Senator Hogg. I think he has done his job very well both as Deputy President in this place and as Chairman of Committees. However, I would take issue with your remarks, Senator Hill—the snide assumptions you have made to do with the vote that we just had. It is a secret ballot in this place and it is not for you to suggest that persons voted one way or the other, because you do not know, just as I do not know. So I suggest that you desist from that approach.

I would also like to raise—and this is nothing to do with Senator Hogg, so perhaps we should leave it for another day—the matter of committees. The reason that they are not working well, according to the government, is that they are exposing what the government is up to. We would like to continue to do that. If I can make a suggestion to the government through you, Mr President, it is that the government should allow the committees to continue to do their very good work in the way that they have been. They have been objective, they have been sensible, and there is no call to suggest otherwise.

Senator BROWN (Tasmania) (2.16 pm)—I congratulate Senator John Hogg as well, and wish him well in the coming period. We are sailing from smooth waters into much more turbulent waters. We may have speculated about that forecast until Senator Hill got to his feet. The statement by Senator Hill that the Democrats should or might reflect on the vote for the President was an extraordinary revelation of a message from the Prime Minister to senators: if you are going to get out of line and not support the government then you are going to be treated differently. That was an extraordinary indication that this government is going to divide the Senate according to who supports it and who does not. At the outset, that shows a government that intends to use this Senate for its purposes and not for the benefit of the Australian people on whose behalf we are elected to debate issues.

Government senators interjecting—

Senator BROWN—The government may not like this, but it is going to get a lot more of it.

The voting trend here has been very clear, but let me say—and this applies to the committee system as well as to the other functions of the Senate—that the Greens will be fearless defenders of the Senate and its right to inquire into the government. You may truncate the powers of the committee system, you may try to close down the committee system, and you may try to pull a blind down on what the government is doing with taxpayers’ money and with the governance of this country, but the Greens—and I am sure our colleagues variously on this side of the chamber—are here to make sure you are held to account.

So, Mr President, there it is. We congratulate you and the Deputy President again. We
look forward to the coming years in this Senate. Above all, we commit ourselves to the Australian people who put us here and give an assurance to those voters that we are here to defend this Senate and its role against the unelected executive in the other place, who quite clearly began their effort to impact on this Senate through the statement that Senator Hill made just a moment ago.

Senator FIELDING (Victoria) (2.19 pm)—I would like to congratulate Senator Hogg on his re-election. He has a good reputation and I am pleased the Senate will continue to benefit from his experience. I look forward to working with him.

The PRESIDENT (2.20 pm)—I also congratulate my Deputy President, who was such a great and loyal supporter of mine over the last three years. Congratulations, John; you have been a great supporter of the Senate and I am sure you will continue in that vein.

Senator HOGG (Queensland) (2.20 pm)—Thank you, Mr President. I would like to thank senators for the comments that were made upon my re-election to office. I intend, as I always have done, to serve the Senate in an impartial way and to do the right thing by senators to ensure that the democratic processes of this place are allowed to continue.

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence in the President’s gallery of an Australian Political Exchange Council delegation from the Republic of Korea. On behalf of all senators, I wish you a warm welcome to Australia and in particular to the Senate.

Honourable senators—Hear, hear!

LONDON TERRORIST ATTACKS

The PRESIDENT (2.21 pm)—On 7 July 2005 several bombs were detonated by terrorists in London, with the specific intent of killing and maiming innocent people as they went about their daily lives. At least 52 people of many creeds, political beliefs and walks of life were killed. More than 700 people were injured. On behalf of all senators, I intend to write to the British High Commissioner expressing the Senate’s profound sympathy for those who died or who were injured on that day, and reiterating our abhorrence of terrorism in all its forms. I ask honourable senators to stand as a mark of respect to those who died.

Honourable senators having stood in their places—

The PRESIDENT—I thank the Senate.

MINISTERIAL ARRANGEMENTS

Senator HILL (South Australia—Leader of the Government in the Senate) (2.22 pm)—by leave—On 3 July 2005 the Prime Minister announced a number of changes to the ministry following the resignation of the Deputy Prime Minister and Minister for Transport and Regional Services, the Hon. John Anderson MP. The swearing-in took place on 6 July 2005. For the information of honourable senators, I table an updated list of the full ministry.

I also take the opportunity to draw the Senate’s attention to the appointment of Senator Sandy Macdonald as Parliamentary Secretary to the Minister for Trade. I congratulate him on that appointment. I also remind the Senate that, after the last election, Senator Ferris was re-elected Government Whip in the Senate and Senator Eggleston was re-elected Deputy Government Whip in the Senate. This arrangement will continue.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (2.23 pm)—by leave—I seek to incorporate in Hansard a list of the revised shadow ministerial representation and parliamentary secretaries for the opposition in both chambers. In doing so, I want to congratulate
Senator Annette Hurley on her appointment as a shadow minister.

Senator Abetz—She is a senator now.

Senator Chris Evans—Now that she is a senator she can join the shadow ministry. Congratulations to her and to Senator Kirk on her appointment as Deputy Whip. I also congratulate Senator Sandy Macdonald on his appointment to the frontbench. We wish him well in that. As I said, I wish to incorporate in Hansard the formal representation arrangements.

The document read as follows—

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<tr>
<th>PORTFOLIO</th>
<th>SHADOW MINISTER</th>
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<td>Leader</td>
<td>Kim Beazley</td>
<td>Senator Chris Evans (Arts)</td>
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<td>Deputy Leader Education, Training, Science and Research</td>
<td>Jenny Macklin</td>
<td>Senator Penny Wong (Education, Training)</td>
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<td>Senator Stephen Conroy</td>
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<td>Anthony Albanese</td>
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<td>Senator Ursula Stephens (Water)</td>
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<td>Robert McClelland</td>
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<td>Senator Chris Evans (Work and Family; Child Care)</td>
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<td>Nicola Roxon</td>
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<td>Kevin Rudd</td>
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<td>Senator Stephen Conroy (Trade)</td>
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<td>Senator Nick Sherry</td>
<td>Joel Fitzgibbon</td>
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<td>Senator Penny Wong (Industrial Relations)</td>
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<td>Treasurer</td>
<td>Wayne Swan</td>
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<td>Lindsay Tanner</td>
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<td>Public Accountability; Human Services</td>
<td>Kelvin Thomson</td>
<td>Senator Chris Evans</td>
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<td>Employment and Workforce Participation; Corporate Governance and Responsibility</td>
<td>Senator Penny Wong</td>
<td>Jenny Macklin (Employment and Workforce Participation)</td>
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<td>Parliamentary Secretaries</td>
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<td>Parliamentary Secretary for Reconciliation and the Arts</td>
<td>Peter Garrett</td>
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<td>Parliamentary Secretary to the Leader of the Opposition</td>
<td>John Murphy</td>
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<td>Parliamentary Secretary for Defence and Veterans Affairs</td>
<td>Graham Edwards</td>
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<td>Parliamentary Secretary for Education</td>
<td>Kirsten Livermore</td>
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Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (2.24 pm)—by leave—At a meeting recently, Senator Julian McGauran was appointed The Nationals Whip in the Senate, Senator Sandy Macdonald was appointed Deputy Leader of The Nationals in the Senate and I was appointed the Leader of The Nationals.

Senator BARTLETT (Queensland) (2.24 pm)—by leave—I inform the Senate of and seek to incorporate in Hansard the revised portfolio allocation of the various Democrat senators. I also indicate that I remain responsible for the whip position for the Democrat Senate team.

The document read as follows—

Australian Democrats Senators Portfolio allocation
(as at 1 July 2005)

Senator Lyn Allison [Leader]
Education (excluding Higher Education)
Health and Ageing
Resources, Energy and Infrastructure
Treasury and Commonwealth-State relations

Senator Andrew Bartlett [Deputy Leader 86 Whip]
Defence and Veterans’ Affairs

Senator BROWN (Tasmania) (2.25 pm)—by leave—I have great pleasure in informing the Senate that Senator Rachel Siewert will be the Australian Greens Whip. I congratulate her on that election.

Senator FIELDING (Victoria) (2.25 pm)—by leave—My party unanimously selected me as the Leader of the Family First Party. I would just like to make the Senate aware of that.

Senator HILL (South Australia—Leader of the Government in the Senate) (2.25 pm)

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<td>Parliamentary Secretary for Environment and Heritage</td>
<td>Jennie George</td>
<td>Senator George Campbell</td>
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<td>Parliamentary Secretary for Industry, Infrastructure and Industrial Relations</td>
<td>Bernie Ripoll</td>
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<td>Parliamentary Secretary for Immigration</td>
<td>Ann Corcoran</td>
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<td>Parliamentary Secretary for Treasury</td>
<td>Catherine King</td>
<td>Senator Linda Kirk</td>
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<td>Parliamentary Secretary for Science and Water</td>
<td>Ursula Stephens</td>
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<td>Parliamentary Secretary for Northern Australia and Indigenous Affairs</td>
<td>Warren Snowdon</td>
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<tr>
<td>Chief Opposition Whip</td>
<td>Roger Price</td>
<td>Senate Whip Senator George Campbell</td>
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<td>Whip in the House of Representatives</td>
<td>Michael Danby</td>
<td>Deputy Whip Senator Linda Kirk</td>
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<td>Whip in the House of Representatives</td>
<td>Jill Hall</td>
<td>Deputy Whip Senator Ruth Webber</td>
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Environment, Agriculture and Animal Welfare
Family and Community Services
Immigration, Multiculturalism and Indigenous Affairs

Senator Andrew Murray
Accountability
Electoral Matters
Taxation, Finance and Corporate Affairs
Workplace Relations

Senator Natasha Stott Despoja
Attorney-Generals [including privacy]
Foreign Affairs
Science, Research and Higher Education
Women, Work and Family

Senator BROWN (Tasmania)—by leave—I have great pleasure in informing the Senate that Senator Rachel Siewert will be the Australian Greens Whip. I congratulate her on that election.

Senator FIELDING (Victoria)—by leave—My party unanimously selected me as the Leader of the Family First Party. I would just like to make the Senate aware of that.

Senator HILL (South Australia—Leader of the Government in the Senate)
pm)—by leave—I inform the Senate that Senator the Hon. Amanda Vanstone, the Minister for Immigration and Multicultural and Indigenous Affairs, will be absent from question time from Tuesday, 9 August 2005 until Thursday, 11 August 2005 inclusive. Senator Vanstone will be absent due to illness. During Senator Vanstone’s absence Senator the Hon. Chris Ellison, the Minister for Justice and Customs, has agreed to take questions on behalf of the portfolio of Immigration and Multicultural and Indigenous Affairs and questions relating to the portfolio of Citizenship and Multicultural Affairs for the Hon. John Cobb.

QUESTION TIME: ALLOCATION OF QUESTIONS

The PRESIDENT—I understand that there has been some disquiet about the order of call for question time today. I remind senators that, under the standing orders, there was no President from midnight last night until I was elected this afternoon. In the past, question time has not usually been held on the same day as the swearing-in and election of the President, but the commencement time on Tuesdays has changed. This means there was little opportunity for consultation today. I am happy to receive written representations from senators about the order of call, just as I am about any other matter relating to procedure. The order of call which has been advised will be the order in which I call senators today.

Senator CHRIS EVANS (Western Australia)—Leader of the Opposition in the Senate) (2.27 pm)—by leave—I move:

That the Senate take note of the statement.

As I indicated earlier, there is a great deal of disquiet amongst non-government senators about the proposition that you circulated this morning. I was advised of it when the whip brought me a copy of a communication from you which sought to greatly reduce the number of questions allocated to opposition parties in this place. We are most concerned about that proposition. There are two issues that I want to raise in taking note of your statement. The first is that there was no consultation, so it is a process question. The second is that you have sought to restrict the accountability to this Senate of the executive by reducing the number of questions asked by non-government senators.

Senator Hill said that the election of the Deputy President was the first test. That is not right. This is the first test. This is a sign that the government wants to use its power, abuse the control of the Senate and reduce the numbers. I know that because the proposition that I received from our whip and which you faxed out this morning bore a striking resemblance to a proposition that Senator Hill sent me yesterday. In fact, it was in exactly the same terms. It is amazing that you and Senator Hill have come to such a considered view independently of each other on this occasion. Senator Hill sent me a fax from his office yesterday in which he proposed exactly the same arrangement, which was to greatly reduce the number of questions available to opposition and non-government senators and to allow for the government to have much more—

Senator Ian Macdonald—Do you believe in proportional representation?

Senator CHRIS EVANS—It is not actually an argument for proportional representation. The proposition does not reflect proportional representation, because what this Senate has for many years accepted is that this is a mechanism of accountability of government. This is a mechanism where the Senate is able to question government. Everyone knows that a dorothy dixer—that is, the government asking the government a question—is not a measure of accountability; it is a farce. We all know it is a farce.
Senator Ian Macdonald—That might have been the case when you were in government. It is not the case now.

Senator Chris Evans—It was a farce when we were in government and it is a farce now. We all know that. There needs to be some capacity for government senators to participate in the process, but there is no question that Senate question time has been a key accountability measure, a key means of holding the executive answerable to the Senate. What we have has happened without consultation. Mr President, I am surprised at you because, as I said in endorsing your election, you have generally operated in a consultative manner. My great fear is that the move to a government majority may influence the way we operate. There was no consultation. There was no phone call and no discussion. In the past, presidents have sought to discuss with minor and opposition parties how we will proceed in the allocation of questions. We discussed it and argued about it, and a resolution was found.

The arrogance of this government is that it has consulted no-one. Senator Hill sent me a fax yesterday. I understand that he did not even bother consulting with the minors; he just sent me a fax. I replied to him this morning and made it clear that it was unacceptable to the Labor Party, that I thought there ought to be consultation with the minors and that the past practice of the Senate ought to continue, where you, Mr President, consult with all senators about the processes that will be adopted by this parliament. That has not occurred. While I accept that you indicated today that you are prepared to talk to us, what you are doing, without consultation, is changing the system. That is not acceptable to us. We do not think that is proper process. We do not think the process is right, and we do not think the outcome is right. It makes government in this country less accountable, and it gives senators in this parliament less ability to hold the government accountable. It is not acceptable. The government is seeking to take advantage of its increased numbers to reduce accountability and to reduce the capacity of non-government senators to ask questions. That is certainly not acceptable to the Labor Party, and I do not think it will be acceptable to most people who are interested in a vibrant democracy.

As I said, the principle on which we have operated under consecutive governments—and governments of both persuasions—is that question time has not been about strict proportionality. Under successive governments, non-government parties have traditionally had more questions. In the mid-nineties, under the previous Labor government we accepted the principle that Senate question time was a key measure of accountability. The principle was conceded that non-government parties got a majority of the questions. What we have here today is a straight grab for power—more for the government and less for non-government parties.

Mr President, I want to put to you that that is not the way that you ought to start off this new Senate. You ought not do the government’s bidding. If Senator Hill sends you a fax that says, ‘These are the new rules,’ you ought not to accept that. Your job is to consult with all parties. I urge you in today’s question time to stick to those established principles. Previous presidents have refused to change the allocation until such time as there has been some agreement. There is a history of the President seeking agreement. What you have done is you have thrown out the precedent and the practice. You have bowed to the Senate leader’s demand that in Senate question time the government get more questions and the minor parties and the Labor Party get fewer questions. You have sought to entrench government control over the Senate. We accept the verdict of the people.
Government senator—It doesn’t sound like it!

Senator CHRIS EVANS—We do. We accept the government has a legitimate representation of a majority in this parliament. That is the voice of the people. I have no difficulty in accepting that, but I will argue, and will continue to argue, that the Senate has a role in holding the executive accountable. We will not stand by and allow the government to undermine that role and reduce the ability of senators to hold the executive to account. That is what this does, Mr President, and you are complicit in that by allowing Senator Hill to dictate what the question time order will be.

This is the first test because this goes to the question about whether or not the government can use their numbers. This is their first test. The government have, without consultation, advised us all that there are new rules. They did not worry about talking to us about it; they did not worry about floating a proposition. They said: ‘This is the new rule, and it’s going to be implemented. You just have to cop it.’ That is not right, Mr President. That is not what your role is in this place. It is not in the interests of the Senate or of democracy. You need to stand up to the bully boys from the government. You need to say that there needs to be proper process and proper consultation.

Senator Ferguson interjecting—

Senator CHRIS EVANS—Senator Ferguson, I am glad to see that you are back from overseas but try to catch up and get with the program. This is about accountability. The Senate has accepted for many years, under successive governments, that Senate question time is about accountability. It has always allowed the non-government parties the greater amount of questioning. It has always allowed for a proper role for the minorities—for them to play a part in this chamber. While senators on the government side might interject and make jibes, that is the first sign of the arrogance and hubris that is already beginning to beset the government.

Senators ought to be very careful because what comes around goes around. As you know, we have been in opposition for many years now, but many senators on the government side have been in opposition. They know how important some of the rules and procedures that we have adopted are to govern accountability and to hold the executive in check. Liberal senators and National Party senators ought to think very carefully when they sign up to the latest bright idea to come out of the leadership group. Fundamentally, that will go to how you perform your role of representing the people of your states.

Mr President, we argue very strongly that you ought to reconsider your position. You ought to uphold the practice and precedent of the Senate. You ought to allow the current question time allocation to continue. You ought to follow that practice until such time as you have done us the courtesy of consulting with all senators—and not just receive your orders from Senator Hill—and proposing any changes that may be required. We accept there needs to be some changes. The changes in the representation of Independents, the increased Green numbers and the reduced Democrat numbers will no doubt have an effect.

I have been waiting for Senator Hill to call for six weeks. I have been waiting by the phone, but there has been no call. I got a fax yesterday that said: ‘These are the new rules. We’ve got the numbers and you’re going to cop it.’ I replied to him this morning, very clearly indicating that it was not acceptable. I have not had any feedback. It does not matter what I say; he is going to go ahead anyway. He has given the President his orders, and that is the way it is going to be. It is not ac-
ceptable to a lot of senators. I do not think it would be acceptable to a lot of Australians. This is a sign of arrogance. This is a sign of a government abusing its power. The government ought to rethink this.

Mr President, I put to you very strongly that taking 130 or so questions off the opposition and minor parties for the rest of this year is not good for democracy, is not good for the parliamentary process and is certainly not good for accountability. This is a misguided move. It is a move by the government to tell you what is good for the government, not what is good for the Senate or what is good for democracy. This is about limiting government accountability. Yesterday, Senator Hill was waxing lyrical about how he would like to have estimates a bit more contained. He did not like questions that actually went to matters of what the government did. He wanted to stick to more fundamental matters, to go back to the good old days when he did not have to answer hard questions. I am sorry, but hard questions are part of the job. You have to front up and be accountable.

The first step was the public discussion about restricting the estimates committee process. Today, he floated the idea that we might get away from the old reference committees. They are a bit of a nuisance as well. We might amalgamate them and we might have some sort of measure that allows the government greater control. There are lots of things about democracy that are a bit of a nuisance to government, but that is actually one of the strengths of our democracy, and we will argue for them fearlessly. So we have a discussion about estimates and reducing their role, we have a proposition about abolishing reference committees and today, on the first day of parliament, it is: ‘These are the new rules: fewer questions from the opposition, more dorothy dixers from the government.’ That is the government’s arrogance in action. This is a government who has got control and wants to use it.

As regards the votes, I accept that we are not going to win many—except when maybe The Nationals get a bit of spine, and I do not expect that to happen very often; I am not holding my breath. I am prepared to lose the votes because that is the will of the people. This Senate represents the democratic decision—I have no problem with that. Every one of us will be accountable. Those of us who have just been re-elected will be accountable and those who are coming up for re-election next time will be accountable. But the proposition that the Senate should start to give up its accountability function, give up its role as a check on government, is not acceptable and ought not be supported by any senator in this place—because hopefully the wheel will turn and you will all get a turn in opposition.

This is a straight attempt to reduce the effectiveness of non-government senators holding the executive to account. It is not acceptable and I urge you, Mr President, to reconsider your participation in that process, because it is a wrong start for you in the new presidency. I accept that you had to wait to be elected, but you sent out a fax this morning without consultation, saying basically that Senator Hill had told you what the new rules were going to be. That is not acceptable. It just so happens that coincidently you came to the same view—

Senator Hill interjecting—

Senator CHRIS EVANS—I do not know what happened, Senator Hill. I am telling you the truth. You sent me a fax, I sent you a reply, there was no further word from you and then the President walks in and says, ‘These are the new rules.’ That is not acceptable, Mr President, and I urge you to reconsider your position, maintain the status quo until senators are treated with due respect
and have this matter discussed. I want to argue with you about the principles you have adopted, but what this does is allow the government to implement a system which provides for less accountability—less of a check on the executive. I urge you, as I have said, to reconsider your position.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (2.41 pm)—I also want to make some remarks about your statement, Mr President. It is not a good start. I am sorry to have to say that to you, but what is essential for the good order of the chamber and the sensible running of this place is for there to be fair and reasonable consultation. I have more reason to complain than my colleague Senator Evans because what we have seen, for perhaps the first time in this place, is a very explicit demonstration of the fact that the government is not interested in those of us on the crossbench. What we had, as I understand it, was a message sent from Senator Hill to the ALP. It was not copied to us and it certainly did not come to us as an original. There was no attempt by Senator Hill or you to contact my office. We have been expecting a discussion about question time for some weeks now. It is not something that had to be dealt with the minute you were elected; it is a matter that could have been discussed much earlier than that.

The government has taken two additional questions a day to itself. What we would argue is that it is time for us to not only consult about that move but look at the usefulness of question time. We suggest that the matter would be better referred to the Senate Procedure Committee, where we could consider things such as removing all questions from government. What is the purpose—and I ask you to respond to this—of government members asking their own ministers for answers to questions that they already know and we already know? Ministers have many other opportunities to say whatever it is that the government wants them to say. It would be perfectly obvious to everybody in this chamber that those questions are not real. They are devised to allow a minister to make an announcement of some sort about whatever it is the government wants to do or is doing.

The government says that question time must change to reflect the new numbers. I know of no rule in this place that says that. As with so many other procedures, it is a matter of negotiation, of talking and of reaching agreement across parties and with individuals. So we suggest that in order to lift the standing of question time in this place we seriously look at removing dorothy dix questions from the government to the government. They do not make any sense and they make a mockery of this place. That is the first reform we would like to see.

The second reform, if we are to have a reasonable go at asking questions of ministers, is that those ministers answer the question that is put to them. You know, Mr President, how difficult it is in this place to get a straight answer to a straight question. In fact, I ask you to consider whether the standing orders need to be changed so that you can remind ministers much earlier than you ever do that they should be answering the question that is put to them. So much time is wasted in this place with politicking and accusations across the chamber that make no sense to the average listener. Most people see that as a waste of time, and that is indeed what it is.

You are suggesting on day one of the resumption of the parliament that there be limited accountability, and we are very worried about that. Again the question about what to do with committees—as if anything needed to be done with them—was put from the government to the opposition and did not involve us. That is despite the fact that we
currently chair two committees and are members of each of the committees. Again there was no consultation and no discussion with us: ‘Let’s just stitch that up between the two major parties.’ I thank the ALP for alerting us to that problem, because it is not reasonable for this end of the chamber to be excluded from such discussions, just as when we have leaders’ and whips’ meetings all members of this chamber can go along to those and leaders are not excluded because they happen not to be the opposition or the government.

There are suggestions that committees would be brought together so that references and legislation committees would be one. That is a great idea for the government, because of course they would presumably chair that one, they would have the numbers on it and we would see an end to the kind of scrutiny that committees have been able to bring to bear on so much of the government’s activity.

We are also alarmed at the government suggesting that there should be major change to the estimates procedures in this place. Estimates work extremely well and they work better when the government is uncomfortable. Obviously that is what the government wants to get rid of. We say: ‘Let estimates do their work.’ It is not reasonable to say that questions in estimates should be solely about the expenditure of moneys. This government makes laws and puts in place a whole lot of measures that have nothing to do with money—in fact they are cost-neutral, as the phrase goes.

Finally—all in two days—there is this other measure of reducing the accountability that is able to be brought to bear on the government from the Senate through question time. It was quite interesting that the message that came to us clearly set out whether it was government, opposition or Senator Fielding as part of the Family First Party, but when it came to the Greens and the Democrats we were lumped together as crossbench. I do not know why you did that, Mr President. The Greens and the Democrats can certainly figure it out. We are happy to talk with one another and reach some arrangement about who will be first on which day, who gets question 7, who gets question 10 and so on. We are mature enough to be able to do that. However, you should have invited us to have that consultation amongst ourselves and then to advise you of the result. But no. No consultation means we are all up in the air: we do not know whose question it is today and whose it will be tomorrow.

The other point I make, although I do not wish to single him out, is that it is the case that you have provided Senator Fielding with a higher level of questions than would be due to him in terms of his numbers in the Senate. As I understand it, he gets two per cent of the questions and he is 1.6 per cent of the chamber. Again, I do not begrudge Senator Fielding that question. However, if you are serious about proportionality then let us be fair about it and make sure that it is accurate. So, Mr President, I suggest that we maintain the status quo for the next couple of days or however long it takes for us to sort this out and for you to properly consult with the crossbench as well as the opposition so that we can proceed in a fair and orderly manner.

Senator BROWN (Tasmania) (2.49 pm)—Thank you, Mr President. What an outrage that within two hours of you being voted into the presidency you act as a cipher for the Prime Minister’s office and the government. As Senator Evans has said, a message comes from Senator Hill—that is, from the Prime Minister’s office—and then you send it on later after the event as if it were a decision of yours. Let me look at your letter, Mr President. You head it with: ‘After careful consideration it will be my intention to
call questions in the following order’. Consideration about what and with whom? With whom did you consult? Apparently the letter I sent you yesterday has been ignored, for a start. It was your job to consult with all the members of this place before bringing in a new formula, which is biased to the government and to Family First. I will tell you why you did not do that, Mr President: because you are acting and are going to act as a cipher for the Prime Minister’s office.

The Prime Minister says he is going to have no hubris about the way in which the Senate is treated. Well, let me tell you this: Prime Minister Howard is not going to put cyanide in the Senate soup—oh, no! What he is going to do is put a few sprinkles of arsenic in the sandwiches, because the intention is a slow death of the Senate powers by the government’s impress. First the fingernails lift a little, then the hair turns grey and then the teeth fall out. That is the goal of this government: to take the teeth out of this Senate.

The problem for the Prime Minister is that we have a very robust Constitution. I am not just talking about the Greens; I am talking about the national Constitution, which makes this chamber equal to the other. We have a robust set of standing orders based on that Constitution. I have no doubt that the government will move on those as best it can, but there are limits. All those movements are going to take the course of a public debate in here and therefore a public debate out there. The public will see this Prime Minister’s and this government’s intention to slowly throttle the Senate. The government wants to do that because it does not want to be under the scrutiny that this Senate gives to this executive, that this chamber gives to the government of the day for the benefit of the Australian people and the voters who put us here.

We will take it on. Let me tell you, sir: the government has a one-seat majority. There is just a five-metre walk from that side of the chamber to this side of the chamber, and there are three years coming up. What is more, the government today has 39 senators good and true but some of them are going to find that being ‘good’ is not being ‘true’ to this government and there are going to be a number of pressures come aboard. It is a very sure and easy trajectory across to here and, when that happens, the backstop is Senator Fielding, given the advantage elevated in the question time arrangements today.

Senator Heffernan—Mr President, on a point of order: I think that Senator Brown is out of order, because he is trying to turn the chamber into a place that competes with Desperate Housewives and gets the ratings up. I do not think anyone but the lonely look at this—

The PRESIDENT—There is no point of order, but I remind Senator Brown of the motion he is speaking to.

Senator BROWN—I thank Senator Bill Heffernan for his rating of the performance. This is a serious matter; these are serious issues. We are flagging that you, Mr President, have done the wrong thing today. You have gone against your own commitment to fairness. I join with the Labor opposition and the Democrats in saying to you, sir, ‘Put that piece of paper aside, go back to the prescription from before and then consult.’ When you do that, we will know you are being an independent President and not a cipher of the prime ministerial office.

Senator HILL (South Australia—Leader of the Government in the Senate) (2.54 pm)—I am almost tempted to ask that further questions be put on notice. You see, what Senator Evans said is that this—

Opposition senators interjecting—

The PRESIDENT—Order! Senators to my left! The leader of the government has a
right to reply to the matter before the chair and I would ask you to remain silent while he does so.

Senator HILL—What Senator Evans said was that ‘this chamber is all about accountability’ and ‘we want the opportunity to question the government’. So they come in here with the opportunity to question the government on the first day and, instead of doing that, we have this stunt. I suppose that this was the stunt we had to have, because—

Opposition senators interjecting—

The PRESIDENT—Order! When the Senate comes to order, we will continue.

Senator HILL—I was saying that I suppose this was the stunt that we had to have, because this is all about theatre. The opposition, because it has broadcasted this in the press for weeks, is determined to show this government to be arrogant in the Senate, and it defines ‘arrogance’ as the government utilising its majority. In other words, the opposition says that as a majority you are not entitled to a majority outcome—in other words, the votes of the Australian people for opposition senators should weigh more heavily than the votes for coalition senators. Is it not a right of the opposition to reflect the vote of the Australian people and to utilise those opportunities within the Senate? This is the second test today. The first test was the vote for Deputy President. The government has the numbers in the Senate and it could have done what it has done in the past—that is, vote for one of its own—but the government decided that it was in the best interests of the Senate that it actually vote for the Australian Labor Party. That is not a sign of arrogance. The second test is question time. The President can determine who he chooses to ask. That comes—

Senator George Campbell interjecting—

The PRESIDENT—Order! Senator George Campbell, come to order.

Senator HILL—The ALP unfortunately does not understand. The President makes the choice as to whom he calls for questions. The order, in calling questions, is at his discretion. The President made the point—totally disregarded by Senator Evans, which I think was an oversight—that the President has only just been elected. The President said that, to help him in his choice in calling senators, he would like to have consultation. So, instead of accepting that graciously, what does the ALP do? It now attacks the President for a lack of consultation even though he has only just been elected. I accept—

Senator George Campbell—What about this morning, when he wasn’t the President?

The PRESIDENT—Senators to my left: if we are going to continue this debate, let us have it in a bit of peace and quiet and let the minister put his point of view.

Senator HILL—Mr President, I accept that you will seek to be fair. You might define ‘fairness’ as reflecting the numbers in the chamber. But, in actual fact, the suggested—

Senator Abetz—That would be a reasonable start!

Senator HILL—It would be a reasonable start, because what is fair to backbench members of the coalition? They are not—according to Senator Evans and, to an even greater extent, Senator Allison—to be accorded the same value as those in Labor or those in the minority parties. We are talking about what is fair.
Senator Allison said, ‘I wouldn’t give them a question at all. They have no rights. What are their rights? This chamber is all about the opposition and the minority. This chamber is not all about the opposition and the minority. This chamber, as we were reminded by Senator Evans today, is about all senators. All senators have rights, all senators accept responsibility to their electors and all senators deserve a fair go. So there should be some acknowledgment, in my humble view, of where the numbers are at question time when the President decides to make his call. The interesting thing is that, if the suggested question time call that was distributed by the President today is unfair on anyone, it is actually unfair on the coalition. The irony is that it is not the coalition complaining of unfairness; it is the opposition and the minority parties who have for years had a bias in their favour and are now arguing that that bias should continue.

Mr President, I have done some sums on what you suggested this morning and, assuming that the Senate will get about 13 questions a day—which is our normal practice; sometimes fewer but about 13 questions a day—the opposition will get six questions, the coalition, which has the majority in the chamber, will get five questions and the minority parties will get two questions. How is that unfair? How can the Labor Party have the gall to stand here today and argue that is an abuse? They do not always get six questions, because they now ask 12. Every question is then followed up by a supplementary or a second question. I do not mind, but the Labor Party cannot have it every way.

**Senator Sherry**—You didn’t ask as many dorothy dixers in opposition.

**Senator HILL**—It is true that we did not ask as many supplementary questions in opposition, but supplementaries have become a matter of form for the Labor Party. One of the reasons is so that they can ask more questions. They have turned six questions into 12 questions, but that is at a cost to other senators who might want to ask a question. Within an hour the Labor Party get more of the action. That is fair enough. But now Senator Conroy is complaining, saying, ‘We want to take two questions a pop, but we also want an extra question as well.’ It should not be difficult for the Senate, within an hour, to get 13 questions a day. That will give the Labor Party what they have had in recent times, which is six questions a day. It would give the government five questions—fewer than the minority and fewer than a party that has significantly fewer senators. On my sums, it also gives the minority parties a fair go—two questions every day. So I am prepared to be judged on this test of arrogance. I believe that anybody—

**Senator Chris Evans**—It is not your decision; it is the President’s.

**Senator HILL**—I am prepared to be judged on it.

**Senator Chris Evans**—Whose decision is it—yours or the President’s?

**Senator HILL**—You are accusing the government of arrogance. You have accused the President of non-consultation, but I do not think you have accused him of arrogance. You have accused the government of arrogance. Anybody who objectively looks at the schedule and sees that the Labor Party actually gets more questions than the coalition will say, ‘If that’s unfair, it is certainly not at a cost to the Labor Party.’ The Labor
Party is treated more than fairly by the suggested question time schedule, as published by the President.

We do accept that this chamber is about accountability—that is the importance of the Senate—and we do believe that the opposition and minority parties are entitled to a fair go. But they are not continually entitled to more than a fair go. There are other responsibilities within the parliamentary process as well. They may be of little consequence to the Labor Party, and they are obviously of no consequence at all to Senator Allison. But they are of consequence to the government. The government has responsibilities as well and the government is entitled to fairness—no more than fairness. I would ask any objective assessor to look at the President’s proposed schedule and argue that it is unfair to the interests of the opposition. It clearly is not and, against that background, I am astonished, as I said, that Senator Evans would have the gall to come in here—Senator Conroy interjecting—

Senator Conroy—All I can say is that the opposition’s questions team must have had a tough morning or something. They obviously could not find a question this morning that was worth asking. They made an assessment that this stunt would be the event of the day, but their problem with this stunt is that they will not convince any objective assessor that what the President has suggested is unfair. If the opposition are going to choose to use their Senate time in this way, that is the decision of the opposition. We actually believe that there is room for reform of Senate practices. We are still committed to a Senate that can meet its full responsibility of holding the government accountable. That is the democratic objective that we accept, but we say that should be done against the background of fairness, and fairness is not just to one side of the chamber but to all sides of the chamber.

DISTINGUISHED VISITORS

The President—Order! I draw the attention of honourable senators to the presence in the President’s Gallery of a parliamentary delegation from the Commission One of the Republic of Indonesia led by the Hon. Theo Sambuaga. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators—Hear, hear!

QUESTION TIME: ALLOCATION OF QUESTIONS

Senator Conroy (Victoria) (3.07 pm)—It was only an hour or two ago, though it does seem longer now, that we had fine words from the President about impartiality, bipartisanship, fairness and equity. Those were the words, yet it has taken less than two hours for the President to be placed in a position where somehow, miraculously, a letter was circulated at 10 o’clock this morning that exactly mirrored the government’s position as put forward yesterday. That is miraculous. There is no question of consultation. The President, whom we are looking forward to hearing speak on this matter, has circulated a proposal. If he were serious, he would have circulated this proposal and would have said, ‘I invite all parties and minors to come and have a discussion about it,’ and at least go through a process before proposing a change.

You still have the opportunity to do that, Mr President. You have the opportunity to show that you are independent. When it comes to votes we expect you to vote with the government, but when it comes to matters of procedure of the Senate we expect you to behave in a presidential, impartial manner—not to do the will of the government. We expect you to seek to bring together the myriad views in the chamber and
seek a resolution. It may be that there is no resolution, but at least you can stand there and say, ‘I tried,’ before letting the government move a motion saying, ‘This is the way it will be.’ But do not do their dirty work for them.

If they want to reduce accountability in this chamber, if they want to stop scrutiny of their government, if they want to strip back Senate committees, if they want to collapse the committee system in this building, then let them do it themselves. Do not do their dirty work for them. Do not hide behind the pretence of a letter sent out. You still have the opportunity when you make the call today when question time commences. You will be tested then, and we will see if you are genuinely interested in bipartisanship, consultation and the views of all those in this chamber—or you can be seen to be nothing more and nothing less than the stool pigeon of the government. That is exactly the case. That is the test for you later today when question time starts.

The PRESIDENT—Order! I ask you to reflect on your language.

Senator CONROY—And we will know whether you are the person you said you were two hours ago when you stood before us and thanked us for our support. We will know whether you are the person you said you were at that moment.

Then there are The Nationals. I watched the 7.30 Report last night, Senator Boswell, and I thought, ‘They are fine sentiments.’ Not all of you may have had a chance to watch Senator Boswell last night. Some of the changes were put to him, and to the credit of Senator Boswell and The Nationals he said, ‘We think the workplace works pretty well now.’ The first vote today is about turning you over, Senator Boswell. Your fine words last night that you think the workplace works pretty well already—

Senator Carr—The doormat!

Senator CONROY—The doormat—roll over on Boswell. It has not taken long for you to roll over on your promise on the 7.30 Report last night.

The PRESIDENT—Order! Senator Conroy, address your remarks through the chair. I also remind you of the matter that we are supposed to be discussing.

Senator CONROY—I accept your admonishment, Mr President. We can see that the arrogance is dripping off the government. We can all see the smirks, and we heard Senator Hill’s mealy-mouthed attempt to defend what he is doing to put you in this position. That is who has really done this. He has put you in this position. You have not sought to place yourself here. We expect the government to steamroller their way through. We expect them to mercilessly pursue their agenda to close off options of scrutiny and to make sure that we cannot check on what is going on. The arrogance of it all! We are seeing it through threats of expulsion to Senator Joyce—and he had not even been sworn in. Senator Joyce had not even been sworn in and we had government members threatening to expel him. We have had the lecture from Senator Minchin about teamwork for The Nationals. And it goes on and on.

Honourable senators interjecting—

Senator CONROY—The President of the Senate is not a member of the government regarding the functions he performs in this chair. That is the truth of the position you were overwhelmingly elected to, Mr President. You said some fine words when you were elected. We are simply asking you to live up to them. How humiliating that Senator Hill exposed the fact that the government is the one that wants this particular outcome. Mr President, I am looking forward to you explaining on any basis of proportional representation how on earth Senator Fielding
gets the allocation he gets. This is not a reflection on Senator Fielding. I doubt that he has been consulted. I doubt he knew anything about it. I suspect the first thing he knew of it was when the fax came through. I understand the government’s motives in this, but I think that it will find, as I did in my dealings with him, that Senator Fielding is a far more substantial character than it is giving him credit for by this tawdry little effort.

However, my question to you, Mr President, is: how do you explain your allocation? It does not even come close to proportionality on any basis. I understand the government’s wish for it. How did you come up with it? What justification do you have for it? Mr President, you still have the opportunity. You can carry through with your invitation for consultation. You can go back to where we have been, carry out the consultation and see if agreement can be reached. If it cannot, it cannot, but you have the opportunity today to make your invitation for consultation meaningful. You cannot invoke a new system and then say, ‘Come and consult with me,’ after you have made your decision. It does not ring true, it does not demonstrate the character that you have demonstrated in the last three years in the chair, and it disappoints me, because I think you are better President than that.

Senator FAULKNER (New South Wales) (3.15 pm)—In my view, Mr President, what we have heard can be summed up as incompetent on your part and inconsistent and arrogant on the government’s part. Mr President, let me first of all talk about your role.

Senator Hill—I raise a point of order, Mr President. That is clearly a reflection on the President and I think it should be withdrawn. I do not mind if he disregards the standing orders and wishes to reflect on everyone else in the place, but after what we heard earlier today about the respect of the opposition for the President, I think Senator Faulkner ought to stay with the standing orders and show that respect.

Senator FAULKNER—This is a debate about your actions, Mr President, and in that context, I believe my comments are both responsible and certainly parliamentary and I ask you to so rule.

The PRESIDENT—There have been quite a few reflections on the chair today, in my opinion. I have let them go because I understand this particular situation about the order of questions is perhaps controversial. I believe they are fair. I do not believe in the case of Senator Fielding that he has got any worse or any better treatment than Senator Harradine had when he was here or Senator Brown. If you are talking about proportionality, I think the list of questions in the way I have put them today is exactly the way it should be. I have ruled on the point of order and I have called Senator Faulkner.

Senator FAULKNER—Why do I say it is incompetent? I say it is incompetent, Mr President, because it fails the test of consultation. The excuse given by you to this chamber was that you were not the President so you could not consult. Members of the government may not know, but, of course, you did cease to be President as of midnight last night. You ceased to be President as of midnight last night until you were elected again by this chamber this afternoon.

Mr President, there have been many weeks in which you could have used your good offices to consult with government, opposition and minor party senators in this chamber. You, as President, chose not to. In my view, that is incompetent. In my view, we would not be in the situation we find ourselves in today, in this debate, if you had exercised a little more discretion and compe-
tence about the way you went about your own duties and responsibilities.

Senator Hill—Mr President, on a point of order: Senator Faulkner is out of order on two counts actually. The first count is that he continues to reflect on the chair. I do not think anybody would dispute that. In fact, he acknowledges himself that he is doing it. The second count is that he says he is entitled to reflect on the chair because this is a debate about the President. It is not a debate about the President.

Senator Conroy—Yes, it is.

Senator Hill—It is about time Senator Conroy read the standing orders for the first time. Senator Faulkner could move a substantive motion but that has not occurred. That is not what this is about. So on two counts he is out of order.

Senator Conroy—That is your interpretation.

Senator Hill—I will put it as my interpretation, which is better than yours. You do not have one. My point of order is that all senators are supposed to comply with the rules. In two instances in the last few moments Senator Faulkner has been out of order. I do not think the President should be abused in this way. I think it is the responsibility of all honourable senators—including all of those on the other side of the chamber, except for Senator Faulkner—to be getting up and saying that this is an abuse. You cannot come in here and abuse the President in this way. After giving speeches earlier saying how the Labor Party respects the office of the presidency, this farce should end and the opposition should be brought to order.

The PRESIDENT—Order! Senator Conroy, would you sit down please? I have not ruled on the point of order.

Senator Conroy—He did not make one!

The PRESIDENT—Are you reflecting on the chair? I called you to order and I have not ruled on Senator Hill’s point of order. Senator Hill has raised the point that Senator Faulkner may be reflecting on the chair. That may be the case and I thank him for his defence, but I am big enough and old enough to look after myself. I would ask Senator Faulkner to continue and bring his remarks to a conclusion so perhaps we might get on with question time.

Senator Faulkner—There are other speakers apparently. Mr President, your office sent to the government whip, opposition whip, Australian Democrats whip, the Greens whip and Senator Fielding, a fax at approximately 10 am this morning outlining your intentions at question time. I assume that you came to this conclusion between midnight and 10 am when you no longer held the office of President of the Senate. That is the only assumption I can make given the statement that you made to the Senate a little earlier today. It was an unsigned fax—and that is fair enough, I think that is appropriate—but with the word President type-
written down the bottom. I am happy to table
the document if senators wish me to. In fact,
I seek leave to table it so any senator that
wishes to can have access to it.

Leave granted.

Senator FAULKNER—Thank you, Mr
President. Reading this document, it is quite
clear, Mr President, that some consideration
had been given by you to the issue of order
of questions at question time. Frankly, I be-
lieve it was given to you before the hours of
midnight and 10 am this morning. I know,
and it has been discussed previously, that
you have given consideration to this matter
at times during previous years that you have
occupied the position of President of the
Senate and you have decided not to progress
with the matter—because it is right. Senator
Hill is right to say that this matter effectively
lies in your hands. You determine the order
of call at question time. It is in your gift to
decide those matters. I believe it would be
appropriate, if such a change is to be made,
that it be made after broad consultation with
senators.

Why do I say that, Mr President, and why
do I say it is inconsistent? If you turn your
mind back to 1994 or 1995, when these mas-
sume changes to the order of questions at
question time came into place, you might
recall that, at that stage, the current opposi-
tion was in government and the current gov-
ernment was in opposition. I well remember
this issue. I was manager of government
business at the time. It was decided then, 11
years ago, that we would make a very sub-
stantial change—agreed around this cham-
ber—to the way question time would work.
It was described at that time by the then op-
oposition, the current government, as very
generous. And what was that change? It was
that 50 per cent of the questions—questions
1, 3, 5 and so on—would be asked by the
opposition. The opposition at the time—the
Liberals; the coalition—thought it was very
generous and very appropriate.

It was an acceptance by all at the time that
the fundamental role of this chamber of re-
view and scrutiny was something that was
pre-eminent in question time. It was accepted
by all. It was accepted by the then govern-
ment, the then opposition, the minor parties
and the Independents who were represented
in the chamber at that time. The then gov-
ernment took a massive backwards step and
changed the order of questions at question
time, accepting that inane Dorothy Dix ques-
tions did not enhance the scrutiny and review
role of this chamber. That is when the reform
came in—and that reform stayed until today
when you, by presidential fiat, without con-
sultation with anyone in this chamber, de-
termined to change it.

That is the history of this matter, and it is,
in my view, one of the very clear reasons that
you should have consulted with all parties in
the chamber, not just the government—not
just being a patsy of the government on these
issues but accepting the fundamental, crucial
role of scrutiny and review that this chamber
has played in the Australian democratic sys-
tem. That is when the Senate is at its best. It
is at its best when it seriously fulfils its ac-
countability role and responsibilities. In my
view, it does that best through its committee
system, particularly through Senate esti-
mates, which I believe is the best account-
ability mechanism we have in this parliament
and, for that matter, is the best accountability
mechanism of any parliament in the Western
world—and I am very disappointed to hear
the ramblings of the Leader of the Govern-
ment in the Senate suggesting that, in some
way, the Senate estimates committee process
is going to be undermined. But, secondary to
that process, question time in the Senate
chamber—when we meet as a Senate—has a
crucial accountability role.
No-one 11 years ago believed that it was appropriate to hear endless, meaningless, boring, useless Dorothy Dix questions asked by then government backbenchers—who happened to be Labor government backbenchers—to then Labor government ministers like me. We all accepted the key accountability role, which is being turned on its head today. That is why I say that this is a matter that is not only inconsistent with previous practice but also a very clear indication of arrogance on the part of this government. That is why this is unacceptable to the opposition. It is totally inconsistent with the way that the coalition parties—the Liberal Party and the National Party—behaved when they were in opposition. But now, in August 2005, there is a change. They have decided that the current opposition parties—and I say ‘parties’ plural; not just the opposition but the opposition and minor parties—are going to have to suffer a different regime than the one that a former government was willing to accept and implement, understanding the way this chamber worked.

Mr President, if I were you, I would go away and have a long, hard think about the way you have handled this—which is totally unsatisfactory. That weak and abysmal excuse that was given, that you were not the President of the Senate, carries no water with me. It is totally unsatisfactory. You were President of this Senate until 12 midnight last night and you should have done a lot better than this.

Senator Kemp (Victoria—Minister for the Arts and Sport) (3.29 pm)—I must say that now I have heard all things: Senator Faulkner standing up and speaking in this debate when he is a member of a political party that, for the first few years that I attended in this chamber, wanted to abolish the Senate. Now we find that the Senate plays an absolutely vital role in our parliamentary system. But if you look back, Senator Faulkner, at the statements of your colleagues and their attitude to the Senate you will find that the Labor Party view was that we should not have a Senate. Senator Faulkner, I also urge you to go back and look at the history of why the Labor Party changed its view in 1994. How kind of the Labor Party, which did not have a majority in this Senate, to give itself 50 per cent of the questions. What a generous gesture that Senator Faulkner made. The reason that those changes were made in 1994 is that they were forced on the Labor Party—an absolutely unwilling Labor Party. They were forced because the Senate would not tolerate the performance of Labor and the gross abuse of question time which Senator Robert Ray and his colleagues indulged in.

I was initially moved by the speech of Senator Conroy about the importance of the Senate and Senate question time and the great Labor Party principles in relation to this. Then I thought to myself: I’m a Victorian; the Labor Party hold the majority in the upper house in Victoria. The Labor Party hold 23 seats in Victoria, in the upper house, and the non-government parties hold 21. I asked myself, in light of the great principles enunciated by Senator Conroy: how do they conduct question time in the upper house in Victoria, given the fact that the Labor Party have a majority? Senator Robert Ray will be interested in this too. The Labor Party in Victoria conduct question time in the upper house and there are 10 questions allowed each day. The government takes five of those questions, the Liberals take four and the Nats get one. That is in an upper house of 44 where the Labor Party hold 23 seats and the non-government parties hold 21 seats.

So much for the principles that Senator Conroy laid down. I ask Senator Conroy and Senator Carr: in view of how strongly Labor feels about this, have you made your views known to your colleagues in Victoria? Have you asked your colleagues in Victoria to rec-
recognise that the government should not have half the questions? In fact, we are being more generous than the Labor Party in the upper house in Victoria. So, Senator Conroy, there is more than a touch of hypocrisy here. As I said, when I first came to this chamber the Labor Party wanted to abolish the Senate. The Labor Party now is getting very precious on question time. However, wherever the Labor Party has the majority in this country, the Labor Party insists on taking at least half the questions. We have seen some examples of hypocrisy; this is one of the low points that I have seen.

Senator ROBERT RAY (Victoria) (3.33 pm)—Senator Kemp’s history is in fact entirely false. I was the author of the current system 11 years ago. It has existed in this chamber for the last 11 years. I was not forced to do it. The major disputation at that time was between the Democrats and other minority groups. But it was also true that the Liberal coalition opposition at the time grumbled about the number of questions they got, we did not have appropriate time limits and the allocation was inconsistent. I suggested at the time that the opposition take question one, three and alternate questions all the way through. That was accepted by the minority parties, accepted by my own party and totally embraced by Senator Hill, the then Leader of the Opposition in the Senate, and the coalition.

I say this especially to new senators: what we have seen today—and we have seen it in this chamber time and again—is that Senator Hill has amnesia about the period from 1990 to 1996. He cannot remember the principles he enunciated as opposition leader. They have all disappeared into the ether. They no longer are extant, as the Americans would say. He says, ‘Forget those; we will operate in a different ethical environment now that we are in government.’ There are two disputes here today: whether the 11-year tradition of the opposition—

Senator Ferguson—How many senators did you have?

Senator ROBERT RAY—I will come to that, Senator Ferguson. But we have had the tradition that the opposition gets every alternate question. That was entrenched in 1994 and has not been challenged until today. It is irrespective of the numbers the opposition has, as it was at the time, in 1994, when you got 50 per cent of the questions for 40 per cent of the representation. To assist Senator Ferguson, let me go back to the Hansard when this issue was raised again by the Democrats and the Greens in 1995. I will elucidate on that. On 24 October 1995 I said:

I think questions in question time should be allocated according to need.

Note that: not according to proportionality but according to need. I went on to say:

I often think that some of the individually inspired questions that come from our side—being the then government—just lack a touch in subtlety.

In other words, dorothy dixers are useless. I translate that for Senator Ferguson. I went on to say:

Therefore, I do not think it is the end of the world to us even if we do not consider proportionality, but have what we might call a fair mix of questions that actually meets the requirement of the Senate to bring the executive to be accountable to the chamber.

That principle I enunciated in 1994 is as true today. You see, it does not matter whether you have a majority of one or 15 in this chamber; accountability is still an integral part of the Senate system. Part of that is giving access for scrutiny of executive actions. Question time happens to be a crucial area in that. That is why it was entrenched in 1994. That is why it was welcomed by four or five senators from that era who remain here to—
day, I do not expect others who were elected post 1990 either to sign up to this or to understand it, but those who were in this chamber in 1994 signed up to it, welcomed it and endorsed it. It had nothing to do with proportionality and nothing to do with a majority.

Senator Abetz—That was after years of abuse.

Senator ROBERT RAY—Time and again today, we have had interjections from across the chamber: ‘We’re the majority now.’ I believe that if you are the majority we will take a few beatings in this chamber, and we should cop them because that is democracy. But even in any beating there are rules and there are historical precedents, and that is what you are overlooking today.

Senator Abetz—Don’t tell Michael Forshaw.

Senator ROBERT RAY—For those of you who have just come into the chamber, you should remember this: you may not be in a majority after the next election. You may be in government, but it needs only three seats to shift, and the punishment that you have put out will probably be put back to you double, and that is not good for democracy and it is not good for this chamber. To get into a PNG payback position on standing orders, you will get into a no-win position for anyone in this chamber or for democracy in this country. So, by all means, get the juggernaut of hubris going if you want to, but, as the leader said today, what goes around comes around in politics, unfortunately. So when you have a majority you take a bit more—of course you do—but you do not take the lot and you do not inhibit what has been agreed in the past, because if you do you will pay a price in the future. That is not good politics. I am appealing not to your ethics or to your morality but just to your commonsense.

The second issue is that these particular provisions have never been in the standing orders as the normal way of protecting the rights in this place, for a very good reason. The Senate representation, especially amongst minority parties, has always shifted, so we have always accorded the President the right to make the adjustments rather than have the ponderous procedure of having to go to the Standing Committee on Procedure and therefore altering procedures time and again. Having left that power with you, Mr President, we therefore expect you, if you are going to make a change, to do it appropriately.

As a Sydney Swans supporter, Mr President, you would understand that it is not right to king-hit someone first and then negotiate afterwards. Unfortunately, that is exactly what you have done today. We are in a very weak negotiating position when you make a pre-emptive strike on this. You did not give notice of what you were going to do today, but implementing it after consultation would have been a much wiser course, in my view. It would not have had the sort of violent reaction that these proposals have had today.

I will summarise. All the current arrangements that are rooted in history were given great consideration at the time. It was not about numbers, it was not about proportionality; it was about the role of this chamber. If you want one example, just listen to Senator Abetz and his interjections today. He has no respect for the chamber and no respect for history. He has all the hubris of a bullyboy who suddenly has a majority behind him, so he toughens up because no scrutiny can ever be applied to him. How pathetic is that?

Mr President, I urge you to reconsider this. I know it is hard, having sent the fax out, but it is really a case that should be negotiated first and then you have to take the
action that you think is absolutely necessary. You should have some consciousness about what happened in the past and why it happened in the past. There were good reasons for this system. They related not to proportionality but to fairness and proper scrutiny.

Senator LUDWIG  (Queensland—Manager of Opposition Business in the Senate) (3.41 pm)—Mr President, it is not too late to stop and reconsider the position that you have put us in. What you have heard today clearly indicates differing views about a consultative process, for the reasons that abound, as to how question time should be conducted, the allocation of questions and the order of questions. There are differences between the government, the opposition and the minor parties. Mr President, clearly you had not heard about those issues before you decided to act in this way.

If you were going to act, the usual process would be to maintain the status quo. That is the tradition in this place: to maintain the status quo, to determine the positions of the major parties, the minor parties and the government, and then act accordingly. If you can reach agreement, more the better. If you cannot reach agreement then at least the consultative process has been gone through in a deliberately fair way. This is about conventions. It is not a rule or a procedure of the Senate; it is a convention. Conventions run deep, and what you have done today is to ignore a deep-running convention of this house. It takes a big person to stand and say, ‘On hearing the debate, I’ll reconsider the position that I’ve put and will go back to the consultative process that should be adopted.’ That is the position.

Mr President, of course the allocation of questions between the parties and the Independents is, on a theoretical basis, at your whim, but I know, the government know, the minor parties know and the opposition know that you are a bigger person than that to deal with it on a whim. In this case, you have put yourself in a position where we are not only talking and arguing about a lack of consultation but also have spilled into an argument about the allocation, the order and other mechanical issues that surround the issue. As well, you have allowed yourself to be put in a position where the government stand up and support the position you have put.

Mr President, I first heard of this issue last night. I had an opportunity today to look at the documents that had been sent—both the fax from the Leader of the Government in the Senate and the reply to that fax from your office. You have allowed people to draw conclusions that may or may not be accurate or correct. You have ensured that those conclusions will be drawn, and you will be drawn into defending the position that you have adopted. All that could have been avoided if you had come into this chamber today and said: ‘I am minded to reconsider the way in which question time is proceeded with and the arguments about the order. But I am not going to change it at this point. I will maintain the status quo until such time as I have had the opportunity to hear from the parties about the various issues.’ Mr President, you have heard today that the issues surround not only the proportionality but also the order of the questions, and the resolution between the minors as to which will get the question, which included hearing from good Senator Fielding as to how his position has come about. Those are the issues that could have been discussed and consulted on, and a resolution perhaps might have come out.

We know that this matter was raised back in 1995 as well. As I understand it, the Procedure Committee came up with a suggestion but it was rejected by this house. It was rejected on the basis that I suspect I am going to argue as well, which is that question
time is the opportunity for the opposition and the minor parties to make the government accountable. It is not so that the opposition and minor parties can hear the government’s alternative policies, supplementarys and ministers’ requested questions, which are probably written by them so that they can run their spin, get off on the front foot and argue whatever they want to argue that day. What you have done in one swipe is give the government, on my calculations, 130 opportunities through the year to provide themselves with questions which they can spin.

To my mind, that is not about ensuring accountability, it is not about ensuring fairness and it is not about ensuring that equity will prevail in this chamber. And that is the conclusion, Mr President, that you allow us to draw from the actions that you have adopted. The actions you have adopted allow one conclusion: Senator Hill has provided you with his view and you have adopted it. You have been persuaded by him—or encouraged, cajoled or whatever—to adopt his view on how questions should be proceeded with. It is a reflection of Senator Hill on you, Mr President, that you have allowed that to occur, because you could have stopped it. You could have said, ‘This is not the way that I am going to run the Senate chamber.’

What we have said and continue to say is that it is clear that if Senator Hill is going to use the opportunity of a majority in this chamber without consultation to change the conventions, attack the rules and then attack the procedures, we will be on our feet arguing against it. We did not expect, Mr President, that you would either wittingly or unwittingly be co-opted into that process as well, because this is a debate that the opposition and the minor parties have to have with the government. Also, we have not heard from the National Party and the other minors as to whether or not they have been consulted by the government or by you, Mr President. By their silence, we now know that the National Party have signed up to the government’s position in ensuring that question time will be as outlined—not by you, Mr President, through your fax, but by the government last night. That is what you have reflected in the chamber today, and they have signed up to that process and that order.

The Liberal backbench might be smirking. They might get an extra question from the minister. The Liberal backbench might be cajoled, pulled down and told, ‘You’ll be right; you will get an extra question.’ They might be able to get up in the media and they might be able to make a point. But you have also ensured that Liberal backbenchers have been co-opted into the government’s executive program. You have not ensured that the Senate as a chamber will continue to operate in the way that it has operated. It has operated in a fair way, in a way that has ensured accountability, and as a house of review.

The other problem that besets us today is the timing of this debate. By that you have ensured, and you have allowed yourself, Mr President, to be co-opted into, the government’s program to have this debate in this way today. You could have said that the government should move a motion in the Senate if the consultative process failed. That way, Mr President, you would have ensured that you would have been able to manage the debate. That debate would have been between the opposition and the government on the substantive matter. The substantive matter is about the lack of consultation that has gone on and the underlying suspicion, whether true or not, of the government’s involvement in that. As I have said, it appears from the record that the government has had a long arm in ensuring the outcome of the debate that we have had today. Whether that was in a clumsy way or in a deliberate way, we are unsure. I suspect it was in a clumsy way, given Senator Hill’s protestations. The
result will be 130 dorothy dixers from the government that we will be required to listen to.

I think that the government has in this instance shown contempt and utter disregard for both the Senate and your good office. This will stand as the start of a slippery slide and the government will push anyone down it that it can unless we remain solid on how we deal with these substantive issues that the government will try on. They have already started the floaters: ‘We might look at estimates. We might look at other matters such as the way committees operate.’ These are the issues we will debate over the next six months. We do not expect or require the President to entertain that debate as well. Mr President, you have an opportunity today to indicate that a consultative process is the best course. You have an opportunity to stand up and say that this is not an appropriate course of action at this time and that it would be best to proceed with question time in the manner that we have had it in the past—in other words, that the status quo should continue. I call on you, Mr President, to take that action.

Senator BOSWELL (Queensland—Leader of The Nationals in the Senate) (3.53 pm)—The Senate and you in particular, Mr President, have been subjected to an attack today such as I have never experienced in 23 years in this parliament. It seems to me that the tactics committee of the Labor Party has met and said: ‘We haven’t got a majority. The people decided the majority should go to the coalition senators. We had better muscle up on them and show them that they are going to have a fight.’ This is the only avenue that they have been able to choose.

Mr President, I believe that you have been totally and openly fair and honest. I cannot think how you could have made a decision when you were not the President. When you were not the President you could not make a decision on what was going to happen today—not until you were elected today. Having been elected today, you could then make the decision. Let me go further. There are a number of new senators in the coalition. Don’t they have a right to ask a question? Don’t they have a right to represent their constituency in this parliament? The number of Labor Party senators is 28. They get five questions. There are 39 coalition senators and they get five questions. I think that is pretty fair. By anyone’s calculation, that is fair. In fact, some would even say it is more than fair. Senator Ludwig said that the National Party are to be condemned by their silence. The National Party were consulted and they agreed 100 per cent with the way the questions were distributed. The National Party were consulted and agreed with—

Senator Ludwig—Who consulted you and when?

Senator BOSWELL—I do not have to tell you the workings of the coalition. Let me tell you this: this matter was discussed in the party room and the decision—

Senator Wong—It was discussed in the party room?

Senator BOSWELL—Yes. It was not a party room decision; it was a discussion in the party room. That was when we were brought into the discussion. Let me say this: today we saw the election of Senator Hogg to the second highest office in this Senate. That was a concession made by the coalition. It was a concession to the better running of this Senate. It was something that the National Party conceded to ensure that the Senate would run better and so that we would not look triumphant. We decided we would concede that and try to bring together both sides of this parliament to make the running of this parliament better. We conceded the position to Senator Hogg.
It has always been the convention that, when the coalition takes government, the Deputy President is a member of the National Party. That was the convention in the Senate until 1983, when the Democrats had the balance of power. That was always the convention. It should have been the convention this time—the National Party should have taken the role of Deputy President. We had the numbers to do it. But we did not take it. We said that, in fairness to the running of the Senate—

Senator Forshaw—How do you know you had the numbers? That’s not what I heard.

Senator BOSWELL—We certainly had the numbers. You can count. Thirty-nine votes is a majority. If we wanted to pursue that majority, we could have done it. But we did not do it. We said we would concede that so that the Senate would run better. But all we get for our concession is abuse—not only abuse of the coalition but also abuse of the President that we have supported today and that you supported too. You supported him and then you continually attacked him for the last two hours.

This is just a stunt that you have brought up. You have continually told the public that the coalition will use their power and not take any notice of the Senate—that they will jackboot over the Senate. What you have done is build this thing up and you have tried to make it your attack today. Concede this: the coalition won a majority. The people gave the coalition a majority. The National Party and the Liberal Party did not give themselves a majority; the people of Australia made that decision. That is the way that the Senate is now in balance. We are not going to abuse that, and that was proven earlier today when Senator Hogg took over as the Deputy President of the Senate. But all we have received for our concession is abuse. I believe that our members and senators have a right to ask questions to represent their constituency and the people who elected them, and we will take it.

Senator FORSHAW (New South Wales) (4.00 pm)—I have some comments in response to Senator Boswell’s remarks. He has let the cat out of the bag. He has actually finally come out and said that they have got 39 senators, they have a majority and they should make the rules. Sure, you got a majority and you are entitled to hold the government of this country. That is why you have 10 ministers and a couple of parliamentary secretaries along the front row in this chamber. But the problem with Senator Boswell’s argument is this: they do not ask questions at question time. Questions are asked by backbench senators of the government, members of the opposition and members of the minor parties. That is the correct calculation you should look at when dealing with the number of questions to be allocated at question time. If Senator Boswell is suggesting that ministers should now be able to ask questions of themselves, maybe Senator Boswell will decide it is about time that he ran for the ministry—but he would not get a vote for that either.

Senator FERGUSON (South Australia) (4.01 pm)—I have listened with interest to the contribution of some of those members opposite and it is fair to say that, in this new state of the parliament, their comments say more about the opposition’s attitude to this chamber than they do about the government’s. Mr President, I go back to your opening remarks when you called for questions during question time. Before you called the Leader of the Opposition, you said what the procedures would be for the asking of questions. If I remember rightly, you invited written comment from any other senators who wished to make comment about the decision that you had made and you invited
them to put a proposition to you. If the opposition and the minor parties had been fair dinkum about wanting to ask questions of this government at that time, they could have let question time go exactly as you, Mr President, had planned for today. The government would have got one more question—perhaps two. Occasionally in the previous parliament the government used to get four questions—most often three, sometimes four—and the opposition could have done that today. They could have provided you with written submissions and there could have been some communication. It would not have disrupted question time as question time had been planned for today. It would not have disrupted the rest of the order of proceedings as it had been put in place for today. They could have taken it on the chin and said, ‘This is what we are going to do today, but we want to try and change it for future question times as the session proceeds up until Christmas.’

I listened with interest to what Senator Boswell said about the issue of the deputy presidency. I think it showed the government’s genuine goodwill. There was total support on this side for Senator Hogg to assume the position of Deputy President. When the Labor Party was in government, goodwill was not always shown to us in opposition. I know there are only three senators opposite who were here when I joined the parliament in 1992—Senator Faulkner, Senator Ray and Senator Sherry—but they may remember what took place in 1990. They may remember that, in fact, the government of the day, with a minority of senators, took both the presidency and the deputy presidency. There was not very much goodwill shown by the Labor Party in 1990. I know my colleague Senator Campbell will remember that well. The opposition put up a candidate for the deputy presidency and the government of the day, now the opposition, voted against it to put one of their own people in that position.

At least there was some precedent for the National Party to have the deputy presidency. Up until today, whenever there has been a majority on this side of the house in previous times, the National Party has always had the deputy presidency. We discussed it at length as a party and felt that, for the future good running of the Senate, we should adopt the procedure we have had for the past 8½ years—that is, the President should be from the government and the opposition should provide the Deputy President and Chairman of Committees. That was done with a great deal of goodwill on this side and a willing concession from the National Party so that we could maintain the precedent that had been set in the past number of years and so that Senator Hogg could become the Deputy President of this place.

In fact, the proposal that was put to this place today was that the government have, at most, five questions in the day.

Senator Conroy—Strip us of two.

Senator FERGUSON—Senator Conroy, you have had your say. If you have some more to contribute, try tomorrow. Senator Forshaw said, ‘But you’ve got 12 people in this place who can’t ask questions.’ That is true. But it still means that there are 27 members of the government, and I cannot remember whether there are 28 or 29 on the other side—

Senator Ian Campbell interjecting—

Senator FERGUSON—There are 28 members on the other side, which means we have almost the same number of people who can ask questions. If we get five, you get five, the Democrats get one and the Greens get one, it means that opposition parties are still getting a majority of the questions and the government only gets five questions. I do not believe that that is a great change com-
pared to the previous situation where we did not have a majority. We have six extra senators in this place. We used to get four questions at times previously, and now we propose that there should be at least five questions from the government.

I have listened to the arguments by those on the other side. I have listened to what Senator Conroy and others have said in trying to claim on the very first day of sittings of this new—

Senator Brown—Mr President, on a point of order: Senator Ferguson is saying, ‘We propose what you have proposed to us.’ Could you elucidate whether you proposed it or whether it is a government proposal?

The PRESIDENT—There is no point of order.

Senator FERGUSON—Thank you, Mr President. In light of some of the abuse that was thrown your way earlier in the day by people, including Senator Brown, and that you let you go, Senator Brown ought to remember, when making his point of order, some of the rulings that you made earlier, in which you allowed him and others a lot of latitude in the way they reflected upon the presidency. I think there are motives behind this motion other than complaining about question time. I heard that the opposition had a tactical meeting last week to consider how they would handle their new position in the minority, with the government having the majority of members in this place. I do not know what they discussed last week but, quite obviously, the plan would have been: ‘We will have a big attack on the first day. We will delay question time. We will get rid of question time so that we can all get up and have a spray at the government and say how arrogant they are.’ All of the things that we have heard circulated by way of the media in the intervening period simply—

Senator Ian Campbell—Stuff up their own first speeches.

Senator FERGUSON—Yes, that is right. They are trying to avoid giving their own people the opportunity to make their first speeches on time at five o’clock. That is one of the clever tactical things they have done. Nobody in their right mind—if you were to present to them the proposition that has been put to the Senate today about the number of questions to be asked by the government, the number of questions to be asked by the opposition and the opportunity for the minor parties to ask one question each day—could say that that is an unfair allocation of question time, having regard to the opportunities to ask questions in this place. What we have heard today is merely a stunt on the part of the opposition and other parties to try to get some publicity for their positions and how they are reacting to the fact that, whether they like it not, the government has the majority of members. If the goodwill that was shown on the issue of the deputy presidency is not appreciated, it is hard to see how that goodwill can translate into a lot of other issues that will come before this chamber. They know they do not have the numbers and they will have to get used to it.

Senator BARTLETT (Queensland) (4.09 pm)—I thought it appropriate to make a brief contribution. Mr President, we are taking note of the statement you made when question time was due to start. Others have made points about consultation and fairness in the distribution of questions. I will not repeat those points, but I want to emphasise a couple of things. This is an important issue not just for the sake of the distribution of questions in question time over the next couple of years. It is an important issue because we are at an important point in the history of the Senate and of our parliament. That is why the contributions by Senators Ray and Faulkner, who have that history—as I ac-
knowledge Senator Ferguson also does—were important.

Mention has been made of the rationale for and what was involved in previous decisions. What happened in previous years, such as in 1994, 1990 and 1981, is not just a debating point. It reminds the Senate that there is continuity in the role that we have in this chamber. One thing that has concerned me in the tenor of the comments of government senators has been the continual, clear mindset that they are, solely and comprehensively, there to be a voice for the government. This is not the house of government; the house of government is the House of Representatives. This is the house of review. This place, the Senate, has a long tradition of senators from all parties—particularly the coalition, which does have that tradition of freedom of thought and an ability to express individual views—differing from the government on key issues. I would suggest that, more so than on Telstra, industrial relations, VSU and some of those individual matters that are getting publicity at the moment, the key issue overarching everything else is maintaining the effectiveness of this Senate and holding the government to account on every single issue—not just the big ones that will get the headlines, but the small ones that will not: the individual bits and pieces and things we scrutinise in committees. That is why this is important. There were the latent threats in the contribution from Senator Hill, such as his comments about narrowing the focus of estimates committees and refocusing and making more efficient the activities of other committees. Senators Boswell and Ferguson said, ‘We could have taken the deputy presidency.’ The deputy presidency and the position of the President are not spoils to be grabbed by the government of the day.

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Watson)—Order! Senator Campbell and Senator Evans! Senator Bartlett has the call.

Senator BARTLETT—Thank you, Mr Acting Deputy President. One precedent we could start afresh on is reducing the amount of interjections and talk across the chamber between the two major parties. It is something we have never managed to achieve, so a break with tradition in that area would be nice.

Positions like those of the President and the Deputy President are not there to just be taken by the government of the day. They are not spoils to be divvied up. That is why this chamber is different. They are there to try to ensure that the Senate operates as effectively as possible as a house of review, which benefits all parties, all senators, the states that we represent and the public. That is why this is an important issue. That is why positions like those of the President and the Deputy President are not just there to be taken, because you can, or generously bestowed upon the opposition for a political purpose. That is why I go back to what occurred in 1990. I was not in this chamber then but I do remember what occurred in 1990, as I had a role as a staffer at that time. I have a recollection of the specific reason—

Senator Ian Campbell—The Democrats voted for Sue West!

Senator BARTLETT—I will get to that, Senator Campbell, because your mate from Western Australia was the one you guys decided to put up, and it was made quite clear that putting forward whoever you like is not just a matter of the spoils of being in government or in opposition—however inappropriate, however inadequate, however incompetent, however biased and however non-independent that person might be. There was a clear indication by a majority of the Senate
that they did not believe that person was appropriate.

We have heard all those words today about this respect for Senator Hogg and for Senator Calvert, and they were genuine words, I presume, because of the people that were put forward rather than it being just a case of, ‘We will accept anybody you bowl up.’ That was the reason behind the decision of 1990, and it was a decision that was, happily, reversed by the Senate when circumstances changed. I am quite happy to point to the example of 1990, which the Democrats were involved in, because it goes to the reasons why these principles and conventions are in place. It is not just because it is the way we have always done it or because we have sorted it out amongst ourselves, stitched it up and divvied up the spoils; it is because of the deeper reason. It is the same reason that is behind the distribution of questions, and it is a deeper reason than just the crunching of numbers at the time.

Senator Ray has a history and experience in this place, and I do recommend that newer senators in particular listen to people like Senator Ray when he talks about the history involved in these things.

**Senator Ian Campbell**—Senator Guillotine!

**Senator BARTLETT**—I note the clear expression of horror from government ministers at the very idea of a guillotine. I am sure we will not see any guillotines put upon the Senate over the next couple of years. I take that interjection as a clear expression that Senator Ian Campbell will in no way support a guillotine, because the government have clearly shown what a disgraceful thing it is.

We have heard about the history of the distribution of questions at question time, and it has been outlined already that when it comes to the number of senators available to ask questions, the government does not have a majority. There are actually 13, when you count the President, who also cannot ask questions, two parliamentary secretaries and 10 ministers. The number of government senators is 26—but it is not a matter of getting out a calculator; as has been said, the rationale behind the principle of the distribution of questions is the fact that this is not a house of government but a house of review. For the Senate to be able to continue to operate effectively in that role, we need to ensure that it is not acceptable to take positions simply because you can, to crunch numbers and bash through any change just because you can or because it suits the government.

I know there are many coalition senators who are genuinely trying to ensure that they take on the extra responsibility they were given by the Australian people at the last election and perform the role of preventing extreme legislation getting through. It is a role that the Democrats have played for a long period of time. You need to think and to recognise that you might be able to get a win on a particular issue from time to time, but if you allow the institution of the Senate to degrade in the meantime then your chances of getting those wins will also degrade over time. The more this chamber becomes just an echo chamber of the House of Representatives, the more it becomes another example of a crude exercise of numerical power rather than a place where there is a genuine attempt to negotiate and consult. More and more, it will become an example of power grasped in the hands of the cabinet and the few who control the cabinet, and that will disempower all of us, including—in some ways particularly—backbenchers, junior ministers and parliamentary secretaries in the governing parties.

As Senator Ray said, it is not simply a matter of appealing to morality or ethics, although I believe most of us do still retain a genuine belief in the broader principle of the
effectiveness of democracy; it is also a matter of long-term self-interest. Politics does tend to operate in a way that focuses on the short term, to the detriment of the public and sometimes to our own detriment. We need to think long term here and recognise that that is why this is a crucial issue. We should not be squabbling about one or two questions but talking about the broader impact if we start off with a lack of consultation and simply railroad a decision that shifts significantly away from the precedents that have been outlined in this debate. They are precedents that were based on the importance of making the Senate effective as a chamber of review.

I will not broaden the debate more comprehensively at this stage, but similar rationales were behind some of the expansion and strengthening of the Senate committee processes that are also under threat. To look again at history, some of the key times when the Senate expanded its ability as a house of review did occur during periods when the government had control of the Senate, and some of them did occur because of key votes by dissident coalition senators who crossed the floor to enable the Senate committee process to work more effectively. I would urge coalition senators, in particular, to continue to pride themselves on having independent thought, differences of opinion, and not having to follow 100 per cent the caucus line. That is a principle that the Democrats have long espoused; indeed, the ability of all Democrat senators to take an individual position on a particular view when it is strongly held is a key part of our founding ethos. There is no issue more strongly held and more important to the Democrats than the effectiveness of democracy, and I would hope that the same principle would apply to all senators, particularly to those coalition senators who do still have that opportunity of an independent vote.

The future effectiveness of the Senate is more important than any other thing, I would argue, and it is important that you consider the requirement to exercise an independent vote rather than allowing it to become another plaything of the government of the day. There are proud precedents in Liberal ranks of crossing the floor on committee issues and on procedural issues, and on enabling individual expressions of views.

**Senator Abetz**—When did the Democrats last cross the floor?

**Senator BARTLETT**—For Senator Abetz’s benefit, the Democrats have consistently enabled the individual expression of views by all our senators, and that is a principle that you should remember from time to time. Your own Senate leader made a reference to it today in the debate about the vote on the President’s position. It is a simple matter of looking to why we are here, and that is to make democracy work as effectively as possible.

There are proud precedents for the coalition in enabling this Senate to work effectively and they are ones that have stayed in place since the changes have been made. That is the other reason why this is so important—in the same way that you can establish positive principles that are continued and built upon into the future, you can also reverse them. Once changes like that are made, they become much more difficult to reverse, and that is the negative side of what we are debating. Some of the Labor senators have made comments along those lines and said that what goes around comes around. That is not the way the Democrats operate, but it does tend to be the way that parliament operates.

The same thing applies to negative precedents—once they are established, the major parties immediately descending into tit-for-tat for decades to come is apparently un-
avoidable. We do not want to go down that path. It is important that we resist as strongly as possible from the outset if there is any signal that that is going to happen. That is why this is an important debate. Suggestions that this is solely a matter of point-scoring, filibusters and the like are missing the significance of this issue.

Senator ABETZ (Tasmania—Special Minister of State) (4.24 pm)—Mr President, I congratulate you on your re-election as President of the Senate—a well deserved vote of endorsement for you. Despite all the words spoken by the Labor Party immediately after your election, the very first opportunity they got they sought to attack you for making what I think was a fairly commonsense decision—that questions ought to be allocated on the basis of representation in the Senate. I would have thought that is not an unfair proposition, especially given what Senator Kemp revealed the Australian Labor Party does in the Victorian upper house. Yet we heard this absolute rubbish from Senator Conroy and Senator Ray, who run the Victorian division of the ALP when they are not in the Supreme Court arguing with Senator Carr. Guess what they do—they allocate questions in the upper house in Victoria on the basis of numerical representation.

I would have thought that was a fair and reasonable thing. But, Mr President, being more than fair and more than reasonable, you said that you would listen to representations on this and that you were willing to take into account the views of senators. One would have thought, you being as gracious as we all know you are, the Labor Party would have said: ‘Fair enough. We might put up with this for a day or two. We will go to the President, put our proposition and hopefully convince him one way or the other.’ But, devoid of any policy positions or any other tactic, what have they done today? Wasted the time of this place to seek to attack you on the basis of a very fair and reasonable decision to allocate questions on the basis of representation.

It is somewhat strange to hear the Australian Labor Party, some of whom made their name wanting to abolish the Senate, now somehow championing the cause of the Senate. Those who spoke in this debate, people like Senator Faulkner and Senator Ray, had their feet under the cabinet table when Prime Minister Keating referred to this chamber collectively as unrepresentative swill. Did they come out and defend the Senate against this vicious attack? They were compliant and weak. They were unprepared to defend the Senate against the onslaught of Prime Minister Keating. Now they are trying to remake themselves in a diminished opposition as somehow being the champions of the Senate.

Senator Ray does not believe in the principle that he enunciated. I think Senator Bartlett was correct—one of those rare occasions—when he pointed to the fact that Senator Ray said, ‘What goes around comes around, and, if you do this, when we’re in power we will repay you with interest,’ or words to that effect. In other words, he was saying: ‘I do not believe in the principle at all. If you move, we will not go back to the principle which we so mightily uphold. We are going to take it even further.’ It is quite obvious that Senator Ray does not believe in the principles of fairness and precedent.

I see Senator Forshaw in the chamber. He is very stoic, very strong and very brave, and I commend him for it. But he must have been gagging when Senator Ray talked about the importance of precedents, fairness and not using the raw numbers to abuse. I simply remind Senator Ray that there is a principle, a precedent, about taking United Nations troops. What did Senator Ray do? Threw the precedent out, threw fairness out and abused the raw power of numbers to forestall Sena-
tor Forshaw from going to New York. It is much of a muchness to us over here as to who goes to New York, but it is very interesting to see Senator Ray come into this place and try to make us believe that he somehow believes in precedent, fairness and the nonabuse of numbers when he has done that to Senator Forshaw. To all new senators I say; do not listen to what Senator Robert Ray says; look at what he does. The carcass of Senator Forshaw is a witness to how Senator Ray behaves when he has the raw numbers to abuse people, even within his own party, against all precedent and all sense of fairness.

Senator Ian Campbell—He is double-dipping.

Senator ABETZ—Senator Campbell interjects—quite disorderly but very correct—saying that here we have Senator Ray double-dipping. There is the suggestion by those opposite that—and we have heard this buzz word used a lot today—the government is somehow being arrogant. I want to make a few points in relation to the numbers in this Senate. The numbers in this Senate did not occur as a result of some central African type coup. It did not happen by some sort of chance. It was delivered to us by the people of Australia on 9 October. Mr President, do you hear those opposite railing against the Labor Party getting a majority in the upper house in Victoria, saying, ‘That is unhealthy for democracy? We should not have that at all’? Or what about Mr Beattie up in Queensland without even an upper house? Do you hear them complaining about that? Do they say, ‘Where is the questioning of the executive?’ I wonder what the balance is in question time in the Queensland parliament—a very interesting question—a Labor Party run by Senator Ludwig’s father.

The Labor Party have one rule for when the coalition is in government and another rule for when they are in government. That is the cant. That is the hypocrisy with what they have been going on with all afternoon. Mr President, you have suggested a course of action which is sensible. It is reasonable. It is fair and, what is more, you have been more than gracious in allowing the minor parties and the Australian Labor Party to come to you with their further suggestions. Nothing could be fairer than that, and still the Australian Labor Party seek to diminish you and, by diminishing you, they diminish the highest office in this place, the presidency.

They have never changed their minds on that side about the abolition of the Senate. Sure, they may have changed a few words in some of their party documents—and no objection from the other side; very interesting, Mr President. They do not deny by way of interjection that if they had their way they would abolish the Senate, and here we are having to listen to them hour after hour suggesting that they are somehow the champions of the Senate.

We do support the role of the Senate. We on this side have always supported the role of the Senate. We do see it as being integral to government and to the appropriate parliamentary process. The people of Australia delivered a verdict which provides a majority to one party in this place. Let me just debunk the nonsense that Senator Ray went on with in relation to what happened in 1994 and the government: the big difference was that the Labor Party government at that stage did not have a majority in the Senate. That was the big difference, so this graciousness that he asserted that the Labor Party came to the Senate with was from a point of the Australian people having delivered a verdict which did not provide them with a majority in this place. The Australian people provided us with a majority in this place, and every single senator should be treated equally in this place. Just because you are a coalition sena-
tor should not disqualify you from being able to ask questions of interest that you may be interested in, that may be of interest to your electorate and that may be of interest to your constituents.

Opposition senators interjecting—

Senator ABETZ—Mr President, isn’t it amazing: as soon as you talk constituents and electorates the Labor Party interject because the concept is so foreign to them. Once they discover their states, once they discover their constituents again, their numbers might in fact increase in this place. But until such time as they do rediscover their states and their electorates, rather than the trade union movement that simply endorses them without reference to what might actually be appealing to the Australian people, the Australian people will continue to support us. We will, in response to that, use the Senate effectively and allow our side of the parliament, our side of the Senate, to ask an appropriate number of questions. That is why we ask you, Mr President, in your reconsideration that you have so graciously offered to the other parties in this place to also consider the position of government senators who have just as much right to question as those on the opposition and those in the minor parties.

Mr President, I personally commend you and I am sure that all those listening in to this debate would say what you have done is fair, reasonable and proper. What is more, you have indicated a preparedness to consider the views of other senators in this place, which is exactly what one would expect from a President of this place. I commend you for the way that you have handled this question.

Senator Conroy—Mr President, I rise on a point of order. I note that you have not had an opportunity to speak in your own debate, Mr President, so I want to indicate on behalf of the Labor Party that if you sought to defend your actions we would give you leave.

The PRESIDENT—That is not a point of order. At the start of this debate over 2½ hours ago, I said I was happy to receive representations from senators about the order of call. But the order of call which has been advised is the order that will happen today.

Senator CHRIS EVANS (Western Australia—Leader of the Opposition in the Senate) (4.36 pm)—Mr President, in closing the debate and speaking very briefly in reply, I urge you to reconsider your position. Essentially, it boils down to whether you make a decision and have consultation afterwards or whether you have consultation and then you make a decision. It is not acceptable to us for you to change the rules, make a decision and then offer to consult afterwards. I want to close the debate on a very important quote from Senator Kemp, who in 1993 urged the Senate:

... that the Government should be prepared to answer more questions in Question Time, that there is too little accountability by this chamber of the Government’s performance, and that the Government needs to have more scrutiny.

I could not have thought of a finer thing to say, Senator Kemp, in closing the debate and I hope that you show some consistency between your earlier position and now. I urge you, Mr President, to take on board the deep concern that has been expressed around this chamber.

Question agreed to.

QUESTIONS WITHOUT NOTICE

Telstra

Senator CONROY (4.37 pm)—My question is to Senator Minchin, unfortunately.

Honourable senators interjecting—

The PRESIDENT—Order! Senator Conroy.
Senator CONROY—Thank you. I hope my time has started again. My question is to Senator Minchin, Minister for Finance and Administration and Minister representing the Treasurer. I refer the minister to recent reports concerning the performance of the new Telstra CEO, Mr Sol Trujillo, during his time at regional telco US West. Was the minister aware of Mr Trujillo’s record of slashing services to rural and regional areas at the time of his appointment? Was the minister also aware that the Colorado Public Utilities Commission levied tens of millions of dollars of fines on Mr Trujillo’s company for failing to provide adequate services to regional areas during his period as CEO? Was the minister also aware that Mr Trujillo’s company was forced into a multimillion dollar settlement of a class action brought by more than 220,000 US West customers over poor service standards in rural and regional America? In light of Mr Trujillo’s colourful record, does the minister stand by his endorsement of the appointment of Mr Trujillo?

Senator MINCHIN—It is regrettably typical of the opposition, and in particular Senator Conroy, that their very first question in this new Senate is nothing more than a base, personal attack on the CEO of Australia’s biggest company, Telstra. That seems to reflect the standard which we have unfortunately become used to from this opposition. The second point I want to make is that, of course, the appointment of the CEO is a matter for the board of Telstra. Naturally, and as we reported during the process of appointment of a replacement for Mr Switkowski, the board, and the chairman in particular, did consult with the ministerial shareholders for Telstra, to wit Senator Coonan and me. That was an appropriate consultation, but in the context that the appointment was always a matter for the board. Throughout that process Mr McGauchie, the chairman, had raised with us Mr Trujillo’s candidacy, among others, and made it clear to us, and to our satisfaction, that he was clearly the best candidate that had been produced by a global search by a professional search firm for the best possible CEO for this most significant and most important Australian company.

Certainly the government has absolutely no doubt that Mr Trujillo is the best-qualified person to lead this company at this critical time. He brings an outstanding record as a change agent in telecommunications and in managing and directing substantial telecommunications operations. I think Australia is very fortunate to have a person of Mr Trujillo’s experience and capacity, and significant international experience and capacity, to lead it at this critical time. What is most unfortunate is that the opposition is seeking to make something of Mr Trujillo’s personality. That is very unfortunate. If you have criticisms of the company, make them; do not attack Mr Trujillo. He is an outstanding Australian. We should be proud and pleased that a significant American businessman of that kind is prepared to come and serve—

Senator Chris Evans—He is not an Australian.

Senator MINCHIN—I did not say that.

Senator Chris Evans—You said, ‘an outstanding Australian’.

Senator MINCHIN—I did not mean that. He is obviously an outstanding American citizen who has come here to work in this Australian company. We are very fortunate to have him replace Mr Switkowski, who led the company so well for so long. The government totally supports the board in its choice of Mr Trujillo, and we expect him to
make a very substantial difference to this company and to ensure that it enters with great skill its new period—which I hope will be sooner rather than later—of not having the government on its share register.

Senator CONROY—Mr President, I ask a supplementary question. I make the point that this is Mr Trujillo’s corporate record on the public record. This is not about a personal attack. This is the corporate record. Is the minister aware that, during his time at US West, Mr Trujillo also classified customers as gold, silver and bronze and provided differing service levels to customers on this basis, with regional customers receiving a third-rate service? In light of this, Minister, do you stand by your endorsement of Mr Trujillo that he ‘has a proven track record in delivering services to customers, returns to shareholders and maintaining a constructive relationship with regulators’?

Senator MINCHIN—I just repeat: this is a grubby little attack from this mindless, useless opposition, which continues to oppose any decent reform in this country, including further sale of the shares of Telstra, which is so utterly hypocritical given its sale of Qantas and the Commonwealth Bank. Mr Trujillo is an outstanding Telstra CEO, and we strongly support his office.

Defence Force

Senator FERGUSON (4.43 pm)—My question is to the Leader of the Government in the Senate, Senator Hill, in his capacity as Minister for Defence. I ask: will the minister explain to the Senate why the government took the decision last month to deploy Australian Defence Force personnel to Afghanistan and whether this decision will impact on Australia’s national security or its overall deployment to Iraq?

Senator HILL—I thank Senator Ferguson for his important question. During the winter recess, the government made the decision to deploy a Special Forces task group to Afghanistan as part of Australia’s increased commitment to fight terrorism. The Senate, of course, will remember that the Taliban hosted and supported the al-Qaeda international terrorist organisation. Good progress has been made in recent years in building democracy and strengthening the Afghan economy and reducing the level of human rights abuses. However, this process has come under renewed pressure from the Taliban and some elements of al-Qaeda in the lead-up to the September election. The country remains fragile, and it is very important that this progress is consolidated to help the new Afghan government achieve its goals.

Australia did receive a request for additional support from the government of Afghanistan as well as the United States and the United Kingdom, and we are prepared to be able to offer our assistance. The government is in the process of finalising the exact makeup and positioning of the deployment and is liaising with the Afghanistan government and coalition partners. The group will be made up of SAS troops, commandos and support elements, which are expected to be deployed in the next few weeks. Defence has advised the government that the commitment is well within the capacity of the ADF. Defence is better prepared than ever before to respond to a terrorist threat, both in Australia and overseas, following the government’s ongoing investment in a stronger and more capable Defence Force. The deployment will be for a period of 12 months to allow the forces to be back in Australia well in advance of the 2007 APEC meetings, which will require a heightened level of security.

There are two major needs in Afghanistan at the moment. One is in the combat role and the other is in supporting regional reconstruction. For this reason, the government is also looking at the possibility of sending a provincial reconstruction team to support
community rebuilding and to improve the quality of life of the Afghan people. A final decision has not yet been made on this deployment but it could involve up to 200 personnel and be deployed before the middle of next year.

The task of the special forces will be to target terrorist groups and their supporters. It is likely to include combat patrols of remote regions as well as reconnaissance and surveillance operations. The role of the special forces is very challenging. They are superbly trained but there is no doubt that they will face significant risks. The government wishes them well in their upcoming deployment and a safe return.

Opposition claims that the ADF cannot continue to support the reconstruction effort in Iraq in addition to supporting Afghanistan are nothing more than political posturing. The ADF has the capacity to do both tasks, which are vital contributions to improving peace and stability in these key regions, and to also meet its other defence responsibilities. The government will not walk away from these challenges at such a critical time and when the international community is calling on us for our assistance.

Telstra

Senator CONROY (4.47 pm)—My question is to Senator Minchin, the Minister for Finance and Administration and the Minister representing the Treasurer. I refer the minister to the recent discussions about the establishment of a regional telecommunications trust fund from the proceeds from the sale of Telstra. Is the minister aware of a proposal by the Deputy Prime Minister, which has been endorsed by the Treasurer, under which the earnings of a $2 billion trust fund would be applied for the development of regional telecommunications services? Can the minister confirm that, if such a fund were established, only the interest earned—in the order of $100 million to $150 million per annum—would be available for such spending? Can the minister confirm that, if the earnings of this fund were to be used to fund a $7 billion fibre-optic cable roll-out in regional Australia, as proposed by the Page Research Centre, the fund would take around 70 years to cover the required expenditure?

Senator MINCHIN—Yes, I am aware of the Deputy Prime Minister’s airing of a proposal that the government establish a telecommunications future fund with approximately $2 billion in it from the proceeds from the sale of Telstra. Therefore, by definition, one would have had to have sold Telstra before such a fund could be established under Mr Vaile’s scheme. Also, as I understand it from Mr Vaile’s proposal, the proposition is that the capital would be preserved and the earnings from that fund would be devoted to telecommunications improvements in rural and regional Australia.

The government, as it is well understood, are discussing internally the circumstances under which we would proceed to sell the rest of our shares in Telstra. It has always been government policy, since our election in 1996, for the government to sell all our shares in Telstra. That remains our policy but the specific circumstances under which we would sell our remaining 51 per cent shares are being discussed internally. Obviously we are considering Mr Vaile’s proposal. In relation to the Page Research Centre’s floating of a proposal for a $7 billion roll-out of a fibre-optic network, I understand that Mr Vaile himself has indicated that that is not a proposition that he could support.

Senator CONROY—Mr President, I ask a supplementary question. Could I seek confirmation that, at $100 million a year for a $7 billion project, it will take 70 years for the building of that particular fibre-optic network? Is the minister also aware of proposals...
that have been put forward that people with appropriate technical expertise should make the judgments about how big a Telstra fund should be? Will the minister commit to supporting such a method for determining the size of any trust fund?

Senator MINCHIN—I have answered the question, I think. The government is considering the circumstances under which it will proceed with the sale of its remaining shares in Telstra and what arrangements it will put in place to ensure that rural and regional Australian telecommunications services remain adequate and fairly priced. Those discussions are ongoing.

Economy

Senator BRANDIS (4.50 pm)—My question is directed to Senator Minchin in his capacity as the Minister representing the Treasurer. Will the minister inform the Senate of any recent indications of rising living standards among low-income earners? Will the minister further outline to the Senate the policies that have brought about this situation and any alternative policies relevant to this important issue for Australian workers?

Senator MINCHIN—I thank Senator Brandis for that appropriate question. Last week, the Australian Bureau of Statistics released its latest report on household income and income distribution. One of the main findings of that report was that the real disposable income of Australian households has grown significantly over the past decade. The survey showed that, while the richest households had seen their real disposable incomes—that is, real incomes—rise by 19 per cent since 1994-95, the poorest households in Australia had seen their incomes rise by 22 per cent.

As the Sydney Morning Herald put it in reporting on this story, the rich are getting richer but the poor are getting richer faster. This is a very significant finding. It indicates that Australia’s quite spectacular economic success under our government has not come at the expense of widening the gap between rich and poor. In fact, the gap has narrowed under our period of government.

Senator Brandis asked how this situation has come about. There are three ways you can increase the real disposable incomes of Australians: firstly, you can increase gross nominal incomes through higher productivity, more jobs and higher wages; secondly, you can assure that those nominal incomes remain high in real terms by keeping inflation low—that is, by maintaining a low cost of living; and, thirdly, you can translate that into higher disposable incomes by cutting taxes and delivering direct assistance to Australian families.

The fact is that the coalition government has done all three of those things. We have reduced unemployment to a 28-year low, we have increased wages through higher productivity through industrial relations reforms and we have kept inflation low. We have also delivered significant tax cuts—tax cuts which are only being delivered in this budget because of the coalition’s majority in the Senate—and we have increased family assistance in the last three budgets.

The ABS survey found that one of the big drivers of improved real disposable incomes for poorer households in 2003-04 was an increase in family assistance. As a result of that family assistance, poorer households saw their inflation-adjusted incomes grow at three times the pace of those of higher income earners. We all know that that increased assistance in 2003-04 was the result of the first payment of the government’s annual $600-per-child family tax benefit supplement. Senators on this side will remember that first $600 payment very well. Senators on the other side may not recall it since they not only promised to abolish it but spent the
whole of the last election campaign running around trying to convince Australians that it did not really exist at all.

We know what impact there would have been if Labor had in fact been elected last October. Low-income single parents with two or more children and many single-income families would have actually been worse off if Labor had won office and introduced their package. It was quite an extraordinary phenomenon: we had a Labor Party seeking office campaigning on the basis that it was going to make poorer families worse off as a result of its tax and family policies. This government has produced higher real incomes, higher after-tax incomes and better family assistance for poorer families in this country, and it is something we are very proud of.

Telstra

Senator O’BRIEN (4.55 pm)—My question is to Senator Coonan, the Minister for Communications, Information Technology and the Arts. I refer the minister to recent reports concerning the performance of new Telstra CEO, Mr Sol Trujillo, during his time at regional telco US West. After studying court documents relating to a class action alleging fraudulent service by US West, the Financial Review’s investigation stated that, under Mr Trujillo:

When it came to fixing problems, consumers or businesses that spent money with the company were given higher priority. Others, including some rural customers, received much less help and in some cases US West tried to sell them off to other providers.

Is the minister also aware that, according to the Colorado regulator, service was never good enough under Mr Trujillo? Was the minister aware of these matters before Mr Trujillo was appointed? Has the minister sought an explanation from the chairman of Telstra, Mr McGauchie, in relation to these matters?

Senator COONAN—I thank Senator O’Brien for the question. The critical point in Senator O’Brien’s question is that he is talking about a very different regulatory regime to the Australian regime, with very different safeguards—and the lack of certain safeguards. The situation in Australia is that, irrespective of who the CEO of Telstra is, this government has concrete safeguards in legislation that deal with the matters that will assist consumers.

Just to remind the Senate: what this government has done is to build a series of regulatory safeguards that are impregnable to attack from the shareholders of Telstra or anyone else who would seek to wind them back. This government has given an unequivocal guarantee about what will remain in the safeguards. Irrespective of who the CEO is and irrespective of who owns Telstra, what will remain are some rock solid guarantees for consumers.

Firstly, the USO, the universal service obligation, is something that the government has said is absolutely non-negotiable. It will not be wound back. It is a cornerstone consumer safeguard. It is not something that is under any threat. It ensures that all Australians have access to a phone service, no matter where they live. Telstra provides the universal service obligation, but it receives subsidies from other carriers to help pay for it.

Secondly, this government has provided the customer service guarantee, which sets minimum time frames for repair and installation of phone services. That was introduced by this government in 1998. It has been tightened further so all Australians can expect to have a new phone service connected within 20 working days. That is in great contradiction to the position under the Labor
Party, where people waited something like 24 months before getting a phone connected.

There are also the price controls that this government has committed to retaining, including the cap on local calls and a package to protect low-income earners. It is applied to Telstra in respect of its pricing flexibility. It is an important safeguard to ensure phone services are affordable. Then there is the network reliability framework, introduced by this government as a way of identifying and addressing Telstra’s underlying network performance. Results show that on average a phone service—because we have about 10½ million lines—will break once in about seven or eight years. Where there are identified areas of repeat faults, the network reliability framework requires Telstra to notify the regulator and take remedial action as required.

On top of that, of course, this government has targeted subsidies to ensure that, where services are not available in non-commercial areas, those services can in fact be rolled out to Australians irrespective of where they live. There is a cap on the amount that Telstra can access by way of these subsidies. This government has put in place a considered and robust telecommunications framework that will not expose consumers to some of the reported problems that were referred to in the question. I think it does not behove the Labor Party to be critical of Mr Trujillo when they clearly have little idea of a foreign regulatory environment and, I might say, not much knowledge of their own. (Time expired)

Senator O’BRIEN—Mr President, I ask a supplementary question. I note that the minister is running away from Mr Trujillo as fast as she can with the comment ‘irrespective of who the CEO is’ in the context of the question. But I ask her, in the light of Mr Trujillo’s record in the United States: does the minister stand by her endorsement of Mr Trujillo in this chamber on 14 June 2005 as an ‘outstanding CEO’ to steer Telstra through privatisation?

Senator COONAN—To start with, this government has made no decision about when and if it moves to full privatisation. Of course I support Mr Trujillo as the CEO. He does have a very effective record as the CEO of other telecommunications providers. I think it is just the usual grubby attack of the Labor Party to impugn the reputation of people who have no opportunity to come into this place and defend themselves. I am very happy to defend Mr Trujillo and I will go on doing so, because he is doing a fine job.

Telstra

Senator EGGLESTON (5.01 pm)—My question is to the Minister for Communications, Information Technology and the Arts, Senator Helen Coonan. Will the minister advise the Senate of how the Howard government is ensuring Telstra will continue to provide service to all Australians regardless of who owns the company? Is the minister aware of any alternative policies?

Senator COONAN—I thank Senator Eggleston for his question and for his longstanding interest in these matters. The government has long been committed to ensuring that Australians are provided with access to both adequate and affordable telecommunications services, regardless of where they live. It is why the government has backed its commitment with more than a billion dollars for regional telecommunications since 1997, and it is why last week I issued Telstra with a licence condition requiring it to maintain an effective local presence in rural and regional Australia.

I have also issued Telstra with written instructions relating to what the government expects the local presence plan to provide. It is a key element, but only one of the elements, of what Estens described as future
proofing and was a key recommendation of the Estens inquiry. Telstra will now be required to submit a plan to me for final approval. There are a number of things this plan must do. It must clearly state Telstra’s planned strategies and activities in rural and regional Australia, which also include staffing, resources and support for local communities, the outcomes it will achieve and how Telstra’s success against the plan can be measured both by me and by the regulator.

I have said publicly and I say again that it must be much more than a marketing plan from Telstra. I do want to see a clear and concise strategy for serving local communities in rural and regional Australia, along the lines of Telstra Country Wide. I want rural and regional Australians to be confident that, regardless of who owns Telstra, their needs will continue to be met on the ground, where they live. It is important that people know the services they enjoy from Telstra Country Wide will be protected. I can assure the Senate and people living in regional Australia that there is no way a plan would be approved that does not include maintaining the benefits of Telstra Country Wide. The CEO, Mr Trujillo, has said emphatically that Telstra will remain in regional Australia, so a local presence plan will be something developed with Telstra’s absolute commitment and cooperation.

People do want certainty; they do not want to be left to rely on unregulated promises and fine sentiment. It is as well as what they are not relying on the Labor Party. We know, courtesy of Michelle Grattan’s column in the Sunday Age, that, under Labor’s new strategy by PowerPoint, Telstra only comes under the category of ‘other campaigns’. I was a touch disappointed to see Telstra rating so poorly in the ALP’s political thinking—it is not at the forefront of their thinking at all, but back amongst ‘other campaigns’. Perhaps some of them got bushwhacked. What they said they have to do, if they are to really look at Telstra, is to try to build some intellectual credibility on the issue. That is pretty disturbing if they are being represented by Senator Conroy, who is not even interested enough to be here in question time. Labor are now sitting on a PowerPoint presentation, and Telstra does not even rate as an important issue on their radar. The people of Australia need this government to continue to deliver for them good services, regional and rural telecommunications, and we will continue to do so.

Uranium Exports

Senator ALLISON (5.06 pm)—My question is to the Minister representing the Minister for Industry, Tourism and Resources. I refer to the fact that, 60 years ago, nuclear weapons of mass destruction were dropped on Hiroshima and Nagasaki and that no progress was made at the Nuclear Non-Proliferation Treaty review last May to eliminate the 28,000 nuclear weapons that remain a threat to global peace. I ask: why is it that the government wants to massively increase uranium exports? Why is the government proposing to sell uranium to China when China has not signed the comprehensive test ban treaty and has not made any commitment to eliminate its nuclear weapons?

Senator MINCHIN—The coalition government has long supported the mining of uranium under the strictest of safeguards. The Labor Party have partially supported that. They support it to the extent of three mines. Apparently, three mines are good, but four are bad. We have not adopted such an inane policy. Our view is that nuclear power is a vital source of electricity for many countries around the world. Many of the western countries in Europe rely upon nuclear power to provide electricity to their populations. Australia happens to be a repository of some
of the most significant uranium deposits in the world and, for a very long time, Australia has exported its uranium under the strictest of safeguards to ensure that those countries have access to this power source which has been vital to the living standards of those populations. I note that many of those who take the view that human-induced derivation of greenhouse gases are a significant feature in climate change do support the use of nuclear power as a means of reducing the extent to which human-induced climate change is occurring.

As to the issue of China, I can say that Australian industry approached the government last year about the possible sale of uranium to China. China is seeking to secure long-term sources of energy to fuel its economic growth. Of course, under our government, we signed one of the most significant export contracts in our history, including some $25 billion worth of LNG to China because of its need for energy. My colleague the foreign minister has advised me that discussion at the officials level commenced earlier this year to establish China’s willingness and ability to meet Australia’s stringent safeguard conditions for the supply of uranium. A safeguards agreement between Australia and China would allow Australia to monitor and verify that any Australian uranium exported to China would be used solely for power generation. Similarly, any other countries, such as Indonesia, Thailand or Vietnam, would require safeguards agreements to be in place before Australia could export uranium to those countries.

Senator ALLISON—Mr President, I ask a supplementary question. The minister did not answer my question, which is: why would the Australian government not use our access to those very huge reserves of uranium in this country to encourage nuclear weapons states to disarm? Is this not an opportunity for us to press China to both disarm and sign the Comprehensive Test Ban Treaty? Why are we entering into an agreement with China when it has not done so?

Senator MINCHIN—I represent the Minister for Industry, Tourism and Resources, not the Minister for Foreign Affairs. You should ask the Minister representing the Minister for Foreign Affairs questions relating to Australia’s role in nuclear disarmament, although I do note that it has been a very active and constructive one. I have said that, in relation to any approach from China for access to our uranium for peaceful purposes, we would—as we always have in the case of anyone buying our uranium—apply what are the strictest safeguards on the supply and use of Australian uranium before any such sale could take place.

Workplace Relations

Senator SANTORO (5.10 pm)—My question is to the Special Minister of State, Senator Abetz, representing the Minister for Employment and Workplace Relations. Will the minister advise the Senate of action taken by the government to put an end to the corruption and intimidation that pervades Australia’s building and construction industry? Furthermore, is the minister aware of any alternative policies?

Senator ABETZ—I thank Senator Santoro for his question and acknowledge his longstanding interest in this area and his record as an outstanding minister for industrial relations in Queensland. I also take the opportunity to apologise to Senator Hurley for the delay to her first speech as a result of the Labor Party mucking up its own tactics. We apologise for any discourtesy to you.

We as a government are getting on with a job that the people of Australia elected us to do. Part of that is to clean up the building industry. As a result, we are moving amendments in the House of Representatives today to provide for a new Australian Building and
Construction Commission. The role of the commission will be to stamp out corruption and intimidation in the building and construction industry and ensure that we have a fair building industry. The commission will be a permanent, independent statutory authority.

I hardly need to point out why this commission is necessary. The Cole royal commission found that corruption and intimidation pervade the building and construction industry—corruption which continues on an almost daily basis. Take, for example, current CFMEU demands in Western Australia that workers get paid 10 days of sick leave without being sick. CFMEU secretary, Kevin Reynolds, said, ‘Workers take time off because they are disgruntled with the job.’ No wonder Senator Ray is not in the chamber! Reynolds continued, ‘There is nothing illegal about that.’ The government fully supports protection for genuine sick leave requirements, but who in the community thinks it is fair that workers can have 10 days sick leave just because they feel like it? I think there are only two groups in the Australian community that do—that is, the CFMEU and the Australian Labor Party.

Another example of corruption and behaviour of the CFMEU was highlighted for us by the Sunday Times recently, in which there was a transcript of two unionists talking to an employer. There was very liberal usage of the ‘f’ word, the ‘c’ word and other expletives that were printed in the Sunday Times indicating intimidation, thuggery, and it was demeaning and offensive language. Above all, it was very sexist. Yet, the shadow minister for employment and workplace relations, who claims to be a feminist, has failed to condemn this sort of language by the CFMEU officials in their campaign of intimidation. Why would a shadow minister not condemn that sort of behaviour, especially the sexist nature of that language, given her feminism? You know the answer: because she is a former CFMEU official herself. She is imbued in the culture of the CFMEU and, in reshuffling the Australian Labor Party front bench, Mr Beazley said the best representative for the Labor Party in the area of employment and workplace relations would be a former CFMEU official. (Time expired)

Workplace Relations

Senator LUNDY (5.15 pm)—My question is to Senator Patterson, Minister for Family and Community Services. Is the minister aware of the decision by the Australian Industrial Relations Commission yesterday to grant employees the right to request a range of leave types for parents who want to care for their young children and engage in paid work? Doesn’t this decision also oblige employers not to unreasonably refuse such a request? Is this decision not an acknowledgment that Australian workers with families need help in balancing their work and family responsibilities, particularly those low-paid workers who do not have effective bargaining power? As the minister responsible for families, can the minister now indicate what steps she has taken to ensure that the rights to leave of workers with family responsibilities are protected under the government’s proposed industrial relations changes?

Senator PATTERSON—This question gives me the opportunity to talk about what we have done for families. It also gives me the opportunity to talk about what we have done for people to balance work and family—

Senator Chris Evans—Mr President, I rise on a point of order going to relevance. The question does not actually give the minister an opportunity to talk about what she wants to talk about; it gives the minister the opportunity to answer the question, and I would ask her to take that opportunity.
The PRESIDENT—There is no point of order. The minister has only been on her feet for 10 seconds and I think that may be insufficient time for her to answer anything.

Senator PATTERSON—I am aware that in that 10 seconds they knew that they did not want to hear what I was going to say. Of course, that is what the Labor Party do. When they do not want to hear what we have to say about what we have done for families, they play the sort of trick that Senator Evans just played.

We have done an enormous amount to help families balance work and family. There are a number of measures that are still to come into place—for example, quarantining the FTBB when a secondary income earner goes back to work—but what we want to do is make sure that families in future have the sorts of benefits that we have seen over the last eight to 10 years: growth in the Australian economy, increased employment, decreased interest rates and increased real wages. That is what we want to see. If we do not get productivity up in this country and if we do not increase work force participation, we will not see that.

I love the Labor Party when it stands over there and talks about families. Let me tell you about the experience I had in my family. I have mentioned it once or twice before, here in this chamber. My mother came home absolutely in tears because she had been intimidated by a union. They made her join when she did not want to join because her employer was so good. She was made to join a union. That is the sort of thuggery that people talk about. Talk about choice, talk about families—well, have a look at what you have done to many families: thuggery, making them front up to pickets early in the morning. I had another experience when someone came to me and said they were made to picket early in the morning, and they hoped I did not see them. That is the sort of thuggery I mean. You have got to actually look at what the unions do to families. You have got to look at what you are doing by not ensuring that we are going to have—

Opposition senators interjecting—

The PRESIDENT—Senator, address your remarks to the chair and ignore the interjections.

Senator Ian Campbell—Mr President, on a point of order: I am trying to hear what Senator Patterson is saying. She is answering what is clearly an important issue, but I am getting bombarded with interjections from every frontbencher on the other side. They are entirely disregarding your rulings, Mr President. I have been told by SMS messages that this is on TV and radio today and all that people out there in Australia can hear is this constant scream of interjections. I suggest that we actually respect the people of Australia who have sent us all here and who spend millions of dollars to keep this place, and that if you ask a question of a minister please have the courtesy to listen. If they do not have any respect for the minister, please have respect for the President of this place who has just been elected, and respect his rulings.

The PRESIDENT—Order, Senator! I take your point. There has been a lot of noise in the chamber today. It is the first day back at work. Perhaps senators on my left and other senators in the chamber would—

Opposition senators interjecting—

The PRESIDENT—Order! It is very difficult to hear the minister’s answer if there are too many interjections and I would ask those on my left to cease interjecting while the minister gives an answer.

Senator PATTERSON—And if the Labor Party really cared about families, they would care about making sure we have flexibility in the work force and that we ensure
that we had productivity into the future so that families in the future would not only not have the debt that Labor left us with, which we have now got rid of—$90 billion worth of debt—

Senator Carr interjecting—

The PRESIDENT—Senator Carr!

Senator PATTERSON—They should also hope that there would be increased productivity and hope that their children would actually be in employment. The Labor Party need to understand that we have a declining work force; they need to understand that we need flexibility in the work force to ensure we continue the sort of growth we have seen over the last 10 years.

Senator LUNDY—Mr President, I ask a supplementary question. I resisted raising a point of order, given that the minister did not even attempt to show any respect to the Australian people by answering the question. So I put it to the minister again as part of my supplementary question and also ask the minister to indicate whether she intends to demand that these new rights and obligations are protected in the industrial relations legislation that the government plans to introduce soon. I ask that specifically. Is it not the case that under these extreme and unfair changes to industrial relations there is no guarantee that the new rights awarded by the Industrial Relations Commission will survive? Finally, can the minister now provide an assurance that, as the minister responsible for families, she will make every effort to protect these new rights?

Senator PATTERSON—As always, Mr President, the Labor Party only give one side of the story. They do not talk about the issues that the AIRC raised about employers and employers’ conditions and the businesses involved. They do not actually mention that. They only mention one side of the argument. The Prime Minister has indicated that, in the preparation of the legislation, the AIRC decision will be taken into consideration. The details of the legislation will be the responsibility of Mr Kevin Andrews and the Prime Minister. Yes, we will look at issues that affect families but, as I said, Labor only gave one side of the picture of the AIRC’s decision. The AIRC’s decision also talked about employers, small businesses and the need for them to actually make sure their businesses were sustainable to give jobs to Australians.

Indigenous Health

Senator BROWN (5.21 pm)—My question is to the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs about the scourge of petrol sniffing in Central Australia. I ask the minister: is he aware that it is estimated that there are 400 to 500 young Aboriginal people who are addicted to petrol sniffing? Is he aware that the toll for last year includes at least three deaths and some 100 people who are damaged, perhaps permanently, either mentally or physically? In view of the fact that Opal petrol from BP is now available, which is not sniffable, will the government look at the potential $8 million to $10 million it would cost in subsidies to have that used throughout Central Australia—say, from Coober Pedy to Tennant Creek—so that petrol is no longer available, bootleg is no longer available and at least at the end point something is done about this awful scourge in the centre of this country?

Senator ELLISON—Indeed, it is a very important issue for Indigenous Australia—the question of petrol sniffing. Senator Brown has mentioned the Comgas Scheme, which relates to the subsidisation of a fuel which is less attractive to those people who want to sniff petrol. The fuel mentioned by Senator Brown, Opal, is one which is low in aromatic hydrocarbons and therefore less attractive to those people who want to sniff.
petrol. Of course, the government is engaged in a subsidisation of that. Opal, the fuel that Senator Brown mentioned, is being distributed progressively to those remote Aboriginal and Torres Strait Islander communities that are registered with the Comgas Scheme. As at 1 August this year, 42 Aboriginal communities were registered with the Comgas Scheme and 10 of those were still to receive this fuel.

I can say that the government has been expanding the Comgas Scheme and has provided spending of $3.3 million in the 2005-06 budget. That is a marked increase in relation to the previous year’s funding. As well as that, the Commonwealth is working with the governments of the Northern Territory, South Australia and WA in addressing this problem, and we saw recently a coronial inquest, in Alice Springs I think it was, in relation to the death of a 14-year-old boy—I think there were some others as well. It is a very serious issue, one which the federal government places great priority on and one which I think is being addressed by the subsidisation of this fuel.

A survey by the departments of health, ageing and industry in 2004 did conclude that the scheme was a good scheme in addressing this issue, and I think the promotion of the use of this fuel in those communities would lead to a reduction in harm. As Senator Brown has pointed out, it is a question of not only the addiction and substance abuse but also the permanent disability that can arise from petrol sniffing. It is quite well known that petrol sniffing can cause brain damage much more quickly than a lot of other illicit substances. In fact, it can cause that in a very short space of time, hence the extreme danger of it.

Senator BROWN—I thank the minister for his answer. Mr President, I ask a supplementary question. I ask the minister: would he consult the Treasurer and other ministers to see whether the scheme cannot be extended to the towns and the whole region of Central Australia to prevent bootlegging? If one looks at the raw economics, it would prevent costs of up to $750,000 per annum for acquired brain injury. In light of the $3 billion a year for the diesel fuel rebate, I wonder if $8 million to $10 million cannot be found to extend the use of Opal to the rest of Central Australia, particularly to avoid bootlegging and to do what we can to eliminate the scourge of petrol sniffing.

Senator ELLISON—Certainly, we are targeting those Indigenous communities I have mentioned. In relation to the roll-out to regional towns, that is something I will take up with the minister for indigenous affairs.

Welfare to Work

Senator WONG (5.26 pm)—My question is to Senator Patterson, the Minister for Family and Community Services. Is the minister aware of figures released by the Australian Council of Social Service recently which demonstrated that under the government’s extreme welfare changes some 300,000 Australians, including 150,000 children, would be worse off? Minister, isn’t it the case that under the government’s changes, many sole parent families will face cuts to their household budgets and will have less rather than more disposable income? How can the minister, who is responsible for families, justify a package which leaves so many Australian children—150,000 Australian children—worse off?

Senator PATTERSON—I thank Senator Wong for her question, but I do not necessarily agree with her that ACOSS is right. Very clearly, Senator Minchin put on the record today the NATSEM research which showed that low-income families’ income was growing at a faster rate—and that did not take into account CCB and the large number of
women in particular who are benefiting from
the co-contribution. The issue, the senator
has indicated, is also about welfare to work.
One of the things that ACOSS comments on
is the 690,000 or so children who live in job-
less families. Many of those children are in
single parent families. I do not know any
other way of getting children out of a jobless
family, especially if they are in a single par-
ent family, than giving those parents a job,
then encouraging them to get into the work
force.

One of the things that we need to do, for a
number of reasons, is to increase participa-
tion in the work force, not only to reduce the
number of jobless families but also to in-
crease participation rates. We have an ageing
population in Australia. We need to increase
our productivity. We need to make sure that
we have a work force which is trained, a
work force which does not lose its skills,
because what happens when one parent, usu-
ally the mother, is out of the work force is
that many of those skills are lost. Many are
unable to regain those skills or regain them
at the same level.

We believe it is appropriate that one par-
ent is able to stay home with a child until the
child is six. After that there is an expectation
that a parent would work 15 hours a week.
We are not asking for an exorbitant amount
of time. We are asking people to work 15
hours a week. We are actually increasing
child care by 84,300 outside school hours
places to assist parents in moving from wel-
fare to work. If Labor think that being on
welfare is better than having a job, then no
wonder they are on the other side. If they
continue to think that, they will stay on the
other side for a very long time.

Senator WONG—Mr President, I ask a
supplementary question. Could the minister
indicate why making 150,000 Australian
children worse off will in fact help any par-
et get a job? Does the minister believe it is
part of her ministerial responsibility to repre-
sent the interests of vulnerable families in
this country?

Senator PATTERSON—I do not think
Senator Wong heard me. She had her sup-
plementary question that she had to ask be-
cause they ask a supplementary question
every time. I indicated that I do not agree
with what ACOSS have said. ACOSS make
many claims and they do not actually have
all the details. I do not necessarily agree with
what ACOSS have said. Families, in the end,
will be better off if they have a job. If the
Labor Party want to actually work against
women particularly moving from welfare to
work, then they are going to ensure that we
will have lower participation and lower pro-
ductivity and many more families will be
worse off.

Forestry Policy

Senator BARNETT (5.30 pm)—In intro-
ducing my question to the Minister for Fish-
eries, Forestry and Conservation, Senator Ian
Macdonald, I would like to apologise to
those in the gallery who have been waiting to
hear the maiden speeches of the senators on
the other side. It is because of Labor’s mis-
management of Senate business.

Opposition senators interjecting—

The PRESIDENT—Order!

Senator BARNETT—My question is to
the Minister for Fisheries, Forestry and Con-
servation, Senator Ian Macdonald. Will the
minister inform the Senate of recent steps the
Howard government has taken to protect
both forest—

The PRESIDENT—Order! Senators on
my left! We cannot hear the question. I ask
you to come to order. Senator Barnett, would
you please repeat the question?

Senator BARNETT—Thank you, Mr
President. Will the minister inform the Sen-
ate of recent steps the Howard government has taken to protect both forest workers’ jobs and high-conservation forest areas? Is the minister aware of any alternative views on Australia’s forest industry?

Senator IAN MACDONALD—Senator Barnett, coming from Tasmania as he does, asks the question that I know is very close to his heart, but it is also a question that I think had a very significant impact on the vote in the Senate in the last election—the results of which we saw this morning with the swearing in of new senators. I am in no doubt that the government’s policy on saving workers’ jobs was a major cause of the election of our new colleague Senator Stephen Parry to this chamber.

Since the Senate last met, I have signed a memorandum of understanding with the Tasmania government which really takes the process of the Tasmanian Community Forest Agreement further forward. As a result of that agreement, 100 million old-growth trees will now be in reserves. As a result of that agreement, more than 500 new jobs will be created in the state of Tasmania. This result is a credit for sound policy, good science and firm decision making. It does show that jobs and environmental outcomes are not mutually exclusive.

The Howard government is saving jobs and looking after high-conservation areas. That is in stark contrast, I might say, to the Beattie Labor government in Queensland, which is shutting down the western hardwood forests and costing 400 workers’ jobs in that state. This is rather amazing because the new Queensland forestry minister, Mr Gordon Nuttall, has moved into an area where he has actually done a very good thing. He has announced that Queensland forests are sustainably managed and he has indicated that all of those forests can be harvested in a sustainable way. Yet his predecessor had shut down these western hardwood forests that are now certified as being sustainably managed. I would like to call upon Mr Gordon Nuttall, the new Queensland minister, to actually reverse the decision of the previous Queensland minister to shut down those western hardwood forests and so save 400 workers’ jobs in Queensland.

There are still radical Greens who defy science and want to sabotage markets that export Australian produce. The Greens party have carried on a campaign of lies and misinformation in Tasmania that is costing real jobs in Tasmania. Whilst the Howard government supports workers’ jobs, the Greens are destroying workers’ jobs by their campaign in Japan. As a result of the Greens’ dishonest campaign, the Tasmanian Forest Contractors Association are saying that 300 jobs could be lost. It raises the question: when will the radical Greens ever be satisfied? I think the answer is only when they have Australia importing wood from forests that are not sustainably managed—when the forests in the Solomons, in Indonesia and in Malaysia are razed to the ground and that timber is imported into Australia because the sustainable Australian forests are no longer able to be harvested.

This morning’s swearing-in saw six new senators from the coalition’s side—five come from rural and regional Australia and the other senator was elected on the basis of votes from country Queensland. It demonstrates that workers in country Australia are clearly aware that it is the Liberal and National parties that look after workers’ jobs.

(Time expired)

Family Services: Child Care

Senator SHERRY (5.36 pm)—My question is to Senator Patterson, the Minister for Family and Community Services. Can the minister confirm that the government has decided to delay the implementation of the
30 per cent child-care rebate? Does the minister realise that this delay means there will be a permanent 14- to 30-month delay for all parents from when they pay for child care to when they get any benefit from the 30 per cent rebate? Isn’t it true that this unacceptable delay has occurred due to incompetence on the part of the government and a failure of imagination in coming up with a better system of administration and implementation? Doesn’t the government’s failure to implement the rebate on time mean that many families will continue to struggle to access child-care services?

Senator Patterson—At the risk of delaying the Senate, because people are to make their maiden speeches, although I now have the opportunity to talk about what we have done to assist families with child care, I will just answer the question that I was asked. We are offering people a 30 per cent child-care tax rebate. If the question had been directed to the appropriate minister, it would have been directed to the Minister representing the Treasurer, since the child-care tax rebate is the responsibility of the Treasurer. Let me say, as I said in my previous answer, that Labor only tells half the story. The Treasurer made the announcement during the election campaign that people would get a child-care tax rebate as of 1 January this year and, in order to ensure that people had their child-care benefit reconciled, people could claim it. There was a delay. In order to compensate for that delay, the Treasurer brought forward the child-care tax rebate to 1 July 2004, so people were getting six months more worth of child-care tax rebate than they otherwise would have. But Labor never bothers to tell you that side of the story, and Labor never bothers to tell you that they did not have any measures that were going to increase payments to anywhere near the levels at which we are assisting people with child care. They were going to have, as the then shadow minister said, ‘a drop in the bucket’ of assistance for people in outside school hours care.

Senator Sherry—Mr President, I ask a supplementary question. How can the minister possibly defend a system that makes parents wait two years to even claim the child-care rebate, when child-care benefit is paid within the same financial year or the months immediately following it? Can the minister explain why the government is making families wait two years before they get to see even a cent for the much-vaunted 30 per cent rebate?

Senator Patterson—I have answered the question. I told the Senate why: because we need to ensure that people have their child-care benefit reconciled in order to ensure that they do not receive an overpayment when they get their child-care tax rebate. In order to compensate for that, the Treasurer brought the payment forward by six months, which means that people will get up to six months more child-care tax rebate than they otherwise would have. Families are now going to get up to $4,000 in child-care tax rebate that they would not otherwise have had. When you look at the child-care policy that Labor went to the last election with, it was, as the then shadow minister said, in some areas, a drop in the bucket. In other areas, they were silent.

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

Business

Rearrangement

Senator Ellison (Western Australia—Manager of Government Business in the Senate) (5.40 pm)—by leave—I move:

That the routine of business for the remainder of the day shall be as follows:

(a) placing of business;
(b) tabling of the following committee reports:
(i) Employment, Workplace Relations and Education Legislation Committee report on the provisions of the Skilling Australia’s Workforce Bill 2005 and a related bill, and
(ii) Parliamentary Joint Committee on ASIO, ASIS and DSD report on a review of the listing of seven terrorist organisations;
(b) tabling of committee reports at item 23(b) on today’s Order of Business;
(c) tabling of documents by the Clerk;
(d) not later than 6 pm, first speeches by Senators Hurley and McEwen; and
(e) at the conclusion of (d), consideration of government documents.

Question agreed to.

LEAVE OF ABSENCE
Senator EGGLESTON (Western Australia) (5.41 pm)—by leave—I move:

That leave of absence be granted to Senator Vanstone for the period 9 August to 11 August 2005, on account of ill health.

Question agreed to.

COMMITTEES
Foreign Affairs, Defence and Trade References Committee
Extension of Time
Senator HUTCHINS (New South Wales) (5.42 pm)—by leave—I move:

That the time for the presentation of the report of the committee on duties of Australian personnel in Iraq be extended to 18 August 2005.

Question agreed to.

Employment, Workplace Relations and Education Legislation Committee
Extension of Time
Senator EGGLESTON (Western Australia) (5.43 pm)—by leave—On behalf of the Chair of the Employment, Workplace Relations and Education Legislation Committee, Senator Troeth, I move:

That the time for the presentation of the report of the committee on the provisions of the Australian Technical Colleges (Flexibility in Achieving Australia’s Skills Needs) Bill 2005 be extended to 18 August 2005.

Question agreed to.

Legal and Constitutional Legislation Committee
Extension of Time
Senator EGGLESTON (Western Australia) (5.44 pm)—by leave—On behalf of the Chair of the Legal and Constitutional Legislation Committee, Senator Payne, I move:

That the time for the presentation of the report of the committee on the provisions of the Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Bill 2005 be extended to 15 August 2005.

Question agreed to.

Rural and Regional Affairs and Transport References Committee
Meeting
Senator MURRAY (Western Australia) (5.44 pm)—by leave—I move:

That the Rural and Regional Affairs and Transport References Committee be authorised to hold a public meeting during the sitting of the Senate on 10 August 2005, from 4 pm till 7 pm, to take evidence for the committee’s inquiry into the operation of the wine-making industry.

Question agreed to.
NOTICES
Postponement
The following items of business were postponed:

General business notice of motion no. 123 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to reproductive health, postponed till 4 October 2005.

General business notice of motion no. 195 standing in the name of Senator Brown for today, relating to Japanese whaling program, postponed till 10 August 2005.

SKILLING AUSTRALIA’S WORKFORCE BILL 2005
SKILLING AUSTRALIA’S WORKFORCE (REPEAL AND TRANSITIONAL PROVISIONS) BILL 2005

Report of Employment, Workplace Relations and Education Legislation Committee

Senator EGGLÉSTON (Western Australia) (5.46 pm)—On behalf of the Chair of the Employment, Workplace Relations and Education Legislation Committee, Senator Troeth, I present the report of the committee on the provisions of the Skilling Australia’s Workforce Bill 2005 and a related bill, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

COMMITTEES

ASIO, ASIS and DSD Committee

Report

Senator EGGLÉSTON (Western Australia) (5.46 pm)—On behalf of the Parliamentary Joint Committee on ASIO, ASIS and DSD, I present the report of the committee entitled Review of the listing of seven terrorist organisations, and seek leave to move a motion in relation to the report.
give the States and Territories reasonable time to consider their response to a proposed listing.

In response, the Attorney-General’s Department has submitted it intended to give more notice for future listings. The Committee would like to note it was pleased that, for the other five organisations, the States and Territories were given about three weeks to consider the listings.

Furthermore, in its report, *Review of the Listing of Six Terrorist Organisations*, the Committee recommended the Attorney-General’s Department conduct community consultation on listings. The Committee notes that community consultations were not held on these re-listings, but would encourage the Department to implement this recommendation.

Moreover, in its report on the listing of the al-Zarqawi network as a terrorist organisation, the Committee noted that DFAT’s input on the listing was ‘still…somewhat inadequate.’ The Committee is disappointed to have to report that DFAT ‘does not appear to have provided substantive input’ on the seven re-listings. The Department was requested to provide assessments of the foreign policy implications of the re-listings, on the strategic circumstances in which the organisations operate and any information relating to Australia’s obligations to the United Nations on particular organisations. However, its submissions were not sufficiently detailed to be particularly useful.

The Committee was pleased to receive greater detail on ASIO’s evaluation criteria for selecting organisations for listing. Nonetheless, the Committee would still appreciate more details on organisations’ links and potential threat to Australia in future listings. In particular, the Committee understands that a terrorist attack could damage Australian interests overseas, but also would like more information on how organisations presented a direct threat to Australia domestically.

In addition, the Committee believes ASIO must take care to address all its own criteria for listing in the Statements of Reason.

The Committee is grateful for the input of Government agencies and members of the public into these reviews, and hopes that there will continue to be constructive debate on the matter.

Notwithstanding any of the above concerns, the Committee does not recommend to the Parliament that any of these regulations be disallowed.

I commend the report to the Senate.

Question agreed to.

**TEMPORARY CHAIRS OF COMMITTEES**

The DEPUTY PRESIDENT—Pursuant to standing order 12, I lay on the table a warrant nominating Senators Forshaw, Murray and Troeth as additional Temporary Chairs of Committees when the Deputy President and Chair of Committees is absent.

**FIRST SPEECH**

The DEPUTY PRESIDENT—Before I call Senator Hurley, I remind honourable senators that this is her first speech. I therefore ask that the usual courtesies be extended to her.

Senator HURLEY (South Australia) (5.48 pm)—I preface my speech by congratulating you, Mr Deputy President, on your reappointment. I also want to pay tribute to Geoff Buckland, my predecessor. Geoff served with distinction in his former work as an industrial advocate in the Northern Spencer Gulf region. Then, in 2000, he took up his position as senator for South Australia. Geoff continued to live in Whyalla during his term and was assiduous in serving regional South Australia during that time. I too believe that this country cannot be truly strong without a robust rural and regional economy, without harnessing and supporting the strengths of the people of country Australia. So I hope to emulate some of the straight-talking, practical style that Geoff brought to his representation of the region and of South Australia generally.

In many respects, our country has stood still for the last decade. Australia has been content to sit back and reap the economic benefits of the changes that swept through in the 1980s. These were the years of moderni-
sation of industry and finance, changes in our trade structure and a very outward-looking foreign policy. It is true that those changes worried many in Australia at the time and, indeed, caused some hardship as Australia realigned its financial systems and its work practices. I was working in the banking sector in the early 1980s and was a strong supporter of Treasurer and later Prime Minister Keating as he pushed through reforms in banking and in monetary deregulation. I believed then, and continue to believe, that if we had not done it of our own accord and in our own way then reforms would have been imposed on us in an ad hoc manner from outside markets. A country so reliant on exports and trade would never have been able to continue as we had.

The key issue for me today, as I look back over a decade of missed opportunities, is that market reforms that were then undertaken needed to be followed up with infrastructure and with research and development reforms to ensure the emergence of a truly strong and vibrant country. Research and development advances were begun in the mid-1980s in the form of the 150 per cent research and development grant, and there was a renewed push for export support. I was working in an industry at that time, Amdel Ltd, that made use of these reforms and wholeheartedly supported them. Amdel was a company that was developing instrumentation involving physics, electronics and software, and selling it worldwide to the mineral processing industry. A number of very talented scientists, engineers and technicians were employed in this work and in its analysis units. It was exciting, high-value technology that enhanced Australia’s reputation for innovation and reliability.

Statistics reinforced the success of government support for research and development. According to a major OECD report, and relying on Australian Bureau of Statistics figures, business expenditure on research and development in Australia rose steadily through the mid-1980s and for the decade right through to 1996, peaking at 0.7 per cent of GDP in 1996-97. This reflected a stronger level of commitment to research and development, but the rise ended with the election of the Liberal government in 1996 and has never recovered.

The introduction in 1990 by the Keating government of the cooperative research centres was a significant advance and produced effective research and development as well as commercialisation in many instances. It gave an additional source of jobs for the science graduates coming out of our universities. When I graduated in science from the University of Adelaide in the mid-1970s there were few jobs available. I worked briefly as a research assistant at the Northfield Agricultural Research Centre and was then fortunate enough to find a niche in the pathology laboratory at Alice Springs Hospital due to a fortuitously timed visit to my sister during an outbreak of salmonella poisoning. This was a legacy of Prince Charles’ visit to that city and the inadequacy of the chiller truck that brought up the chicken for lunch.

After the Liberal government’s 1996 election win, support wavered for research and development generally and there was little increase in private investment. There have been many studies and reports on the state of research and development but with little resultant change in policy outcomes. There has been a noticeable lack of coordinated, strategic national planning. That has been the negative hallmark of government policy over the last decade. Australia now continues to trail badly behind other OECD countries such as Finland, Japan, the United States and Canada.

As I come from a background in science, it saddens me greatly that at a time of long-
standing relative prosperity the federal government has not done more to enhance Australia’s record of success and innovation in science and technology. For example, the company I worked for, Amdel Ltd, had its origins in South Australian government research into mining and geology. That investment spawned a number of commercially successful advances in mining, analysis and instrumentation.

Comparison can be made to the Massachusetts Institute of Technology in the United States, famous around the world as simply MIT. MIT also began in mining and technology in the early days of its state. Well timed support transformed MIT into a crucible of creative thought and remarkable discoveries. It was heavily involved in pioneering X-rays and radar and is today working on atomic lasers, artificial intelligence and biotechnology. It still attracts the elite of the world’s thinkers and researchers. Imagine if some Telstra sale money had gone into developing one of our university research centres as just such a powerhouse of technological excellence.

Just like the financial reforms, so choices in advancement cannot be deferred forever. In the end, they can be made by action or inaction. If we continue the current relative inaction, our country will be overwhelmed by those countries that are willing to invest in the future. Whether we like change or not, the environment in which we operate is being transformed inevitably by the information age, nanotechnology, robotics and biotechnology. In our own region, countries such as Singapore and Malaysia have recognised this and acted accordingly. In such an environment, education is more than ever the key to opportunity and success both for the nation and for individuals. This is no time for governments to be making education more difficult and expensive, this is no time to be neglecting skills training and this is no time to be complacent about research and development.

Even as this government makes free trade agreements, it neglects the fundamental requirement to look into the future and see how we will fare on the other side of that equation. In the future will we have the tradable commodities that allow Australians to maintain their standard of living and their values? Much of our current economic prosperity is driven by the increased price we are being paid for our mineral exports. Can we continue to rely on other nations’ growth requirements or should we use this windfall to help position ourselves at the cutting edge of knowledge, value adding and advanced manufacturing outputs?

Another essential component of that trade equation is already at crunch point when we as a nation have to decide between action and inaction. That component is infrastructure. In the last decade, the government has frittered away opportunities created by the sale of government assets and by the production of budget surpluses. Perhaps the states may not have paid proper attention to infrastructure. But we are, after all, a federation, and infrastructure manifestly crosses state boundaries. At the very least, some leadership is required from the federal government. In some parts of the country we are close to crisis point in the management of utilities and infrastructure. Productivity in many areas is severely restricted by inadequate water, power and transport.

The previously mentioned skills shortage is also a significant factor. Over the past decade, the government has moved on this only very reluctantly or not at all. In a nation as geographically large as Australia and with our reliance on trade, it is astoundingly short-sighted for a federal government to have focused on parish pump and minor business grants. This state of affairs has greatly ham-
pered efforts to lift productivity, particularly in the more populous cities and in the regional cities.

The government has finally noticed that Australia’s work force productivity is slipping. The Prime Minister noted that Australia’s GDP per hour worked is 83 per cent of that of the United States. In 2003, that figure was 97 per cent for Italy, 93 per cent for Germany and 87 per cent for the United Kingdom. Obviously, if we are to remain competitive, that figure has to improve. However, the government noted that productivity figure not to berate itself for slipping back on research and development or infrastructure enhancement but to attack the employment conditions of the working population of Australia, and specifically the unions who represent them.

There is great inequity implicit in this position when Australians are working longer and harder than ever. There are other new senators who are better qualified than me to expand on this theme, and I will not dwell on the government’s industrial relations proposals at this time. I simply want to reinforce the point that a country cannot go forward with a government that is looking inward or focused on its own radical internal philosophies.

It is true that there are great challenges that we all face today. There are new security issues not only from terrorism but from other threats such as organised crime and drug trafficking. One serious threat that has not had the attention paid to it that it deserves is the possibility that we could face an unprecedented natural biological outbreak of a disease such as bird flu or the SARS epidemic. Our society must meet these challenges with determination, unity and vigour, but we cannot let them overwhelm the other responsibilities we have to our larger long-term future.

Our country and the government it elects to represent it should be capable of dealing with the opportunities that we have as well as the threats that we have—the opportunities that will ensure we maintain our standard of living, our values and above all our sense of fair go. We could now face the reality of the country we have, the population we have and look realistically into the future. We need to make important choices. We can decide to rely on those who are already advantaged and therefore leave many behind, or we can take a chance on equity and change.

That leads me inevitably into the area I have been given to concentrate on, citizenship and multicultural affairs. As Nick Dyrenfurth says in a recent article: Australian citizenship has been the (at times uneasy) admixture of ideals and practice, inclusion and exclusion.

Neither social inclusion nor a cohesive national identity has ever been easy in Australia. From the early days of Aborigines, convicts and jailers, through the influxes of migrants during the gold rush and postwar years to the new wave of migration, Australia has had to make difficult adjustments. Let us be completely frank: we never did have a homogenous, white, god-fearing Christian country. We did have a sense of helping each other in difficult times—mateship. We did have a willingness to give everyone a fair go. We did think we had a society where anyone could make it if they worked hard.

This is no time to be excluding anyone from full citizenship of our country. I want to take a chance on equity and change. I want this because I believe it is the way of the future. I believe in equal opportunity in education, health and employment, because that is the way we are going to create a strong, vibrant, economically advantaged country, because that is the way we will make use of the
talent, ability and dynamic ambition of every citizen of this country.

There have been periods when established citizens of Australia have wondered about opportunity and the value of immigration. The great wave of immigration after World War II was one such time. There was concern about the fabric of society and the value of bringing in people from diverse backgrounds who had often been through turbulent times and sometimes did not speak English or follow the customs of the country. Yet today the contribution of the postwar migrants—the ‘new Australians’—to society is all around us. There are transport empires and construction and retail companies that were started by immigrants who began with nothing. In the primary industries, we had the German and Italian influence in the wine industry, the Croatian and Greek influence in the fishing industry and now, in another new migrant community, the Cambodian and Vietnamese involvement in market gardening. We have benefited enormously from first and second generation migrants going into medicine, engineering and the arts. I am confident that this new wave of migrants will continue that kind of contribution to our country.

This is no time to be excluding anyone from full citizenship of our country or from the benefits of citizenship. We are still a wealthy country and have no excuse for excluding anyone from full participation in our society because they are poor or disabled. Let me say plainly that I believe we must use the determination, unity and vigour with which we deal with threats to also create opportunities in this country. We should absolutely ensure that every citizen is given the ability to take up those opportunities. If we are to maintain the standard of living and the shared values we have come to take for granted, we cannot do it by leaving some behind because they are a little difficult to look after.

The government has an essential role in society—that is, to invest in its people and give people the tools to make the most of the opportunities available. To me this means the government must ensure that everyone has fair and equitable access to education, health services and employment. This is a fundamental principle of Labor Party philosophy and fundamentally opposed to a user-pays society where those who have more money and power get better service and greater advancement.

Another essential role of government is to equip the nation with the ability to make the most of its opportunities. This means looking to the future and leading the way forward. Over the past decade the government has failed spectacularly in preparing us for future growth. It has managed us down into a safe, backward-looking country. But that is in fact both mismanagement and incompetence. Australia is now unprepared for the future. The pillars of growth, education and skills training are looking shaky. The tentative steps into health reform are looking woefully inadequate and now there is an extreme agenda being developed to downgrade employment conditions for ordinary workers. Where are the forward-looking, strategic plans to coordinate growth, investment and advancement to allow our citizens to become part of the global world?

This is at a time when we should be the strongest, most united and vibrant we have ever been to deal with the challenges before us. This is at a time when I, in taking my position in the Senate of Australia, hope to work with the Australian Labor Party to take up the fight and to hold the government to account for the mismanagement, incompetence and lack of forward policy. Despite the challenges of a government with an absolute majority in both houses, I will work hard to ensure better opportunities for the citizens of Australia, and particularly South Australia.
Honourable senators—Hear, hear!

FIRST SPEECH

The DEPUTY PRESIDENT—Before I call Senator McEwen, I remind honourable senators that this is her first speech. I therefore ask that the usual courtesies be extended to her.

Senator McEwen (South Australia) (6.08 pm)—Thank you, Mr Deputy President. I would like to congratulate you on your election and I extend my congratulations to the President and to all the new senators on their elections, particularly my fellow South Australians Dana Wortley and Annette Hurley. I thank the Senate for the opportunity to make my first speech in this place. I acknowledge the fact that we stand upon the traditional land of the Ngunnawal people and I offer my profound apologies for the pain and disadvantage that European intrusion has visited upon our Indigenous Australians.

I am humbled to be a senator for South Australia. It is not a responsibility that I ever thought would come my way. I hope that during my term of office I can reward the faith that so many people have invested in me, not least the people of South Australia who voted for me. I cannot help but note with more than a touch of pride that I am one of five women Labor Party senators for South Australia—a fact that I believe, a testament to the willingness of the Australian Labor Party to take positive action to ensure women in the party can achieve political office.

As I said, I am from South Australia and I am proudly South Australian, born and raised in Adelaide. My personal history is probably not very different, in my early years, to that of other South Australians who, like me, were born in the 1950s of parents who grew up during the Depression. It is always interesting to compare oneself with one’s contemporaries and to attempt to fathom what it is in our own histories that has shaped us differently. And so, in preparing this speech, I asked myself: why is it I sit on this side of the chamber with my Labor Party comrades and, on the other side, sit senators who may have had similar backgrounds but have beliefs and aspirations different to those that I am going to articulate?

In Adelaide I grew up in a neighbourhood which was also home to a large number of what we then called ‘new Australians’, migrants from Europe who had come to Australia to build a new life for themselves but who also came to help us build the industries and infrastructure that became integral to South Australia’s economy. I saw the struggles that those courageous people faced: how they came here with almost nothing and worked so hard, how they were challenged by the prejudice of many ‘old Australians’ and who, despite it all, contributed so much to building our postwar nation and whose children and grandchildren still contribute.

I note in particular the many migrants who worked in South Australia’s automotive industries. I note also with great concern the now fragile future of the Mitsubishi plant in Adelaide’s southern suburbs. As I grew up, I enjoyed a neighbourhood where different languages were spoken, where our Italian neighbours showed us how to really celebrate a religious festival or a family milestone and where local shops stocked seemingly exotic foodstuffs. I well remember looking enviously at the mysterious items in the lunch boxes of my Italian school friends, and I compared their riches with my rather sad Vegemite sandwich. My mother was a teacher and spent many years of her career teaching English as a second language to primary school children and, in her own time, to adults.

Australia is an immeasurably richer and better place for having had people from other
countries choose to come and live here. It therefore disturbs me greatly that in more recent times the government has failed to act with fair play and compassion towards asylum seekers and refugees. We rightfully observe with much sorrow the tragedy of Australians killed and injured in terrorist attacks in Bali and elsewhere. But what regrettable lack of compassion did we see when 353 lives were lost from the SIEVX in 2001. What a woeful indictment it is when people who desperately need our help are incarcerated for years in detention centres under heartless and indifferent policies.

I am fortunate indeed to have inherited the electorate office and some of the staff of the former Senator the Hon. Nick Bolkus. I take this opportunity to thank my staff, Nina Gerace and Mick Tumbers, for agreeing to come and work for me and also for their good humour, hard work and great expertise. I would like to acknowledge the enormous contribution to Australia that Nick Bolkus made during his 24 years as a member of parliament. I also thank him for his support. He was, of course, a minister for eight years, including Minister for Immigration and Minister assisting the Prime Minister on Multicultural Affairs. The son of migrants, Senator Bolkus made sure his electorate office was a welcoming and helpful place for people attempting to navigate Australia’s immigration system. It is a service to the community that I hope my office continues to provide. We will do what we can to ensure Australia’s tradition of a fair go continues to be extended to newcomers. I hope that the practical consequences of measures that the nation needs to adopt to prevent terrorism do not become either inherently racist or used to dispossess deserving people of the opportunity for safe haven in our country.

I cannot move on without mentioning another group of Australians, whose terrible plight seems to have stagnated in the last decade. Indigenous Australians are still over-represented in unemployment statistics and in our rates of incarceration. They still struggle to find their place in our tertiary education system and they still die at a younger age than most other Australians. It is a sad state of affairs. I am reminded of the words of former Prime Minister Paul Keating when he gave his memorable Redfern speech in December 1992 prior to the commencement of the International Year for the World’s Indigenous People. He said:

This is perhaps the point of this Year of the World’s Indigenous People: to bring the dispossessed out of the shadows, to recognise that they are part of us, and that we cannot give indigenous Australians up without giving up many of our own most deeply held values, much of our own identity—and our own humanity.

Twelve years on, sadly the quote is still relevant. I do not want Australia to compound our already sad history by continuing to let our Indigenous people suffer the disadvantage we have inflicted on them. Perhaps, as former Prime Minister Keating also said, we still need to ‘open our hearts a bit’.

Indigenous Australians find it harder than most to find employment in Australia. However, when I left school, I could choose from any number of jobs. Jobs were easy to come by. I started work as a clerk in an accounting firm when I was 16. My first task every day was to make the tea for the partners. I did not mind; it was a good job. I got paid, I got paid holidays, I got paid sick leave, I learnt new skills, I felt valued, I saved a bit of money and soon I was able to move on to other jobs with equally good if not better conditions. I did not think about where those conditions had come from. I had no clue about awards or where the pay rises I received every year came from or how it was that at some point in time maternity leave was made available to women workers.
I joined a union because it seemed like the right thing to do. It was the best thing I ever did. The light was turned on. I understood where those working conditions I enjoyed had come from and who had fought for them so that I could benefit. I became part of the most valuable tradition that Australia has—the tradition of a fair go, of working collectively for the common good, of looking after those who need your help. I became part of the continuum of the pursuit of justice, freedom and equity that has been the soul of the Australian union movement for more than 100 years. I have been a union official. It was the best job I ever had. I met some wonderful people and I saw some dreadful things done to hardworking Australians who deserved better. Who can forget the tragedy of Ansett? Let us not forget that nearly four years on many of those Ansett workers have still not been paid all the moneys that they are entitled to.

In my days as a union official, I saw ordinary people doing extraordinary things because they were outraged by an injustice to fellow workers and they wanted to right the wrong. They were helped in this to some extent by the industrial system, which, while far from perfect, at least afforded them some protection and some certainty. Now, it seems, one of the pieces of legislation soon to be debated in this place will be the government’s proposed industrial relations laws. The government promotes the concept of freedom as the cornerstone for more productive and prosperous workplaces. In some ideal world where individuals and employers have equal bargaining power, in a climate of openness and candour, there would not be an issue with free association. But this is not an ideal world and individual workers do not come to the bargaining table as equals with their employers. It already happens now that workers are told to sign an individual agreement or they will not get the job. To say that an individual worker with a family, a mortgage and a desperate need to earn a living has any freedom to choose whether or not to sign or has any real bargaining power is unfair, unrealistic and farcical.

I acknowledge that we have not seen the detail of the government’s proposed industrial legislation but we have heard of the intention to change unfair dismissal laws and the system of setting minimum rates of pay. If these things come to pass, more than 3½ million Australian workers will be denied the ability to challenge their dismissal from employment, and more than 1½ million workers will be consigned to minimum award rates of pay with little chance of their wages keeping pace with their cost of living. We are told that these changes are needed so that more and better jobs will be created. I and many others are not convinced—not convinced that we need to destroy our industrial system and usurp the authority of the states to have their own systems, and not convinced that when we have done that we will see any more or better jobs.

What I am convinced of is that when the government’s proposed industrial laws are passed, as it seems they will be, we will have an Australian economy that has as its basis a predominance of casual, low-paid workers or self-employed contractors with no paid leave to look after their children and elderly parents when they need care, no decent superannuation for their retirement and no proper jobs to hand on to their children. It is not an Australia I am looking forward to seeing. We should not be tearing down the few institutions we have left that are the product of a century of struggle and built on the principles of a fair share and a fair go.

There is another fine institution that is threatened by government policy. That is our student unions. I know a bit about student unions. I used to work for one. I met Senator
Penny Wong there when she was a student. She was then, as she is now, a thoughtful and inspiring woman with a passion for justice. I know other people were there who are now members in this parliament but are not sitting on the Labor side of their House. They were all beneficiaries of the student organisations that nurtured, supported and enabled them to make their way through university and into the world. It is disappointing to see they have turned their back on the student unions.

We hear the noble words ‘freedom of association’ turned against the student organisations, which operate on the basis that a small contribution by all is a fair way to provide support and services for all who need it. It is the same principle that applies when we pay council rates or income taxes. But when it applies to student unions this government says it denies us freedom. It is an unjust argument by those who want to destroy student organisations because collectivism is inimical to their own ideology. I do not understand why the government is so concerned about our tertiary students having to pay fees for student services. I would have thought the concern would be better directed at the problem of our young people leaving tertiary education having accumulated large debts. We are a rich nation; we do not need to burden our young people with debt.

As a nation we should make our decisions on the basis of what kind of future we want for our children. I am not sure the decisions this Senate is likely to make in the next months are going to create the kind of Australia those of us in the Labor Party want for the next generations.

It is not an Australia that my 86-year-old father wants to see either. My father is a veteran of World War II. He is the son of a working-class family who had little in the way of material assets. He grew up during the Depression. For him military service was a golden opportunity: an opportunity for adventure, for travel, to earn a good income and to set himself up for life with a war service home—the very home I grew up in in Adelaide. That opportunity came at a significant cost, of course. The scars of war are sadly too real for the veterans of all wars, most of whom were also working-class young people.

In 2004, I was privileged to be able to walk where my father had been 62 years before with South Australia’s 2/27 Battalion. I joined other South Australians to walk the Kokoda Track in Papua New Guinea. We did it to raise funds for a respite facility for children with disabilities. The fundraising was a success, I am pleased to say, and it was shortly after walking the track that I found I was preselected for the Senate. Some would say I left one jungle and found myself in another.

There is a monument at a battle site called Isurava along the Kokoda Track. It is, thankfully, maintained by local villagers with Australian government funding, and it comprises four granite pillars upon which are etched the words ‘Courage’, ‘Endurance’, ‘Mateship’ and ‘Sacrifice’. It is a moving place. Many Australian and Japanese soldiers died there. I looked at those pillars—hewn, I believe, from granite mined at Mannum in my own state—and wondered if as a nation we still honour those quintessential Australian qualities that young people died defending more than 60 years ago. The current government policies of individualism and unfettered freedom of choice and competition at all costs do not reflect the spirit of Kokoda. When we say ‘Lest we forget’, as we will soon do again when we remember the war in the Pacific, let us remember not just the soldiers who died but also the values they were fighting for.
I should acknowledge that today, 9 August 2005, is the 60th anniversary of the bombing of Nagasaki. It is an occasion to recall—and to be saddened by—the horrible effects of war on civilian populations, to reflect on why Australia is engaged in a war in Iraq and to contemplate the wisdom of a resurgent interest in the mining of uranium in this country.

In closing I wish to thank the many people who have supported me, in particular former and current union leaders Harry Kranz, the Hon. John Gazzola MLC, Andy Dennard, Katrine Hildyard, Georgina Matches and all the past and present workplace delegates, staff and members of the Australian Services Union who gave me the chance to be secretary of a great union. To all my comrades in the trade union movement in South Australia, especially Mark Butler and the LHMU, Janet Giles at SA Unions, the United Fire Fighters Union, the CFMEU and the AWU, I will not forget where I came from and I will not forget what needs to be done. That is a commitment I also make to the 50,000 union delegates in Australia. You are in for a tough time and I am right there with you.

I also thank the members and staff of the ALP in South Australia and my fellow Labor Party politicians in both the South Australian and federal parliaments. I am very honoured not only to be a Labor senator but also to be the president of the South Australian Branch of the ALP. To my family and friends who have travelled from interstate to be with me today, my heartfelt thanks, and to all the Centacare Kokoda trekkers, thank you for your friendship. I acknowledge two of you who are here today, Judith Botha and Bernie Victory.

I could not, of course, have taken on this new responsibility without the relentless support and love of my family, especially Brenton and Holly and my father, Doug. In conclusion, I would like to thank the staff of the Senate and the parliament who have given me such gracious and patient assistance over the last few weeks. Their respect for our parliament reminds me daily how precious our democracy is. Thank you.

**Honourable senators—Hear, hear!**

**NOTICES**

**Presentation**

**Senator Allison** to move on the next day of sitting:

That the Senate—

(a) acknowledges the massive destruction caused by the use of nuclear weapons against the cities of Hiroshima and Nagasaki 60 years ago;

(b) notes that the one megaton bombs in the 28,000 strong nuclear arsenal worldwide are 70 times bigger and more destructive than those used against Japan;

(c) notes:

(i) the inability of the United Nations, at the recent Nuclear Non-proliferation Treaty Review conference, to commit to stringent and effective measures towards nuclear disarmament,

(ii) the message of 4 August 2005 by the World Council of Churches referring to the ‘unfinished business of banning nuclear weapons’,

(iii) that since the first atomic bombings in 1945 the number of nuclear-armed states has increased from one to nine, and

(iv) that nuclear weapons have not stopped wars in Korea, Vietnam, Afghanistan, the Falklands or Iraq, nor deterred terrorists anywhere; and

(d) calls on the Australian Government to:

(i) fast-track all efforts towards a nuclear-weapons free world,

(ii) ensure comprehensive restrictions on the use of Australian uranium are expanded and enforced,
(iii) withdraw uranium export agreements 
with nuclear weapons states that do not 
commit to an agreed time frame for to-
tal disarmament, and 
(iv) refuse entry to any vessel suspected of 
carrying nuclear weapons, or of carry-
ning depleted uranium weapons, to any 
Australian port.

Senator Stott Despoja to move on the 
next day of sitting:
That the Senate—
(a) notes that:
(i) 8 August 2005 was the 17th anniver-
sary of the Burmese military regime’s 
murderous suppression of the pro-
democracy movement, 
(ii) thousands of people have died and con-
tinue to die under the rule of the Bur-
mese military, and 
(iii) Daw Aung San Suu Kyi and many 
hundreds of other political prisoners 
remain under detention within Burma; 
and
(b) calls on the Government to:
(i) make representations to the United 
Nations Security Council, calling on 
the Council to pass a strong resolution 
addressing the urgent need for democ-
ratric reform and greater protection of 
human rights in Burma, 
(ii) rethink its diplomatic relationship with 
Burma, and 
(iii) repeat its calls for the immediate and 
unconditional release of Daw Aung San 
Suu Kyi and all remaining political 
prisoners.

Senator Stott Despoja to move on the 
next day of sitting:
That the Senate—
(a) notes:
(i) the failure of the implementation of the 
Special Autonomy Law in improving the 
lives of indigenous West Papuans, 
(ii) the Council for Indigenous Papuans, 
Dewan Adat Papua, has decided to 
‘hand back’ the Special Autonomy Law 
to Jakarta on 15 August 2005, 
(iii) the unacceptable escalation of violence 
and intimidation, particularly in the dis-
trict of Pyramid, and 
(iv) the dramatic increase in the number of 
Indonesian troops deployed in West 
Papua; and
(b) calls on the Government to:
(i) make representations to the Indonesian 
Government to reassess the implemen-
tation of autonomy in West Papua, 
(ii) make representations to the Indonesian 
Government to withdraw troops from 
West Papua, 
(iii) draw attention to ongoing human rights 
abuses in West Papua, and 
(iv) urge both sides to show restraint.

Senator Kemp and Senator Lundy to 
move on the next day of sitting:
That the Senate—
(a) conveys its deepest sympathies to the fam-
ily and friends of Amy Gillett, Australian 
cyclists, who died tragically in a road ac-
cident in Germany while training with the 
Australian Road Cycling Team on 18 July 
2005; 
(b) records its very best wishes for a full re-
covery to Amy’s team mates who were 
also involved in the accident, Louise Yax-
ley, Alexis Rhodes, Kate Nichols, Lorian 
Graham and Katie Brown; and 
(c) records its thanks to the Australian Am-
bassador to Germany and staff, the Austra-
lian Sports Commission, the Australian 
Institute of Sport and Cycling Australia 
for their support provided to family and 
friends of the cyclists involved in the ac-
cident and to the surviving cyclists.

Senator Ellison to move on the next day 
of sitting:
That the following bill be introduced: A Bill 
for an Act relating to the implementation of the 
imports phase of the Integrated Cargo System, 
and for related purposes. Customs Amendment 
(Extension of Import Cut-over Time) Bill 2005.
Senator Forshaw to move on the next day of sitting:
That the Finance and Public Administration References Committee be authorised to hold public meetings during the sitting of the Senate on the following days:
(a) Thursday, 11 August 2005, from 3.30 pm, to take evidence for the committee's inquiry into the Regional Partnerships program; and
(b) Thursday, 18 August 2005, from 4 pm to 7 pm, to take evidence for the committee's inquiry into government advertising.

Senator Ellison to move on the next day of sitting:
That the government business order of the day for 18 August 2005, relating to the Skilling Australia's Workforce Bill 2005 and a related bill, be made an order of the day for a later hour.

Senator Hill to move on the next day of sitting:
That—
(a) the address-in-reply be presented to His Excellency the Governor-General by the President and such senators as may desire to accompany him; and
(b) on Wednesday, 17 August 2005, the Senate adjourn at 5 pm, for the purpose of presenting the address-in-reply to the Governor-General.

Senator Ellison to move on the next day of sitting:
That consideration of the business before the Senate on the following days be interrupted at 5 pm, but not so as to interrupt a senator speaking, to enable senators to make their first speeches without any question before the chair, as follows:
(a) Wednesday, 10 August 2005—Senators Ronaldson, Fielding and Milne;
(b) Thursday, 11 August 2005—Senators Adams, Polley and Siewert;
(c) Tuesday, 16 August 2005—Senators Trood, Sterle and Joyce; and
(d) Thursday, 18 August 2005—Senators Nash, Wortley and Parry.

Senator Hill to move on the next day of sitting:
That the order of the Senate of 17 November 2004, relating to the days of meeting of the Senate in 2005, be modified to provide that the Senate not meet on Monday, 15 August 2005 to enable senators to fully participate in the 60th anniversary VP Day celebrations in their respective states and territories.

Senator Bartlett to move on the next day of sitting:
That the Migration Amendment Regulations 2005 (No. 6), as contained in Select Legislative Instrument 2005 No. 171 and made under the Migration Act 1958, be disallowed.

Senator Brandis to move on the next day of sitting:
That the Economics Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 11 August 2005, from 4 pm, to take evidence for the committee’s inquiry into the provisions of the Trade Practices Amendment (National Access Regime) Bill 2005.

Senator Stephens to move on the next day of sitting:
That the time for the presentation of the report of the Economics References Committee on possible links between household debt, demand for imported goods and Australia’s current account deficit be extended to 6 October 2005.

Senator Heffernan to move on the next day of sitting:
That the time for the presentation of the report of the Rural and Regional Affairs and Transport Legislation Committee on the National Animal Welfare Bill 2005 be extended to the last sitting day in June 2006.

Senator Milne to move on Thursday, 11 August 2005:
That the Senate—
(a) notes the Federal Government’s intention to override the Northern Territory Government in pursuit of expanding uranium mining, announced on the eve of the 60th
anniversary of the United States of America dropping the first atomic bomb, killing approximately 140,000 people in the Japanese city of Hiroshima;

(b) rejects the expansion of uranium mining because of its potential to cause grave harm to people and the environment, and the risk of Australian uranium being diverted to the production of nuclear weapons; and

(c) calls on the Federal Government to abandon the expansion of uranium mining and instead support the expansion of energy efficiency and renewable energy to address the challenge of climate change.

Senator Fielding to move (contingent on the President presenting a report of the Auditor-General on any day or notifying the Senate that such a report had been presented under standing order 166):

That so much of the standing orders be suspended as would prevent the senator moving a motion to take note of the report and any senator speaking to it for not more than 10 minutes, with the total time for the debate not to exceed 60 minutes.

Senator Fielding to move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business):

That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

Senator Fielding to move (contingent on the Senate proceeding to the consideration of government documents):

That so much of the standing orders relating to the consideration of government documents be suspended as would prevent the senator moving a motion relating to the order in which the documents are called on by the President.

Senator Fielding to move (contingent on a minister moving a motion that a bill be considered an urgent bill):

That so much of standing order 142 be suspended as would prevent debate taking place on the motion.

Senator Fielding to move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill):

That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.

Senator Fielding to move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired):

That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

Senator Fielding to move (contingent on the moving of a motion to debate a matter of urgency under standing order 75):

That so much of the standing orders be suspended as would prevent the senator moving an amendment to the motion.

Senator Fielding to move (contingent on the President proceeding to the placing of business on any day):

That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the Notice Paper.

Senator Fielding to move (contingent on any senator being refused leave to make a statement to the Senate):

That so much of the standing orders be suspended as would prevent that senator making that statement.

Senator Fielding to move (contingent on a minister at question time on any day asking that further questions be placed on notice):
That so much of the standing orders be sus-
pended as would prevent the senator moving a
motion that, at question time on any day, ques-
tions may be put to ministers until 28 questions,
including supplementary questions, have been
asked and answered.

Senator Fielding to move (contingent on
any senator being refused leave to table a
document in the Senate):
That so much of the standing orders be sus-
pended as would prevent the senator moving that
the document be tabled.

Senator Brown to move on the next day
of sitting:
That the Senate calls on the Government to in-
vestigate the potential for a World Heritage nomi-
nation for Tasmania’s Tarkine wilderness.

DOCUMENTS

Treaty of Amity and Cooperation in
Southeast Asia

Senator BARTLETT (Queensland) (6.30
pm)—I move:
That the Senate take note of the document.
Being a treaty tabled in this chamber by the
government, this treaty will stand referred to
the Joint Standing Committee on Treaties, of
which I am a member, so I will have further
opportunity for examination. I just want to
take the opportunity to make a few brief
comments on this. There will be further op-
opportunity for the parliament through the trea-
ties committee process.

It is worth noting, though, the peculiar
circumstances surrounding the government’s
decision to enter into the Treaty of Amity
and Cooperation in Southeast Asia. It is an
action that has been advocated by many—by
the opposition, by the Democrats and by oth-
ers—but which the government was not only
unwilling to do but also scathing about do-
ing. Minister Downer came up with a range
of reasons this was inappropriate, unaccept-
able and unworkable. We now have a situa-
tion where that position has been reversed. It
is part of an arrangement or requirement that
enabled Australia to be involved in meetings
with South-East Asian nations. That is a de-
velopment that should be welcomed. It is
certainly welcomed by me. The general ap-
proach of engaging with nations in our re-
gion in this way is also one that I welcome.

But you do have to wonder why it was
such a tortuous process and also why so
many red herrings were put out along the
way by the minister as to why this was a bad
idea—particularly the farcical idea that, if we
entered into a treaty of amity arrangement
with South-East Asian nations, that would
prohibit Australia from being able to make
criticisms about the human rights records of
nations such as Burma. The absurd aspect of
that is that other South-East Asian nations
such as Indonesia have actually been more
vocal than Australia about the unacceptabil-
ity of the Burmese regime, the Burmese mili-
tary junta and their complete lack of progress
in dealing with re-establishing democracy in
that country, and some of the appalling hu-
man rights abuses.

The sad situation is that the federal gov-
ernment is actually softer on criticising the
Burmes military dictatorship than a number
of other nations that are part of ASEAN and
that have signed up to the treaty of amity,
and it is softer even than the US government.
That is a pretty sad indictment on the will-
ingness to turn a blind eye to a major human
rights abuser and a major offender when it
comes to subverting democracy and oppres-
sing those that seek to fight for it. There is not
even the excuse this time that it is a major
trading partner, which is the excuse used for
somewhere like China—not that I think that
that is a reasonable excuse anyway. But they
do not even have reasons like that.

Whilst this is a welcome move, I do think
it is worth noting some of the spurious rea-
sons that were used early on and in recent
times by the federal government in not mov-
ing towards ratifying the treaty of amity. That is something that unnecessarily hin-
dered improvements in our relationship with South-East Asian nations in areas where there needs to be improvement. I think there are significant grounds for optimism with the progress of a number of nations in our re-
gion—progress in a democratic sense as well as in an economic development sense. There are difficulties there, but working through a framework like this will actually assist our nation as well as other nations in the region. I think it is a sign that, once again, we had the Minister for Foreign Affairs taking a very longwinded, roundabout and unnecessarily complicated way of reaching a situation we should have been in much more easily and much more quickly.

Question agreed to.

ADJOURNMENT

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

That the Senate do now adjourn.

Associate Professor Andrew Fraser

Senator WONG (South Australia) (6.35 pm)—I rise tonight to speak about a serious matter that has distressed many Australians: a man who came to Australia to share our prosperity and security but rejected our tradi-
tions of tolerance and respect. Instead, he has been spreading propaganda of hatred and division, claiming that Australians who do not share his culture and his race are inferior. He disparages their capacity and denigrates their character. I am talking, of course, about Associate Professor Andrew Fraser.

Andrew Fraser recently garnered a great deal of publicity for himself by making in-
flammatory and racist remarks. I will not mince words. To claim, as Fraser did, that a person’s intellect, their ability and their char-
acter can be judged by the colour of their skin is plain and simple racism. As a result, Macquarie University felt that the risk to public safety on campus was so great they had to suspend Associate Professor Fraser from teaching. Subsequently, when Fraser continued to use his academic position and title to buttress his racist statements, Mac-
quarie University Vice-Chancellor Di Yer-
bury determined to continue that suspension until Fraser’s retirement next year.

As the perhaps inevitable result of that ac-
tion, the usual suspects such as Paddy McGuinness and Mr Brendan Nelson have come out claiming Andrew Fraser as a mar-
tyr for the cause of free speech. There have been the usual predictable statements. I quote the Minister for Education, Science and Training, Brendan Nelson:

Those who so strongly argue for free speech and academic freedom and rigour, I think they should strongly disagree with what he’s said if that’s their view ... but nonetheless respect the fact that he as an academic has a right to express it.

I am absolutely in favour of free speech. I am absolutely in favour of academic freedom and rigour. Entirely by accident, the minister has got right to the core of the issue, al-
though, as usual, he has completely misun-
derstood it. The action taken by Macquarie University is about academic freedom and academic rigour. One cannot be detached from the other. Academic freedom is founded on academic rigour. Associate Professor Fra-
ser represented opinion as fact and bigotry as science. When he used his lectern as a bully pulpit to preach hatred and intolerance, he laid down the burden of academic rigour and surrendered the privilege of academic free-

For all the misguided and confused com-
ments by people such as Brendan Nelson, Andrew Fraser is still as free as any other member of the community to speak his mind.
Freedom of speech, amongst other things, means being free to express an opinion without government persecution. Andrew Fraser is hardly in danger of government persecution. As with Pauline Hanson, we see Howard government ministers rushing forward in support, very vocal in defending the rights of those who vilify and attack other Australians yet strangely silent about the rights of those vilified and those attacked. Although still free to speak, Associate Professor Andrew Fraser is no longer able to use his position with Macquarie University as a megaphone to make himself heard more loudly than his fellow citizens.

That is the reality of free speech. A university lecturer, an opinion columnist or, indeed, a politician is free to speak but also privileged to be heard. A Chinese migrant woman in south-western Sydney or an Afghan girl in Baxter detention centre have no such luck. As far as the media are concerned, their speech is so free it is worthless. But how free is any speech? Australians are not free to defame or threaten each other. Our freedom of speech is not the right to make jokes about carrying a bomb on an airplane, nor the right to advertise cigarettes. It is not the right to incite or advocate violence. These are just a few of the many restrictions on speech in Australia. Every civilised community since history began has had to negotiate this balance between individual liberties and mutual respect. We lift those restrictions for some of our citizens in certain circumstances—that is, politicians speaking in parliament, lawyers and judges in the courtroom and, yes, academics in the classroom. We grant those people privileged exemptions from the laws that apply to other Australians in the expectation that those exemptions will only be used for the purpose intended.

Free speech is never quite free; it always has limitations and it always has costs. In Australia we accept that limitations should be placed on speech that harms other people. Defamatory speech hurts an individual and hate speech hurts many people. In fact, it hurts our whole community. It strains the bonds which have made Australia so resilient in the face of adversity. It weakens us as a nation and it diminishes us all as Australians. I do not intend to give Mr Fraser’s comments greater currency by repeating them in detail. I want to note one particularly invidious tendency in these remarks: the repeated false contrast he tries to draw between ‘ordinary Australians’ and those people Andrew Fraser does not like the look of—those he maligns and vilifies.

Andrew Fraser’s victims are ordinary Australians. They are ordinary Australians who can trace their family history back to every corner of the globe, to places as near as Malaysia, Papua New Guinea and China and to places as far away as Italy, Peru, England, Turkey, Kenya and Canada. They share with other Australians the same hopes and dreams: good health, a secure job, a safe home and a good school for their children. Those hopes and dreams are hardly extravagant or unreasonable, but it is these hopes and dreams which are threatened by the intolerance that Andrew Fraser has inflamed.

Andrew Fraser may think that a typical Australian is the sun-bronzed, blonde, blue-eyed Aussie but, as everyone in this place knows, being Australian goes deeper than a tan and a bottle of peroxide. When we talk of the Australian spirit at Eureka or Gallipoli, we remember how Australians will risk life and limb for the sake of a mate in danger. That great Australian Sister Elizabeth Kenny developed quite a tan during her work as a bush nurse, but we prize and honour her determination in her fight to help those most vulnerable and in need—that is, paralysed polio patients. The words ‘a fair go’ are typically Australian; the words of Andrew Fraser are not.
But those few atypical Australians emboldened by the widespread media coverage of Andrew Fraser’s views and the spurious authority his university affiliation gave his bigotry have done tremendous damage in our community similar to that which occurred when John Howard defended Pauline Hanson. As a member of the Chinese community, I remember well the rise in racist incidents and the hurt and the fear of those days. Now racist poster and pamphlet activity similar to that undertaken by the neo-Nazi Patriotic Youth League, of which Fraser has said he approves, has increased. There has been a reported increase in racist hate mail. Perhaps the most horrible irony is that one family, having fled their home in the Sudan in fear of their lives, have now had to flee their new home in Toowoomba.

These victims of the thuggery and intimidation are ordinary Australians who, like the parents, grandparents or great-great-grandparents of everybody in this place, came here to build Australia into the nation it is today: a country whose calibre is a tribute to the extraordinary qualities of ordinary Australians. Our great country has the great values of tolerance and of mutual respect for all Australians. We the Australian community have a responsibility to protect each other from vilification and abuse, and Macquarie University has a responsibility as an institution to prevent its name being used as a shield for someone perpetrating that kind of vilification and abuse.

Let us contrast on the one hand Andrew Fraser, who associates with the views of people who commit violent acts against their fellow citizens and delights in the vilification of his fellow Australians, with the responsible parties at Macquarie University who acted to protect the safety of staff, students and visitors and the integrity of the university and who sought to undo the damage Fraser did to the integrity of our Australian community. These were responsible and compassionate acts. In striving to balance intellectual freedom with academic responsibility and to weigh individual privilege against community needs, Macquarie University sets an example. And those in the opinion pages and on the government benches bleating about a wholly imaginary censorship would do better to apply to their own actions Macquarie University’s principles of rigour and responsibility and the values of cooperation and compassion.

**Brisbane Freeway**

_Senator BARTLETT (Queensland) (6.45 pm)—Firstly, I would like to associate myself with the excellent speech by Senator Wong. She outlined some of the key issues there in a very insightful and very important way._

I want to raise an issue that is very significant for my hometown of Brisbane. I have lived in Brisbane my entire life—which is now a bit over 40 years—on the inner north side. I can recall, when I was just a child, proposals about a freeway going through the suburbs just near where I lived, to be called the northern freeway. There was a lot of community concern about the impact of that freeway. A lot of land was resumed by the relevant government authorities in preparation for the freeway but because of community concern at that time—and this was the early seventies—that did not go ahead. But I have this certainty that somewhere or other in main roads departments, certainly in Queensland, these plans just go into a bottom drawer somewhere, and there is an engineer who never dies, and he just comes along every 10 years, opens up the bottom drawer, pulls out the same plan, gives it a new name and says, ‘We really need to build this road; we really need to build this freeway,’ and you have to fight the same thing over again.
Indeed, the plan did reappear some time ago. It was then called the airport link. Again it was going to put a dramatically expanded and widened, fast bitumen track out through similar sorts of suburbs—the inner northern area—and out to the airport. Community concern and opposition to that plan once again stopped it. I might note that the then local Liberal member for the seat of Clayfield, one Mr Santo Santoro, was active in supporting the community in stopping that stupid road project.

What we see again, 10 years down the track, is that the engineers have gone back to the bottom drawer, pulled the plan out again—they still own all those properties they resumed 30 years ago—and once again we have got the freeway, the tunnel, the exits, the ramps and the off-ramps. Only this time we have got exhaust stacks added onto it as well. Once again, the same community—and many others—are going to be subjected to the engineering madness of these people who think that building more and more roads is going to solve traffic problems.

I can make all these, what might seem unfair, imputations against civil engineers because my father was one; so I do know their innate passion for building wharves and bridges and things, which seems to lie deep within their hearts somewhere. The fact is that, in this instance certainly, there is a clear problem on a whole lot of fronts with what has been proposed and very strongly pushed—particularly by the current Brisbane City Council administration—to build a whole network of tunnels and freeways and expansions of bitumen in inner-city areas of Brisbane.

The real problem we have is that the starting point for what is called TransApex is a tunnel—a north-south tunnel—going from the inner south side, around Woolloongabba, to come out around Windsor; in fact, right next to the Royal Brisbane Hospital, which, for those interested in historical trivia, just happens to be where I was born. That, without a doubt, is going to lead to funnelling huge amounts of increased traffic causing it to plop out right in the middle of what are already significantly heavily used major arterial roads.

It is going to cost an enormous amount of money. Hundreds of millions of dollars will be the contribution from the Brisbane City Council. The Brisbane City Council has a curious composition—it is perhaps not unique, but it must be one of the rare ones. It has a Liberal lord mayor, who was directly elected, but with a majority of the council controlled by the Labor Party. The problem is that the Labor sort-of-opposition—which is actually in a majority in the council—has said that it supports this initial tunnel. It does not support the whole TransApex project, which is a special child of the Lord Mayor, Campbell Newman. But the problem is that once the first tunnel has gone through it is absolutely inevitable that the second stage—which will introduce that old northern freeway-airport extension, back once again through those northern suburbs—will be inevitable. It will be, without a doubt, pushed for as an absolute necessity, to deal with the traffic gridlock that will occur at the end of the first tunnel, when it gets built. And we will have further tunnels and further exhaust stacks.

I have thought that one thing we could learn in Queensland—where, as people know, we are quite comfortable with slagging-off the people south of the border as being far inferior in all sorts of ways—is to say that we are not so stupid as to follow the same mistakes as those idiots in Sydney and the New South Wales state government. They of course have built tunnel after tunnel, which has created massive expense and caused enormous traffic problems, but more
particularly has caused environmental and health problems with unfiltered exhausts stacks coming out right in the middle of significant residential areas.

The problem is that in Brisbane we are going to have the same thing—exhaust stacks at the ends of or near the ends of these tunnels. One of them will be right next to the Royal Brisbane Hospital. Another, at the other end, will be right next to the Gabba, home of the famous Brisbane Lions and the Bulls, the Queensland cricket team. And we will have further exhaust stacks with the airport linkage of stage 2 around through those northern suburbs. So suburbs like Windsor, Wilston, Hurst, Albion, Wooloowin, Clayfield, Kedron, Gordon Park, Stafford, Bowen Hills, Hamilton—all of those places on the inner north side—will undoubtedly be subjected to significantly increased health dangers from the unfiltered, concentrated car exhaust that will come out from the end of the tunnel. On the south side, people from the suburbs of Wooloongabba, Buranda, East Brisbane and Kangaroo Point, will have the same real, significant health dangers. That is without some of the other tunnels and bridges that are also being planned.

There are very few places in the world where traffic problems in inner city areas that are already developed have been solved by building wider roads or more roads. It is well established that more roads lead to more cars on the roads and more difficulty in getting viable public transport. We had the absurd suggestion by one of the draft environmental impact statements that more roads might actually improve air quality because cars would be moving more quickly, as though all the cars that are on the existing roads are suddenly going to disappear! But of course they are not; they will continue to be there and traffic will quickly expand to what it was before. On top of that, you will have these concentrated emissions of car, bus and truck exhausts pouring out from a single source in inner city areas. The environmental consequences of greater traffic will be significant air pollution. The health impacts, I suggest, will also be significant.

The whole suggestion that this plan will reduce or solve traffic problems is a con, and it is a con that is unfortunately being backed very enthusiastically by the Liberal mayor—without opposition, anyway, from the Labor Party members of the council. There is still the need for it to be approved by the state Labor government. We have an interesting situation in that the Premier actually lives in this area, in Wilston. I should state my interest: I also live in this area, in the suburb of Windsor. I live down the bottom, on the flood plain; Mr Beattie lives at the top of the hill, of course—the flash house up in Wilston—as, I should say, does the Lord Mayor. So the Premier lives on one side and the now Deputy Premier, Anna Bligh, just recently installed, lives in the South Brisbane electorate, which will also be significantly impacted by this plan. So I would urge them to look to the interests of their own constituents directly but also to the wider interests of the people of Queensland.

I am not against spending money on roads where it is going to address issues and problems. I think there is a need to fix up the western road from Ipswich and Toowoomba, and there is certainly a need for road funding in those regional communities that do not even have sealed roads yet. But to be spending hundreds of millions of dollars to simply increase traffic pollution—with Brisbane City Council running a serious risk of going into major debt—is something I do not believe is appropriate. I really urge people, particularly those who live in those communities, to put more pressure on the state government and to recognise that this plan is not environmentally appropriate. There have been many holes shot in the original impact
assessment. I believe it is a project that should not get the go-ahead and needs to be rethought comprehensively.

**Senate Powers**  
**Regional Partnerships**

Senator O’BRIEN (Tasmania) (6.55 pm)—Tonight I rise on a matter that goes to the heart of the way this place does business—specifically, the important role that truth plays in the deliberations of this chamber and its committees. It is appropriate that I raise the matter of truth on the very day the Howard government gains effective control of this chamber. Many Australians are very uneasy with the Senate result and in my view they have good reason to be. Since its return, the Howard government has embraced an extreme agenda that is out of touch with the Australian people. We already know about the government’s plans to destroy fairness in the workplace, flog off Telstra and decimate student services. Doubtless we will learn more about its full agenda over the coming weeks and months. Labor are committed to taking the fight to the government on issues that matter to the Australian people. We will continue to fight against the Howard government’s extreme legislative agenda, inside and outside the parliament.

With the change in the composition of the Senate, the Australian people have lost a check on the worst excesses of this government. Over the past nine years, non-government parties in the Senate have established many inquiries that have shone a light on the murky underside of the Howard government. It is important to remember that none of these inquiries, including the inquiry into the shameful ‘children overboard’ affair, would have seen the light of day had the coalition parties enjoyed a majority in this place. We are yet to see how the government will fully exercise its majority in the Senate. It failed a significant test today when it reduced the allocation of questions without notice to the opposition in the face of a precedent established over many years under successive governments. We know the government will attempt to shoehorn its bills through the Senate. It will succeed unless a now well-known senator from Queensland does more than just talk the talk; he will need to walk the walk as well.

I began tonight by talking about the importance of truth. Participants in the parliamentary process are compelled to tell the truth. We may not mislead each other during debate and we do not permit ourselves to be misled by others. Senate committee proceedings are recognised as proceedings of the parliament and accorded the same protection as proceedings in the Senate itself. On 25 February 1988, the Senate resolved:

A witness before the Senate or a committee shall not:

… give any evidence which the witness knows to be false or misleading in a material particular, or which the witness does not believe on reasonable grounds to be true or substantially true in every material particular.

In simple terms, witnesses before the committees are required to tell the truth. Despite its simplicity, it is apparent to me that a witness who has given evidence to the Senate Finance and Public Administration References Committee inquiry into regional funding has failed to understand, or wilfully ignored, the obligation imposed on him to tell the truth.

In June and July last year, the Howard government approved two Regional Partnerships grants totalling $1,496,000 for the dredging of Tumbi Creek, located at The Entrance, on the New South Wales Central Coast. The proponent was Wyong Shire Council. The second grant of $748,000 was announced by the Prime Minister himself at Tumbi Creek on 26 August last year. In December last year, the Senate referred matters
related to the Regional Partnerships and Sustainable Regions programs to the Senate Finance and Public Administration References Committee for inquiry and report.

On 24 February 2005, the committee convened a public hearing at The Entrance to examine the Tumbi Creek grants. Key witnesses included councillors and officers of Wyong Shire Council. Among those witnesses was Councillor Brenton Pavier, the Liberal Mayor of Wyong Shire who received a mention in dispatches during the ‘Wyong officials should keep their counsel’ scandal earlier this year. Councillor Pavier appeared before the committee in his official capacity—that is, as the mayor.

During the course of the regional funding inquiry, all witnesses called to give evidence were required to give that evidence under oath or affirmation. The public hearing at The Entrance was no exception. Additionally, immediately preceding the giving of evidence by councillors and the officers of Wyong Shire, the committee chair, Senator Forshaw, advised all witnesses that ‘any false or misleading evidence may constitute a contempt of the Senate’. No person present at that public hearing—except the most dimwitted observer—could be under any illusion that, as far as proceedings of Senate committees go, and this committee in particular, the truth matters.

During the course of the hearing, I asked witnesses from Wyong Shire Council when they received advice that the second Regional Partnerships grant of $748,000 had been approved. Mr David Cathers, council’s director of engineering services, told the committee:

We received a letter from Minister De-Anne Kelly on 26 August advising that the second grant was approved.

A few minutes later, I asked if any officers or councillors had received any advice about approval of the second grant before receipt of Ms Kelly’s letter dated 26 August 2004. My question was:

In terms of that second approval, you had received written notification about it. Did any officer or councillor receive other less formal notification that the application had been successful?

Mr Cathers answered:
I am not aware of that.

Mr Kerry Yates, the general manager, answered:
I am not aware of any.

I then asked:
Mayor, were you or any other councillor made aware of any earlier decision to approve or a proposed decision to approve?

The transcript records Councillor Pavier’s answer this way:
Mayor Pavier—No.

That is, having sworn an oath to tell the truth and having heard the chair warn witnesses that the giving of false or misleading evidence may constitute a contempt of the Senate, Councillor Pavier told the committee, without equivocation, that he had received no advice about the approval of the second grant prior to 26 August. Fair enough. I accepted his evidence at this time and moved on to other matters.

Subsequent to the hearing, Wyong Shire Council provided the committee with material requested on notice, including correspondence from the office of the Minister for Local Government, Territories and Roads. This material included emails dated 9 August 2004—17 days before the official information was made available on 26 August—which definitively show Councillor Pavier was aware of the approval of the second grant on or before that date. At 2.34 pm on 9 August 2004, Mr Graeme Hallett, special adviser to the Minister for Local Government, Territories and Roads and instigator of
the later ‘keep your counsel’ email, wrote to Councillor Pavier, the Liberal member for Dobell and two staffers in the member’s office. It began:

Dear people

At 9am on 26 August the full measure of Tumbi Creek funding will be announced at the site.

This is 9 August and it went to Councillor Pavier, Mr Ticehurst, the member for Dobell, and two members of Mr Ticehurst’s staff. Curious, but that is who it went to. The remainder of that email concerned the organisation of the funding announcement. In addition to providing evidence of written advice to Councillor Pavier on 9 August 2004 that the second grant had been approved, it revealed evidence of an earlier communication in relation to the announcement where Mr Hallett wrote:

I agree with Brenton—

Funnily enough, Mr Pavier’s given name or Christian name—

that we should not seek WSC—

meaning Wyong Shire Council—

expenditure on this.

At 3.04 pm on 9 August, Mr Ken Ticehurst’s office replied to Mr Hallett’s email, copying Councillor Pavier into the communication, about the announcement on 26 August 2004.

In my view, the email correspondence dated 9 August 2004 concerning the planned announcement of the second Regional Partnerships grant for the dredging of Tumbi Creek on 26 August 2004 provides compelling and unambiguous prima facie evidence that Councillor Pavier made a false or misleading statement to the Senate Finance and Public Administration References Committee on 24 February 2005 when he claimed that he was not made aware of the approval before 26 August. I propose to bring this matter to the attention of the committee through its chair and seek appropriate action to protect the integrity of the committee and the parliament itself. The manner in which the government responds to this matter will be another early and important test of its claim that it will not abuse its majority in the Senate.

Health: Premature Babies

Senator ALLISON (Victoria—Leader of the Australian Democrats) (7.05 pm)—I rise to speak about the important matter of premature babies. I think that advances in health care technologies and the social and legal issues that challenge our values and create intense controversy need to be debated. One area that has not received a great deal of attention to date has been the impact that the advances in perinatal and neonatal care in the last 30 years have had on the survival of extremely premature infants. Today, technology can contribute to the survival of infants as immature as 22 to 25 weeks gestational age. Over the last few months, we have heard comments made by a number of politicians calling for a discussion in Australia about whether babies born very prematurely should be allowed to die and who should be involved in making that decision. This has been stimulated by the renewed debate in the United Kingdom. The Nuffield Council on Bioethics, a prestigious medical think tank, is currently investigating the ethical, social, legal and economic issues involved in saving the lives of foetuses and the newborn.

Unlike the UK, however, we are not having a transparent debate here in this country on the issue, which would allow for public discussion and input. Nor are we having a discussion based on accurate information on this topic. As with the debate on abortion, the stories do not reflect the reality of the experience for the majority of people who find themselves in this difficult situation. Instead, we have heard stories about the ‘miracle ba-
abies’ who survive, with very little coverage or talk about how rare these cases are. In many more cases modern medicine, rather than reducing pain and disability and improving quality of life, contributes to suffering and profound disability.

We hear a lot about how medical science knows so much more about the development of the foetus than it did 10 years ago and about how medical technology is helping premature babies to survive at earlier and earlier stages in a pregnancy. But we hear very little about the cost of this technology—and I am not talking about the economic cost; I am referring to the human cost. I might add that we are not hearing much about the reasons for pre-term births and how we can address them and make sure that babies are not put at risk. The costs to the individual of being the subject of what amounts to human experiments to make medical discoveries can be tragic. There is a very high likelihood that the baby will be damaged if it survives, perhaps very severely.

There is very little data on very premature babies in Australia. We know that in 2002 there were 2,067 deliveries of babies between 20 and 27 weeks gestation and that there were 925 foetal deaths recorded of those—that is, babies who did not show any evidence of life after birth. What we do not know is what happened to the remainder. We do not know how many of them lived, or for how long, or what the prognosis of those who survived has been. There is no national data on survival rates for premature babies in Australia. The ABS does not collect gestation age as part of its births data collection, nor is gestation age recorded for infants older than one month. Although the AIHW midwives data collection does collect births data and newborn deaths data by gestational age, it only does so for the baby’s initial place of birth. Therefore, when a baby is transferred within a hospital or to another hospital—a very common occurrence with pre-term babies—there is no record of what happens to them. So we can only assume that the overseas data on the outcome for extremely premature babies is similar to that here.

A study undertaken in the UK reported on all infants born between 20 and 25 weeks gestation in all maternity units in the UK and Ireland from March through to December 1995. It is the largest study of infants from birth to school age in this category. It achieved a 78 per cent rate of follow-up among survivors and had a control group of classmates, as it were, who were born at full term, for comparison. The study found that, of the 4,004 babies born extremely pre-termly, the vast majority died in the delivery room. Of the 811 babies given intensive neonatal care in the study, 497 died in the hospital and 314 were discharged home. Six of those who were discharged died after discharge. Survival rates varied greatly, depending on the gestational age of the infant. Only one per cent of pre-term infants born at 22 weeks survived to discharge. Eleven per cent of those born at 23 weeks, 26 per cent of those born at 24 weeks and 44 per cent of those born at 25 weeks survived to discharge.

The study not only looked at how many of those children survived but also looked at what happened to them over time. The study tracked the surviving 314 infants to 30 months of age and undertook assessments for disability on 283 of those children at 30 months. Overall, half of the children had some physical or mental disability, with a quarter of the children having severe disabilities such as cerebral palsy, blindness, deafness or grave developmental problems. In a follow-up study the same group of children was assessed for disability at six years of age, and 80 per cent of those children had some physical or mental disability or both. The proportion of children considered to
have a severe disability at six years of age, 22 per cent, was similar to that at 30 months of age, which was 23 per cent.

The outcomes of children whose disabilities were assessed as less severe at six years were also similar to those reported at 30 months. Moderate disability was reported in 24 per cent and mild disability in 34 per cent. Cerebral palsy was present in 30 children. These were much greater rates of disability than were found in the comparison group of full-term classmates, as might be expected. For example, the 40 per cent of those extremely pre-term children who had moderate to severe learning disabilities was 40 times higher than the one per cent found in the general population.

This research shows that the chances of survival for these young infants, even with all of the intrusive, painful treatments, are very low. Even when these babies do survive, the vast majority of them will go on to experience substantial disability. That does not mean that we should not be helping pre-term babies to survive. Nor does it mean that we should be forcing pre-term babies to be kept alive in all cases, regardless of the consequences. What it shows is that a blanket rule is not appropriate. The first presumption should not be one option or the other—rather, each case should be examined on an individual basis.

This is clearly demonstrated by the case of a woman I will call Jenny, who has seen both sides of the viability of life decision. She gave birth to her second child at 23 weeks and was told by her doctor that the child had a very slim chance of surviving. After much soul-searching and discussion with her doctors and her husband, the decision was made to turn off life support. That baby died after support was withdrawn. Jenny went on to have another child who was also premature, at 25 weeks, but was much healthier than the first child. This time the decision was made for care to be continued and Jenny has a healthy little boy. She and her husband believe they made the right decision in both cases but say that the stories of miracle babies make it difficult at times to talk with others about their experiences.

I would argue that this also applies to the decision to terminate a pregnancy. There is no cut-off point which applies to all cases which can be used to override the difficult decision that needs to be made. People should have access to information and support to help them make a decision; however, ultimately these decisions should always lie with the individuals who have to deal with the consequences of those decisions. It is interesting to note that in this area the Minister for Health and Ageing, Tony Abbott, has stated that ‘decisions about whether to keep sick premature babies alive should not be forced on families by governments’. I agree with that.

Australia does not have a mandated cut-off point for when extremely pre-term babies should not be resuscitated or a mandated cut-off point for when pregnancies can no longer be terminated—and nor should it. What we do have are guidelines and a reasonable degree of consensus between health practitioners and the public about the treatment of pre-term babies and the need for access to termination at all stages of a pregnancy. That is not to deny that there are grey cases and cases that challenge us, but we do not need to respond to those by making difficult situations even more difficult. What we do need to recognise is that much more work needs to be done to reduce the rate of pre-term births, just as it needs to be done to reduce the rate of unwanted pregnancies.

Military Justice

Senator MARK BISHOP (Western Australia) (7.15 pm)—Tonight I rise to speak
about an issue concerning military justice. In particular I wish to focus on the funding of legal costs within the Department of Defence. May I say at the outset that we should not be blinded by military justice as if it is the only matter in which we have an interest. There are many fine features of the Australian Defence Force and the service given by the Department of Defence. We acknowledge that and give our full support to our forces in their role of defending our country.

However, we do need to keep the reputation of our forces above reproach. And, as the Senate Foreign Affairs, Defence and Trade References Committee observed, military justice is a bad blot which needs to be expunged. There is regrettably an unfortunate culture and attitude within Defence when it comes to defending the interests of the Australian Defence Force, and this can only be described as combative. So naturally, when we come to military justice, there is a stark contrast between civilian rights to proper process and rights for the military.

May I make it quite clear—because some people do not understand the difference—that military justice is not about discipline. No-one denies that, in the military, discipline is a necessary feature in a hierarchy of command. But it is not absolute. It is not an excuse to deny access to justice and fairness. It is this issue which is at the heart of the recent military justice report. It affects all ranks, not just those less capable of handling the system. There is no point having any system of military justice if it is inaccessible. This brings me back to the combative attitude and culture within the ADF.

I have spoken previously about the case of Lieutenant Commander Robyn Fahy, which was also highlighted by the Senate committee. In that case, the naval doctor who was investigated by the Medical Board of Western Australia had all his costs paid. The original figure provided at estimates was $377,000 but it was later amended in writing to $384,000. The letter also involved a confession that not all invoices had been properly approved. Defence also paid $60,000 towards the cost of the part penalty ordered by the board to be paid towards its costs. The only cost to the doctor, as I understand it, was a $10,000 fine.

Commonwealth payment for the defence of public servants is not unusual. It is recognised that sometimes public servants can be exposed to litigation. Hence there are in place legal service directions authorised by the Attorney-General which provide the guidelines. But those directions are quite exact and explicit. In summary, appendix E of the legal service direction provides, firstly:

Expenditure to assist a Commonwealth employee in respect of activities the employee undertakes … should be approved only to the extent that the employee is not indemnified or insured.

Secondly:

The general policy underlying the provision of assistance to employees for legal proceedings is the prospect of some benefit to the Commonwealth … as a result of … its general interests … in supporting employees who have acted reasonably and responsibly …

Thirdly:

Expenditure should normally be approved to assist an employee who is a defendant in civil or criminal proceedings if: … the employee acted reasonably and responsibly …

Fourth and finally:

If it is not clear whether the employee has acted reasonably and responsibly, it may be appropriate to defer a decision on assistance until the conclusion of the proceedings …

Each of these provisions was breached serially and repeatedly. In fact, Defence paid $444,000 for the defence of the doctor, who was found guilty on 22 charges. To make the point, I quote the board’s decision:
Of significant concern is that the proven wrongdoing of the practitioner is not confined to a single aspect of his care, treatment and management of his patient—it encompasses a diverse range of failures and multiple infractions. He has acted with a gross want of care and engaged in conduct of a character reasonably to be regarded as improper by professional colleagues of good repute and competency.

His repeated and gross breaches of the obligations of confidentiality owed his patient are especially grave …

It is also interesting to note that the Surgeon General’s directions on this matter, which parallel those of the Attorney-General, have one major exception, namely:

… it is considered most unlikely that a member of the ADF Health Services would be made personally responsible for meeting any judgement given in respect of negligent acts occurring in the course of the Member’s duty.

Sadly, that seems to encapsulate the existing culture. It might be an acceptable attitude for operational service in difficult circumstances. But it cannot apply to a simple consultation for a migraine.

Worse still, this financial assistance favoured only the defendant officer. The complainant officer was given one hour of a reservist lawyer’s time, which of course was pointless. That is not access to justice. Having proven that the attempt to discharge her on medical grounds was false, the officer remains suspended from duty to this day. Further, an offer of $15,000 compensation made at HREOC by Defence was withdrawn. Clearly the military justice system within the Australian defence forces is relentless.

The other case of current notoriety is that of Mrs Susan Campbell. Mrs Campbell succeeded in having Defence conduct a proper inquiry, with serious findings of fault against itself. She also succeeded with an application to HREOC. There can therefore be little doubt about the merits of her grievance as to the tragic loss of her air cadet daughter by suicide. She has also made application to the Anti-Discrimination Tribunal of Tasmania. There may be some modest compensation for her grief and her costs. But Defence has made application to the Federal Court to rule that the Tasmanian tribunal has no jurisdiction. In other words, defence personnel, including minors owed a duty of care, have no remedies outside those of Commonwealth. But, as we have seen, there is no reliable system of justice with remedies within the military system. The only winners here are the law firms that feed heavily on the Defence legal budget of $52 million this financial year.

In conclusion, there are many other cases which display this same denial of access and justice—for example, those of Air Vice Marshal Criss and Lieutenant Colonel Lance Collins, both the subject of high profile attention. But the only route, as it is for Lieutenant Commander Fahy, is that of defective administration. We must wonder how many more careers and lives will be ruined before the military justice system is dragged into the 21st century. If comparable countries such as Canada can do it, one asks the obvious question of why it cannot be done in this country. It seems everyone is paralysed, including the government, and that is where the buck stops.

Manufacturing

Senator LUNDY (Australian Capital Territory) (7.24 pm)—I rise tonight to talk about a portfolio that I have had up until recently, manufacturing. I want to wrap up a lot of my observations during my time in managing the portfolio on behalf of the opposition but also to indicate that it will continue to be an area of policy interest for me in my work representing the Labor Party and, of course, the people of the ACT.
I think the bottom line is that many Australians are asking what sort of manufacturing industry we hope to have when the Howard government finally loses office. Over the last 10 years it has been a very important industry that has consistently been neglected. It is quite fair to ask what will be left in Australia that we manufacture, produce and export to the world. The news we hear, almost on a daily basis, about our manufacturing firms and companies either shrinking their operations and putting Australian workers out of work or moving offshore really begs the question what on earth the Howard government has been doing over the last 10 years that has prevented Australian manufacturing from going from strength to strength. Manufacturing generally has been shrinking and, as a crucial sector in our economy, its proportion of contribution to our GDP has been declining.

The government are very quick to allow the commodities boom to shroud and mask the appalling performance in manufacturing. But the warning signs are there and the government cannot hide behind that forever. They have neglected the very foundations of technology manufacturing, such as education, research and development combined with industry policy governed by forethought and vision. So lacking is the Howard government in these policies that these foundations have weakened and are now crumbling beneath an industry which used to be such a great strength of Australia and which I think could be again in the future with the right level of investment.

The Labor Party has, by virtue of our policies leading up to the last election, demonstrated that we put this particular industry at the forefront of our thinking about what is a dynamic, globally engaged industry sector necessary to maintain and build on Australia’s economic growth. Our policies reflected that manufacturing is a highly strategic industry and therefore worthy of elevating in this way. The bottom line is that the manufacturing industry is the only industry which creates technology. We have spent many years talking about building economies on the back of innovative technologies but, without that manufacturing base, we have no way of putting that technology to work and no way of putting raw knowledge into wealth-creating and job-providing enterprises.

A declining manufacturing sector will reduce the nation’s technology creation potential, ultimately leading to a decline in our GDP growth, particularly compared to other competing nations. We all know now that we do compete vigorously in a global economy. I noted with great interest Senator Hurley’s contribution in her first speech tonight and not only her reference to the foundations of innovation and growth being education, research and development but the insight into her understanding of what it takes to be an innovative nation that is directly competing in the technology stakes with other countries around the world.

Manufacturing still plays a major role in our economy and the levels of output and employment exceed those of mining and agriculture combined. However, the relative contribution of manufacturing to the economy has declined significantly. In the 1960s, manufacturing accounted for $1 in every $4 of the nominal gross domestic product, but by the early 21st century it has diminished to account for $1 in every $8, with indications of further decline—and not just because the services sector continues to expand.

Combined with the decline in the proportion of manufacturing in the economy, the neglect of innovation and R&D investment by the Howard government means that the manufacturing industry has suffered disproportionately more than other sectors. It is
heavily reliant on those inputs and without them it cannot keep pace with changes that are occurring around the world. While the services sector expansion has been critical to Australia’s economic growth, the lack of policy attention to manufacturing means that our overall capability to add value—that is, through technology—to intellectual property, resources and commodities has been diminished. Furthermore, a decline in manufacturing denies the economic benefit that would otherwise develop as a result of the strong synergies between both—that is, the service and support for the Australian manufactured products and value-adding to our natural resources and technological innovation.

One of the major factors in the decline of Australian manufacturing is the trend for companies to close operations in Australia, as I mentioned before, and transfer those functions to another country. This has happened for a long time in information technology in the area of services. We tend to call it offshoring, but offshoring happens with respect to manufacturing products as well. The reason for this trend is pretty straightforward: the companies are seeking cheaper labour costs. Labour costs in India and China are—it depends on where you look, but studies I have seen show this—as low as the equivalent of $A1 per hour. This seems attractive to companies seeking to reduce their input costs. As I said, every other week we read about plans for companies to move jobs offshore. Recently, specifically in manufacturing, reports suggested that some 660 jobs will be lost at two automotive component companies as they shift their production offshore.

This is a national disgrace. We know we have to compete in these areas, but the focus of this government has been weak and divisive. Its focus has been to try and address this problem by importing foreign skills and exporting Australian jobs. Labor’s response to this is vastly different. We say we need to invest in education and training here. We know that without skilled people we have not got any hope of sustaining, maintaining and growing these types of industries. The other divisive approach by the Howard government to address this crisis of losing jobs has been to blame the industrial relations system and structure in this country. What a weak cop-out! How pathetic for the government of nearly 10 years to try and blame the lack of improvement in innovation and productivity on the workers! You can imagine those workers, who face job loss because of this type of offshoring, every other day hearing Mr Howard and Howard government ministers blaming them for the lack of innovation and less than desirable productivity growth. We all know it is because there has been such neglect of innovation policy and focus on industry policy designed to ensure that our automotive industries and our other manufacturing sectors are the most dynamic and competitive in the world.

Of the approximately 65,000 manufacturing jobs that have been lost since 1996, a fair proportion are attributed to offshoring. But apart from the obvious economic and social consequences for these workers whose jobs are being lost, there are a number of implications for the overall economy. As more jobs head offshore, the demand on imports continues to increase, and our own exports decline, creating an even greater foreign debt crisis. We have all observed the very interesting and disturbing balance-of-trade figures that are perpetuated with this cycle of losing jobs and no industry creation strategy in sight in the area of manufacturing. In fact, Australia now has the worst foreign debt performance of any advanced country in the world. The foreign debt has surged to $425 billion—half the size of our economy, no less. On average, foreign debt has gone up
by more than $2 billion every single month of the Howard-Costello government.

As we lose jobs and our capability to manufacture here, we lose our capability to export, but we also lose those products and services in the domestic market. It is a cycle that keeps going and getting worse. In the year 2002-03 for every dollar’s worth of manufactured goods that were produced in this country for local consumption, we imported $2.55 worth of manufactured goods. I do not see the Howard government working to save Australian jobs in the manufacturing sector from this type of offshoring. I do not see the Howard government making the sorts of investments necessary in education, research and development, innovation and industry growth strategies that are needed and that every other Western, economically developed country has been investing in right through the eighties, with periods of reform into the nineties and then in the mid-1990s with the innovation and IT sector boom. That investment has been taking place, except in Australia, where the preoccupation of the Howard government has been their ideologically driven social agenda to get rid of the focus on public education and public health for all, and to privatise our education system and withdraw funding from our universities—billions of dollars worth of cuts over many years. It is now at the point where Australians are not faced with the scenario where everyone can afford a better education to give themselves better job prospects but where, once again, your wealth or your family’s wealth determines the extent of your opportunity for education and higher education.

You would also think the government would have given some thought to the strategic security implications of maintaining a healthy local manufacturing industry. You would think that they would understand that our long-term economic health and our capacity to produce new technologies and to therefore be a valuable contributor to the global economy were of strategic importance. Imagine if we were to become an economy that was useful to many. Look at the current commodities boom for what we can grow and what we can dig up as we have in the past. It is the economies that have been able to harness the intellectual wealth and the human resources of their nations and turn those smarts, that economic power, into real outcomes that are the ones that grow in strategic importance in the global economy. I believe that has long-term security implications. There is no shallow free trade agreement deal that this Howard government can do that can replace our capacity to be strong in this area of innovation. There is no free trade agreement that this government has done or is contemplating that can replace the need for Australia to become powerful in our own right in the production of relevant and useful technologies in the 21st century.

I like to refer to the information and communications technologies industry as a good example of a strategically important industry. It is highly relevant to the issue of the manufacturing sector because so much of what was happening in Australia in the ICT sector was in manufacturing. A lot of it was in services but remember the point I made earlier about the link between services and manufacturing. If you think of software as being a manufactured product then think of all the thousands of jobs that service the application of that software in a given firm, enterprise or indeed government department. If you do not produce the software in the first instance, that input to the economy is reduced to just the service jobs at the end of the production of that product. Quite frankly, what we have done under the Howard government is exactly that. In this country we have been happy to not produce our own software, hardware and components in ICT.
service them and then build on the export opportunities, filling that space of being the best in the world in a given area. Rather we have been happy to sit back and import those products and service them if we happen to have the skilled people—not that there has been any investment there—and to not reap any benefit from the synergistic effects of producing those products, servicing them and building the export market. That whole process is doing Australia a great disservice.

Software remains a classic example of a neglected sector that was actively undermined by the Howard government. It was not that there was not a strategic industry plan for it; there was a strategic industry plan under Labor and that was specifically undermined by the Howard government.

There have been some remarkable economic turnarounds that have happened in other countries. Israel and Ireland were the darlings of the dot com era. These were countries that showed that they could emerge from an economic crisis in the early- to mid-nineties by firstly making an investment in their education system and then in attracting investment in research and development in the ICT sector. They then drove an export-focused industry policy to ensure that technologies produced in those countries not only added to their GDP but also positioned them at the forefront of the rate of growth during the boom in information and communication technologies.

I will always argue that Australia was uniquely placed to make the most of our strengths in this area of manufacturing. We were uniquely placed because we know that in many companies around the world it is largely Australians that are sought out because our fantastic education system has, in the past, produced clever people. But the Howard government neglected to create the opportunities for these people to find their way here in Australia and they became part of the brain drain. They became part of what made other companies in other countries great.

Many companies in Australia have gone on to demonstrate that they can break through into the global marketplace, a very competitive marketplace. It will not surprise you, Mr Acting Deputy President Marshall, to hear that some of the most successful ICT companies in this country find it far harder to do business here than in other countries. They find it far harder to get a government contract in this country than they do in other countries. Many of our best firms, our most successful firms, have had far greater success in markets other than Australia. What does that say about this place? It says that the Howard government has had little focus on the employment opportunities that those companies provide and on the manufacturing industry in terms of reaping synergistic benefits from the service sector and value adding to our natural resources sector. They have been neglected. It is one of the sorry stories of the Howard government reign over the last 10 years. It will take a Labor government to restore some of these policy settings and to rectify some of this damage, and it will be hard work. We flagged the magnitude of that work in our knowledge nation policies previously. I know that if this country is to have any hope of genuinely realising its potential in manufacturing and other industries that it will be a Labor government—(Time expired)

Irish Republican Army

Senator McGauran (Victoria) (7.45 pm)—In this chamber on 15 March I rose to make a comment on the IRA, the Irish Republican Army, and their political wing, Sinn Fein. I said:

The truth is that the provisional IRA long ago wandered from the principles of their origins. ... They are mindless thugs, involved in murder, assassination and terror.
I went on to say:

The jig is up for the IRA. We have laws in this country against terrorism, and we ought to apply them to the IRA. They are no better than any other group on the proscribed list we have in this country of terrorist organisations ...

I do not recoil from those statements. They were relevant as a past and a present assessment of the IRA. At that time international opinion was the same, particularly in the United States. At the time I made those comments, the weight of international opinion both through international leadership and public opinion was weighing down on the IRA. Moreover, the local Irish people had turned on the IRA and their stated aims.

But events have turned for the better, even fantastically, with a statement earlier this month from the republican organisation ordering all units to dump arms and assist in the development of a democratic process. It is indeed a historic step, and it has been hailed so internationally. Within days, the British government set out a two-year plan to scale down their own military presence in Northern Ireland, halving the number of troops to some 5,000. Also, hopefully, the government, not the military, will be policing the streets as time goes on. Moreover, the British government is also aiming to repeal within two years counter-terrorist legislation in Northern Ireland, if all goes according to plan. Tony Blair dubbed the statement ‘a step of unparalleled magnitude’. Tony Blair was reported in that excellent Australian-Irish community newspaper, the Irish Echo. He said:

This may be the day when finally, after all the false dawns and dashed hopes, peace replaced war, politics replaces terror on the island of Ireland.

We who have followed this issue all know that the Irish Taoiseach, or Prime Minister, Bertie Ahern, has probably put in the most effort and has been the man most under the spotlight of his people and his country. It was he who was probably most optimistic about the comments of the IRA when he declared:

The war is over. The IRA’s armed campaign is over, paramilitarism is over, and I believe that we can look to the future of peace and prosperity based on mutual trust and reconciliation and a final end to violence.

He went on to say:

If the IRA’s words are borne out by verified actions, it will be a momentous and historic development.

We have worked very hard to get to this day. The IRA as a paramilitary force has ended its terror campaign, and that is what we are seeking to achieve.

Mr Ahern said that the verifiable process of arms decommissioning had to commence quickly but he refused to speculate on when it would take place or how long it would last. Nevertheless, the Independent Monitoring Commission has been charged with reporting in January on how that decommissioning process is going.

As I say, events have turned fantastically. No doubt there are sceptics everywhere, no less than among the loyalists themselves, who are unwilling to take the statement on good faith. There are others who have made comments within the Irish government itself—that is, the southern Irish government. They have said, ‘Give the money back,’ with regard to the bank robbery. Of course, the McCartney sisters have also made public comments. They still seek justice, and rightly so. While scepticism abounds, there is a monitoring and verification process. I think we ought to have great faith in the IRA’s comments. I congratulate the IRA for their bold step because, within their own ranks, this is not an easy thing to do. There was a degree of difficulty in making this decision within their own ranks, in which there are just plain thugs and terrorists. I do congratulate them on it.
There is a great deal of work and a great deal of monitoring to be done and now the ball is probably in the loyalists’ court. I believe they have to follow suit quickly and decommission themselves—lay down their arms themselves. Otherwise they will stand equally accused—if they are not already, by the way—of being terrorists. They will be the lone terrorists in Northern Ireland unless they also take up the challenge that the IRA has laid down. One is always cautious about getting excited about the Irish question, but it seems to be very exciting that a peaceful Ireland is at hand and a united Ireland may well be in sight.

Irish Republican Army

Manufacturing

Senator IAN MACDONALD (Queensland—Minister for Fisheries, Forestry and Conservation) (7.52 pm)—If nobody else wants to speak, I might terminate the debate by thanking senators for their contributions. I agree with Senator McGauran that to see peace in Ireland would be absolutely fabulous. It has been a great mystery to most Australians how this turmoil and strife could continue over many decades, very often in the name of religion. It really is good news to think that peace might be close to hand.

Unfortunately, Senator Lundy always encourages a response from me because her contributions are always so shallow and, if I might say, contrary to the facts. I want to quickly point out some facts that might help Senator Lundy to be not quite so silly when she speaks in the future. For all of those many people listening to these broadcasts, I will simply point out that under the Howard government unemployment has fallen to levels unheard of in almost the last 20 years. Under Senator Lundy’s party during the Hawke-Keating government, unemployment skyrocketed to 12 or 13 per cent. It is now down around the five or six per cent level. That is because of good government and good management of the economy, which encourages jobs and employment.

Senator Lundy rabbited on about jobs going overseas and how the Howard government was not helping manufacturing industries. Let me tell the Senate that Australia’s fourth largest manufacturing industry is timber processing. It was the Labor Party, under their former leader Mr Latham, who wanted to shut down the most significant forestry industry we have in Australia—the Tasmanian forest industry. That would have thrown many of the 10,000 people who currently work in the forestry industry in Tasmania onto the unemployment scrap heap. That was the policy of federal Labor: to shut down the forest and wood products industry.

Senator Conroy—It’s not anymore.

Senator IAN MACDONALD—I am delighted to hear that. I did notice that Mr Beazley repudiated his predecessor’s policy on Tasmania. I know many of our colleagues on the opposite side of the chamber were very uncomfortable with the Labor Party crawling into bed with the Greens before the last election. We were told it would never happen. But with lagging polls the Labor Party were looking for a quick solution that might have got Mr Latham into the Lodge. Heaven forbid that that might have ever happened! Good heavens, can you imagine what Australia would have been like if that gentleman had have been Prime Minister of this great land?

Fortunately, the Howard government had a coming together of policy outcomes with, of all people, the state Labor government in Tasmania and the CFMEU. I always hasten to add that it is the ‘F’ part of the CFMEU. My colleagues always look askance at me when I say what a great job the CFMEU did in relation to that Tasmanian forestry debate, but I emphasise again that it was the ‘F’ part
of that. The forestry division of that union were very courageous in what they did. They have been ostracised by some sections of the Labor Party for the courageous action they took in the interests—

Senator Conroy—What are you talking about?

Senator IAN MACDONALD—Don’t you know about it? A couple of them are facing expulsion. Mr Cain, I understand, is doing the judiciary work on it.

Senator Conroy—How many have you just purged in Queensland?

The ACTING DEPUTY PRESIDENT (Senator Marshall)—Don’t be distracted, Senator. I ask senators to cease interjecting.

Senator IAN MACDONALD—Thank you for your guidance. We do not want to get into that. There is a division of a union that did work hard in the interests of its members. When you hear Senator Lundy wrongly talking about the Howard government shutting down manufacturing industries and you refer back to the policy that she and her party took to the election last time, you can only wonder what Senator Lundy is on about. I thought those listening to the debate might benefit from some factual input. I thank all senators for their contribution.

Senate adjourned at 7.58 pm

Tabling

The following government documents were tabled:

Northern Territory Fisheries Joint Authority—Reports for—
2000-01.
2001-02.


Treaties—

Bilateral—Text, together with national interest analysis and annexures—

Multilateral—Text, together with national interest analysis and annexures—

Western Australian Fisheries Joint Authority—Report for 2002-03.

Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]

A New Tax System (Goods and Services Tax) Act—

A New Tax System (Goods and Services Tax) Classes of Recipient Created Tax Invoice Determination RCTI 2005/1 [F2005L01636]*.


A New Tax System (Goods and Services Tax) Margin Scheme Valuation Requirements Determination MSV 2005/2 [F2005L01808]*.

Administrative Appeals Tribunal Act—
Select Legislative Instrument 2005 No. 154—Administrative Appeals Tribunal
Aged Care Act—

Aged Care (Amount of flexible care subsidy—extended aged care at home and multi-purpose services) Revocation Determination 2005—ACA Ch. 3 No. 21/2005 [F2005L01900]*.

Aged Care (Amount of flexible care subsidy—multi-purpose services) Determination 2005 (No. 1)—ACA Ch. 3 No. 18/2005 [F2005L01898]*.

Aged Care (Amount of flexible care subsidy—multi-purpose services) Determination 2005 (No. 2)—ACA Ch. 3 No. 19/2005 [F2005L01899]*.

Aged Care (Residential Care Subsidy—Amount of Viability Supplement) Determination 2005 (No. 1) [F2005L01723]*.

Aged Care (Residential Care Subsidy—Amount of Viability Supplement) Determination 2005 (No. 2) [F2005L01725]*.

Aged Care (Residential Care Subsidy) (Viability Supplement—Eligible Residential Care Services) Determination 2005 (No. 1) [F2005L01838]*.

Aged Care (Residential Care Subsidy) (Viability Supplement—Eligible Residential Care Services) Determination 2005 (No. 2) [F2005L01839]*.

Approval of Care Recipients Amendment Principles 2005 (No. 1) [F2005L01658]*.

Classification Amendment Principles 2005 (No. 1) [F2005L01664]*.

Community Care Subsidy Amendment Principles 2005 (No. 1) [F2005L01662]*.

Determinations of amounts of Flexible Care Subsidy—

Community Aged Care Mental Health Consultation/Liaison Service—ACA Ch. 3 No. 23/2005.

Extended Aged Care at Home Program—ACA Ch. 3 No. 14/2005 [F2005L01789]*.

Inner West Mental Health and Aged Care Services Interface Pilot and the Community Transition Program—ACA Ch. 3 No. 20/2005.

Intermittent Care Services—ACA Ch. 3 No. 17/2005 [F2005L01795]*.

Retirement Villages Care Pilot—ACA Ch. 3 No. 16/2005 [F2005L01793]*.

Return to Home Project—ACA Ch. 3 No. 24/2005.

Sunnyside Lutheran Retirement Village Rural Dementia Innovative Care Pilot—ACA Ch. 3 No. 22/2005.

Determinations of rates of financial assistance—

Adjusted Subsidy Reduction—ACA Ch. 3 No. 10/2005 [F2005L01785]*.

Basic Subsidy Amount—ACA Ch. 3 No. 4/2005 [F2005L01767]*.

Charge Exempt Resident Supplement—ACA Ch. 3 No. 15/2005 [F2005L01792]*.

Community Care Subsidy—ACA Ch. 3 No. 13/2005 [F2005L01787]*.

Concessional Resident Supplement—ACA Ch. 3 No. 5/2005 [F2005L01770]*.

Enteral Feeding Supplement—ACA Ch. 3 No. 8/2005 [F2005L01779]*.

Oxygen Supplement—ACA Ch. 3 No. 7/2005 [F2005L01776]*.

Pensioner Supplement—ACA Ch. 3 No. 12/2005 [F2005L01786]*.

Respite Supplement—ACA Ch. 3 No. 6/2005 [F2005L01773]*.

Transitional Supplement—ACA Ch. 3 No. 9/2005 [F2005L01783]*.

Flexible Care Subsidy Amendment Principles 2005 (No. 1) [F2005L01668]*.
Flexible Care (Transition Care) Subsidy Amount Determination 2005 [F2005L01670]*.

Residential Care Subsidy Amendment Principles—
2005 (No. 2) [F2005L01666]*.
2005 (No. 3) [F2005L01884]*.
2005 (No. 4)—Conditional Adjustment Payment [F2005L01837]*.
2005 (No. 4)—Viability Supplement [F2005L01721]*.

User Rights Amendment Principles 2005 (No. 1) [F2005L01885]*.

Agricultural and Veterinary Chemicals Code Act—
Agricultural and Veterinary Chemicals Code Instrument No. 1 (Application Fees) 2005 [F2005L01626]*.
Agricultural and Veterinary Chemicals Code Instrument No. 2 (Modular Assessment Fees) 2005 [F2005L01632]*.
Select Legislative Instrument 2005 No. 152—Agricultural and Veterinary Chemicals Code Amendment Regulations 2005 (No. 2) [F2005L01916]*.

Appropriation Act (No. 3) 2003-2004—Determinations to Reduce Appropriation Upon Request—Determinations Nos—
2 of 2004-2005 [F2005L01975]*.
4 of 2004-2005 [F2005L01976]*.
6 of 2004-2005 [F2005L01978]*.


Appropriation Act (No. 1) 2004-2005—
Advance to the Finance Minister—Determination No. 4 of 2004-2005 [F2005L02024]*.

Determinations to Reduce Appropriation Upon Request—Determinations Nos—
5 of 2004-2005 [F2005L01977]*.
7 of 2004-2005 [F2005L01979]*.
10 of 2004-2005 [F2005L01985]*.


Australian National University Act—Discipline Statute 2005 [F2005L01576]*.

Australian Prudential Regulation Authority Act—
Australian Prudential Regulation Authority (Commonwealth Costs) Amendment Determination 2005 (No. 1) [F2005L02123]*.

Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2005 [F2005L01818]*.

Non-Confidentiality Determinations Nos—
6 of 2005—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2003) [F2005L01565]*.
7 of 2005—Information provided by locally-incorporated banks and foreign ADIs under Reporting Standard ARS 320.0 (2005) [F2005L02015]*.

Australian Research Council Act—


Authorised Non-operating Holding Companies Supervisory Levy Imposition Act—Authorised Non-operating Holding Companies Supervisory Levy Imposition Determination 2005 [F2005L01819]*.

Banking Act—Consent to use restricted expression—Offshore banking units [F2005L01597]*.

Broadcasting Services Act—Broadcasting Services (Australian Content) Standard Variation 2005 (No. 1) [F2005L01717]*.

Children’s Television Standards Variation 2005 (No. 1) [F2005L01718]*.

Children’s Television Standards Variation 2005 (No. 2) [F2005L01886]*.


Christmas Island Act—Customs Amendment Ordinance 2005 (No. 1) [F2005L01835]*.

Civil Aviation Act—Civil Aviation Regulations—Civil Aviation Order 40.1.7 Amendment Order (No. 1) 2005 [F2005L01921]*.

Civil Aviation Order 82.1 Amendment Order (No. 1) 2005 [F2005L02039]*.

Instruments Nos—CASA 189/05—Instructions—use of RNAV (GNSS) approaches by RNP capable aircraft [F2005L02122]*.

CASA 229/05—Approval and directions—flight data recorders [F2005L01879]*.

CASA EX21/05—Exemption—seat belts [F2005L01953]*.

CASA EX23/05—Exemption—from requirement to have training and checking organisation [F2005L01871]*.

CASA EX26/05—Exemption—from take-off and landing minima outside Australian territory [F2005L02100]*.

CASA EX27/05—Exemption—refuelling with passengers on board [F2005L02082]*.

CASA EX28/05—Exemption—from take-off and landing minima outside Australian territory [F2005L02101]*.

CASA EX29/05—Exemption—from take-off minima inside Australian territory [F2005L02103]*.

CASA EX30/05—Exemption—from take-off minima inside Australian territory [F2005L02104]*.

CASA EX36/05—Permission and exemption—dangerous goods and loose articles [F2005L02105]*.

CASA EX37/05—Exemption—from take-off minima outside Australian territory [F2005L02121]*.


AD/A320/160 Amdt 1—Cargo Compartment Heating Temperature Sensor [F2005L02090]*.

AD/A320/167 Amdt 1—Airborne Ground Check Module [F2005L01736]*.
AD/A320/179—Main Landing Gear—Axle Nut [F2005L01961]*.
AD/A320/179 Amdt 1—Main Landing Gear—Axle Nut [F2005L02001]*.
AD/A320/180—Fuel Tank Decals [F2005L02033]*.
AD/A320/181—Engine—Forward Bolt Mount [F2005L02089]*.
AD/A320/182—Magnetic Fuel Level Indicator [F2005L02088]*.
AD/A330/20 Amdt 1—Leading Edge Slat Type A Actuators [F2005L01738]*.
AD/A330/32 Amdt 2—Main Landing Gear Retraction Actuator Piston Rod [F2005L02095]*.
AD/A330/38 Amdt 1—Liquid Crystal Display Units [F2005L01710]*.
AD/A330/51 Amdt 1—Escape Slides & Slide Rafts—Electrical Harness Routing [F2005L01710]*.
AD/AMD 10/25 Amdt 1—Wing Anti-Ice Hoses [F2005L01924]*.
AD/AT 600/3—Horizontal Stabiliser Attachment Eyebolts [F2005L02086]*.
AD/B717/5 Amdt 2—Spoiler Hold-Down Actuator Supports [F2005L01742]*.
AD/B717/17—Brake Fuses [F2005L01743]*.
AD/B727/111 Amdt 1—Engine Mount Cone Bolt Nuts [F2005L02084]*.
AD/B727/194—Cargo Door Number 3 [F2005L02083]*.
AD/B727/195—Operating Limitation—Auxiliary Fuel Tank Fuel Pump [F2005L02058]*.
AD/B737/161 Amdt 1—Repetitive Inspections [F2005L01745]*.
AD/B737/245—Secondary Fuel Vapor Barrier [F2005L02081]*.
AD/B737/246—Upper Fuselage Skin between STA 360 and STA 1016 [F2005L02080]*.
AD/B747/35 Amdt 1—Front Spar Pressure Bulkhead Chord [F2005L01746]*.
AD/B747/198 Amdt 1—Main Entry Door Stop Support Fitting [F2005L01747]*.
AD/B747/329—Galley Cart Lift Control Panels [F2005L01748]*.
AD/B747/330—Fuel Spar Shutoff Valve Wiring [F2005L02093]*.
AD/B747/331—Frequency Converters [F2005L02079]*.
AD/B767/146 Amdt 2—Horizontal Stabiliser Pivot Bulkhead [F2005L01749]*.
AD/B767/197 Amdt 3—Air Data System [F2005L01952]*.
AD/B767/211—Door-Mounted Escape Slide/Rafts [F2005L01973]*.
AD/B767/212—Smoke Barrier Seals [F2005L02078]*.
AD/B767/213—Fuel Spar Shutoff Valve Wiring [F2005L02076]*.
AD/B767/216 Amdt 6—Rear Spar Root Joint Attach Fittings Wing Rib 2 [F2005L02075]*.
AD/B767/217/16 Amdt 3—Wing Top Skin Panels [F2005L02072]*.
AD/B767/217/16 Amdt 4—Elevator Bearings [F2005L01750]*.
AD/B767/217/16 Amdt 5—Fuselage Door Frames [F2005L02059]*.
AD/B767/217/16 Amdt 6—Torque Indicators [F2005L02073]*.
AD/BELL 222/1—Retirement Lives—Fatigue Critical Components [F2005L01752]*.
AD/BELL 222/9 Amdt 1—Engine Chip Detector Lights [F2005L01755]*.
AD/BELL 222/14 Amdt 1—Horizontal Stabiliser Assembly [F2005L01756]*.
AD/BELL 222/16—Tail Rotor Boost Cylinder Support Bracket [F2005L01759]*.
AD/BELL 222/25 Amdt 1—Main Rotor Grips and Pitch Horns [F2005L01700]*.
AD/BELL 222/29—Drive Hub Studs [F2005L01761]*.
AD/BELL 222/30—Swashplate Drive Link P/N222-010-460-101 [F2005L01762]*.
AD/BELL 222/31—Tail Rotor Blade [F2005L01701]*.
AD/BELL 222/32—Main Rotor Yoke—2 [F2005L01763]*.
AD/BELL 222/33—Main Rotor Pendulum Weight Support [F2005L01764]*.
AD/CESSNA 170/77—Main Electrical Power Junction Box [F2005L02070]*.
AD/CESSNA 180/87—Main Electrical Power Junction Box [F2005L02069]*.
AD/CESSNA 206/61—Main Electrical Power Junction Box [F2005L02067]*.
AD/CESSNA 650/7—Actuator Control Unit [F2005L02066]*.
AD/DAUPHIN/80—Rotor Flight Controls—Collective Pitch Lever Restraining Tab [F2005L02065]*.
AD/DHC-8/102—Pitot Static System Contamination [F2005L01767]*.
AD/EC 135/10—Main Rotor—Sliding Sleeve [F2005L01843]*.
AD/ECUREUIL/100 Amdt 1—Emergency Floatation Gear—All-up Operating Weight [F2005L02064]*.
AD/EMB-120/38—Electrical Wiring [F2005L02061]*.
AD/F50/92—Engine Mounting Frame Welds [F2005L02054]*.
AD/F100/69—Landing Gear Integrated Axle Nut and Spacer [F2005L02060]*.
AD/F100/70—Windshield Antiicing [F2005L02055]*.
AD/JETSTREAM/90 Amdt 2—Main and Nose Landing Gear—Life Limitations [F2005L02053]*.
AD/LA-4/25 Amdt 1—Horizontal and Vertical Stabiliser Attachment Fitting [F2005L01941]*.
AD/PA-34/43 Amdt 1—Nose Gear Upper Drag Link Bolt [F2005L02052]*.
AD/PC-6/40—Electric Trim Actuator Attachment Bracket [F2005L01768]*.
AD/PC-6/51 Amdt 1—Stabiliser—Trim Attachment Components—Inspection/Replacement [F2005L01769]*.
AD/PC-12/47—Main Landing Gear Special Bolt Assembly [F2005L02050]*.
AD/SD3-30/23 Amdt 2—Propeller Attaching Bolts [F2005L02092]*.
AD/SD3-60/66—Elevator Trim Tab Balance Weight Brackets [F2005L01774]*.

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AD/SD3-60/68 Amdt 1—Elevator Trim Tab Balance Weight Brackets [F2005L01778]*.
AD/SD3-60/69—Rudder Horn Spar [F2005L01942]*.
AD/S-PUMA/51 Amdt 1—Tail Rotor Hub Bearing [F2005L01781]*.
AD/S-PUMA/60—Fuselage Inclined Gearbox Fairing Gutter [F2005L01844]*.
AD/S-PUMA/60 Amdt 1—Fuselage Inclined Gearbox Fairing Gutter [F2005L01876]*.
AD/S-PUMA/61—Engine Fire Extinguishers [F2005L02049]*.
AD/AL 250/87—Containment Ring [F2005L01841]*.
AD/ARRIUS/10—Oil—Check-Valve Piston O-ring [F2005L02094]*.
AD/BR700/4 Amdt 1—Engine Electronic Controller [F2005L01711]*.
AD/BR700/6—Independent Overspeed Protection [F2005L01633]*.
AD/CF6/58—Electronic Control Unit Software [F2005L01765]*.
AD/DART/3—from Intermediate Pressure to Turbine Disc [F2005L01766]*.
AD/TAY/8 Amdt 2—Engine LP Fuel Tube [F2005L01784]*.
AD/TFE 731/33—LPT Stage 1 Nozzle and Disks [F2005L01788]*.
AD/TFE 731/34—1st and 2nd Stage Low Pressure Turbine Rotor Discs [F2005L02047]*.
AD/THIELERT/5—Clutch Friction Plates [F2005L01709]*.
AD/TPE 331/62 Amdt 1—Reduction Gear and Shaft Assembly [F2005L01791]*.
AD/V2500/2—Fuel Filter Cover [F2005L02046]*.

107—
AD/ELECT/68—Bendix Impulse Coupling Inspection [F2005L02063]*.
AD/ELECT/75—TCM Magneto Impulse Coupling [F2005L01972]*.
AD/ELECT/75 Amdt 1—TCM Magneto Impulse Coupling [F2005L02062]*.
AD/PARA/14—OMEGA/QUICK Personal Parachute [F2005L01993]*.
AD/PARA/14 Amdt 1—OMEGA/QUICK Personal Parachute [F2005L02102]*.
AD/PHZL/76 Amdt 1—HC-C2YR-4CF Propeller Life Reduction [F2005L02106]*.
AD/PHZL/76 Amdt 2—HC-C2YR-4CF Propeller Life Reduction [F2005L02168]*.

Class Rulings—

Cocos (Keeling) Islands Act—Customs Amendment Ordinance 2005 (No. 1) [F2005L01845]*.
Commonwealth Authorities and Companies Act—
Notice under paragraph 45(1)(b)—Disposal of shares in Australian Value Funds Management Limited.
Corporations Act—
Accounting Standards—
AASB 1048—Interpretation and Application of Standards [F2005L01907]*.
AASB 2005-2—Amendments to Australian Accounting Standard [F2005L01699]*.
AASB 2005-3—Amendments to Australian Accounting Standards [F2005L01697]*.
AASB 2005-4—Amendments to Australian Accounting Standards [F2005L01708]*.
AASB 2005-5—Amendments to Australian Accounting Standards [F2005L01905]*.
AASB 2005-6—Amendments to Australian Accounting Standards [F2005L01707]*.
AASB 2005-7—Amendments to Australian Accounting Standards [F2005L01903]*.
AASB 2005-8—Amendments to Australian Accounting Standards [F2005L01893]*.
ASIC Class Orders—
[05/637] [F2005L01963]*.
[05/638] [F2005L01965]*.
[05/639] [F2005L02097]*.
[05/640] [F2005L02098]*.
[05/641] [F2005L02099]*.
[05/680] [F2005L01732]*.
[05/681] [F2005L01737]*.
[05/682] [F2005L01744]*.
[05/683] [F2005L01754]*.
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Currency Act—Currency (Perth Mint) Determination 2005 (No. 2) [F2005L01713]*.
Customs Act—
CEO Determination No. 1 of 2005 [F2005L02009]*.

CEO Instruments of Approval Nos—
19 of 2005 [F2005L02010]*.
20 of 2005 [F2005L02011]*.
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22 of 2005 [F2005L02013]*.
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162—Customs (Prohibited Exports) Amendment Regulations 2005 (No. 3) [F2005L02004]*.
163—Customs (Prohibited Imports) Amendment Regulations 2005 (No. 2) [F2005L02003]*.
Tariff Concession Orders—
0501206 [F2005L01608]*.
0503993 [F2005L01588]*.
0504198 [F2005L01590]*.
0504275 [F2005L01715]*.
0504276 [F2005L01716]*.
0504278 [F2005L01591]*.
Tariff Concession Revocation Instruments—
10/2005 [F2005L01592]*.
11/2005 [F2005L01637]*.
12/2005 [F2005L01679]*.
13/2005 [F2005L01925]*.
14/2005 [F2005L02042]*.
Customs Legislation Amendment (Application of International Trade Modernisation and Other Measures) Act—CEO Specifications Nos—
1 of 2005 [F2005L02007]*.
2 of 2005 [F2005L02008]*.
Defence Act—
Determinations under section—
58B—Defence Determinations—
2005/19—Payment of travel costs—amendment.
2005/20—Recreation leave and storage—amendment.
2005/21—Relief out-of-country travel—amendment.
2005/22—Change of posting period—Tuvalu.
2005/23—Overseas education assistance for child at school in Australia—amendment.
2005/24—Post indexes—amendment.
2005/25—Excess commuting costs overseas—amendment.
2005/26—Living-in accommodation reforms.
2005/27—Conditions of service—miscellaneous amendments.

58H—Defence Force Remuneration Tribunal Determinations Nos—
6 of 2005—Salary of senior officers—Reserve forces.
7 of 2005—Salary of senior officers—Reserve forces.
8 of 2005—Salary of Chief of Capability Development Group—repeal.

Select Legislative Instrument 2005 No. 169—Army and Air Force Canteen Service Amendment Regulations 2005 (No. 1) [F2005L02021]*.

Diplomatic Privileges and Immunities Act—Diplomatic Privileges and Immunities Regulations—Certificates under regulation 5A, dated 1 July 2005 [2].

Electronic Transactions Act—Select Legislative Instrument 2005 No. 164—Electronic Transactions Amendment Regulations 2005 (No. 1) [F2005L01902]*.

Environment Protection and Biodiversity Conservation Act—

Adoption of State Plans as Recovery Plans, dated 10 June 2005 [F2005L01896]*.

Amendments of lists of—

Exempt native specimens, dated—
  6 May 2005 [F2005L01809]*.
  7 June 2005 [F2005L02005]*.
  23 June 2005 [F2005L01803]*.
  29 June 2005 [F2005L01944]*.
Specimens taken to be suitable for live import, dated—
  4 July 2005 [F2005L01994]*.
  6 July 2005 [F2005L01996]*.
  7 July 2005 [F2005L02016]*.
Threatened ecological communities, dated 21 July 2005 [F2005L02125]*.
Threatened species, dated 17 June 2005 [F2005L01931]*.

Blue, Fin and Sei Whale Recovery Plan 2005-2010 [F2005L01892]*.


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Export Control (Animals) Amendment Order 2005 (No. 2) [F2005L01806]*.

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Export Control (Hay and Straw) Amendment Orders 2005 (No. 1) [F2005L01821]*.
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Export Control (Prescribed Goods—General) Amendment Order 2005 (No. 1) [F2005L01840]*.
Game, Poultry and Rabbit Meat Amendment Orders 2005 (No. 2) [F2005L01841]*.

Family Law Act—
Family Law (Superannuation) Regulations—Family Law (Superannuation) (Interest Rate for Adjustment Period) Determination 2005 [F2005L01611]*.

Financial Management and Accountability Act—
Adjustments of Appropriations on Change of Agency Functions—Directions Nos—
38 of 2004-2005 [F2005L01568]*.
41 of 2004-2005 [F2005L01570]*.
42 of 2004-2005 [F2005L01582]*.
43 of 2004-2005 [F2005L01696]*.
44 of 2004-2005 [F2005L01964]*.
1 of 2005-2006 [F2005L01998]*.
2 of 2005-2006 [F2005L02022]*.
3 of 2005-2006 [F2005L02023]*.
4 of 2005-2006 [F2005L02036]*.
Net Appropriation Agreement for the Office of the Inspector-General of Intelligence and Security [F2005L01695]*.

Financial Sector (Collection of Data) Act—
Financial Sector (Collection of Data) Determinations Nos—
1 of 2005—Reporting Standard GRS 110.0 (2005) [F2005L01638]*.
2 of 2005—Reporting Standard GRS 120.0 (2005) [F2005L01639]*.
3 of 2005—Reporting Standard GRS 130.0 (2005) [F2005L01640]*.
7 of 2005—Reporting Standard GRS 140.0 (2005) [F2005L01644]*.
10 of 2005—Reporting Standard GRS 140.3 (2005) [F2005L01647]*.
12 of 2005—Reporting Standard GRS 150.0 (2005) [F2005L01649]*.
17 of 2005—Reporting Standard GRS 300.0 (2005) [F2005L01654]*.
18 of 2005—Reporting Standard GRS 310.0 (2005) [F2005L01655]*.
23 of 2005—Reporting Standard GRS 400.0 (2005) [F2005L01661]*.
26 of 2005—Reporting Standard GRS 430.0 (2005) [F2005L01666]*.
28 of 2005—Reporting Standard GRS 450.0 (2005) [F2005L01671]*.
29 of 2005 [F2005L01672]*.
32 of 2005—Reporting Standard GRS 800.3 (2005) [F2005L01677]*.
34 of 2005—Reporting Standard LOLRS 800.2 (2005) [F2005L01680]*.
35 of 2005—Reporting Standard LOLRS 800.3 (2005) [F2005L01681]*.
37 of 2005—Reporting Standard ARS 320.0 (2005) [F2005L01683]*.
38 of 2005—Reporting Standard ARS 322.0 (2005) [F2005L01684]*.
39 of 2005—Reporting Standard ARS 323.0 (2005) [F2005L01685]*.
40 of 2005—Reporting Standards ARS 320.1, ARS 322.0 and ARS 323.0 [F2005L01686]*.
41 of 2005—Reporting Standard SRS 250.0 (2005) [F2005L01687]*.
45 of 2005—Revocation of SRS 250.0, 260.0, 340.0 and 350.0 [F2005L01692]*.

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AMS Investments Pty Limited [F2005L01932]*.
George Street Finance Pty Limited [F2005L01935]*.
Waratah Receivables Corporation Pty Limited [F2005L01936]*.

Fisheries Management Act—
EFT01A Determination 2005—
Determination in relation to the Southern and Eastern Scalefish and Shark Fishery, South Tasman Rise Fishery, Small Pelagic Fishery and Norfolk Island Offshore Demersal Finfish Fishery [F2005L01813]*.
Northern Prawn Fishery Management Plan 1995—NPF Directions Nos—
88—Second Season Closures [F2005L01956]*.
89—Gear Trials [F2005L01960]*.
Select Legislative Instrument 2005 No. 153—Fisheries Management Amendment Regulations 2005 (No. 2) [F2005L01297]*.

Southern and Eastern Scalefish and Shark Fishery Management Plan 2003—SESSF Directions Nos—
03—Freezer/Processing Sector of the Commonwealth Trawl Sector [F2005L01810]*.
04—Western Zone Orange Roughy Closure [F2005L01962]*.

SWT01A Determination 2005—Determination in relation to the Southern and Eastern Scalefish and Shark Fishery, Small Pelagic Fishery and Western Deepwater Trawl Fishery [F2005L01805]*.

Food Standards Australia New Zealand Act—Australian New Zealand Food Standards Code—
Amendment No. 79—2005 [F2005L01954]*.
Amendment No. 80—2005 [F2005L02027]*.


Health Insurance Act—
Health Insurance (Allied Health and Dental Services) Determination 2005 [F2005L01922]*.

Select Legislative Instrument 2005 No. 170—Health Insurance (General Medical Services Table) Amendment Regulations 2005 (No. 3) [F2005L02030]*.

Higher Education Funding Act—Determinations Nos—
T67-2004—Grants for Expenditure for Operating Purposes (Base Operating (excluding HECS)) [F2005L01602]*.
T68-2004—Grants for Expenditure for Limited Operating Purposes (Base Operating (excluding HECS)) [F2005L01605]*.


Lands Acquisition Act—Select Legislative Instrument 2005 No. 156—Lands Acquisition Amendment Regulations 2005 (No. 2) [F2005L01694]*.


Luxury Car Tax Determination LCTD 2005/1.


Migration Act—
Migration Regulations—
Specification of a foreign country and addresses for the purposes of paragraphs 1224A(3)(a) and 1224A(3)(aa), dated 29 June 2005 [F2005L01612]*.

Specification of an organisation for the purposes of subregulation 1.21(1), dated 22 June 2005 [F2005L01620]*.

Specification of areas in the People’s Republic of China for the purposes of paragraph 676.214(a), dated 22 June 2005 [F2005L01627]*.

Specification of bodies for the purposes of paragraphs 5.19(4)(e) and 1.20GA(1)(e), parts of Australia for the purposes of subparagraph 2.43(1)(la), dated 6 July 2005 [F2005L01614]*.

Specification of class of persons who may apply in a specified foreign country for a working holiday visa, dated 28 June 2005 [F2005L01621]*.

Specification of class of persons who may apply in any foreign country for a working holiday visa, dated 28 June 2005 [F2005L01622]*.

Specification of class of persons who may apply in any specified foreign country for a working holiday visa, dated 28 June 2005 [F2005L01623]*.

Specification of currencies for which an amount corresponding to the amount of a fee in Australian dollars is specified for the purposes of paragraph 5.36(1)(a), dated 21 June 2005 [F2005L01604]*.

Specification of post office box address and address for courier delivery for the purposes of paragraph 1212B(3)(a), dated 23 June 2005 [F2005L01628]*.


Specification of travel agents for the purposes of subparagraph 1218(1)(b)(iii), dated 22 June 2005 [F2005L01624]*.


Select Legislative Instruments 2005 Nos—

171—Migration Amendment Regulations 2005 (No. 6) [F2005L02018]*.

172—Migration Amendment Regulations 2005 (No. 7) [F2005L02019]*.
Statements for period 1 January to 30 June 2005 under section—

33.
48B [70].
91L [9].
351 [36].
417 [41].

Military Rehabilitation and Compensation Act—

Instruments Nos—
M8 of 2005—MRCA Treatment Principles (2005 Budget and Other Amendments) [F2005L01581]*.


Military Superannuation and Benefits Act—Military Superannuation and Benefits Amendment Trust Deed Dated 7 July 2005 (No. 1) [F2005L01974]*.

Miscellaneous Taxation Ruling—Notice of Addendum—MT 2024.

Motor Vehicle Standards Act—Select Legislative Instrument 2005 No. 159—Motor Vehicle Standards Amendment Regulations 2005 (No. 3) [F2005L01918]*.

National Health Act—

Arrangements Nos—
PB 21 of 2005—Highly Specialised Drugs Program [F2005L02112]*.
PB 22 of 2005—Chemotherapy Pharmaceuticals Access Program [F2005L02120]*.
PB 23 of 2005—Special Authority Program [F2005L02108]*.

Declarations Nos—
PB 15 of 2005 [F2005L02115]*.
PB 16 of 2005 [F2005L02107]*.

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HIB 11/2005 [F2005L01712]*.
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PB 20 of 2005 [F2005L02113]*.
PSO 5/2005 [F2005L01877]*.
PSO 6/2005 [F2005L01878]*.
PSO 7/2005 [F2005L01874]*.

Determination under paragraph 98B(1)(a), dated 16 June 2005 [F2005L01706]*.
Determination under subsection 84C(7), dated 28 July 2005 [F2005L02114]*.

Health Benefits Organizations—Interpretation Standard 2005 [F2005L01940]*.

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Native Title Act—Select Legislative Instruments 2005 Nos—
157—Native Title (National Aboriginal and Torres Strait Islander Land Fund) Repeal Regulations 2005 [F2005L01832]*.
166—Native Title (Tribunal) Amendment Regulations 2005 (No. 1) [F2005L01798]*.

Parliamentary Contributory Superannuation Act—Superannuation (Family Law—Parliamentary Contributory Superannuation Act 1948) Amendment Orders 2005 (No. 1) [F2005L01593]*.

Plant Breeder’s Rights Act—Instrument approving the form of a certificate of grant of Plant Breeder’s Right—Instrument Approving Forms No. 1 of 2005 [F2005L01853]*.

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Addenda—
PR 2004/94.
PR 2004/114.


Quarantine Act—
Quarantine Service Fees (Australia Post) Determination 2005 [F2005L01851]*.
Quarantine Service Fees Determination 2005 [F2005L01757]*.

Remuneration Tribunal Act—
Determinations—
2005/11: Judicial and Related Offices—Remuneration and Allowances [F2005L01714]*.
2005/12: Remuneration and Allowances for Office Holders [F2005L01833]*.

Retirement Savings Accounts Act—Select Legislative Instrument 2005 No. 149—Retirement Savings Accounts Amendment Regulations 2005 (No. 2) [F2005L01676]*.


Social Security Act—
Education, Science and Training Exempt Lump Sum (South Australian Fishery Payment) Determination 2005 [F2005L01966]*.
Employment and Workplace Relations Exempt Lump Sum (South Australian Fishery Payment) Determination 2005 [F2005L01988]*.
Employment and Workplace Relations Exempt Lump Sum (Tasmanian Child Abuse Payment) Determination 2005 [F2005L01971]*.
Social Security Exempt Lump Sum Determination No. 1 of 2005 [F2005L01987]*.
Social Security Exempt Lump Sum Determination No. 2 of 2005 [F2005L01992]*.
Social Security (Personal Care Support Scheme—Pflegegeld) Determination 2005 [Department of Employment and Workplace Relations] [F2005L01882]*.
Superannuation Act 1976—
Superannuation Act 1976 (Interest) Determinations Nos—
165 [F2005L01772]*.
166 [F2005L01775]*.
167 [F2005L01777]*.
168 [F2005L01780]*.
169 [F2005L01782]*.
170 [F2005L01794]*.
171 [F2005L01796]*.
172 [F2005L01797]*.
173 [F2005L01799]*.
174 [F2005L01800]*.
175 [F2005L01801]*.
176 [F2005L01802]*.
177 [F2005L01804]*.

Superannuation (CSS) (Eligible Employees—Exclusion) Amendment Declaration 2005 (No. 1) [F2005L01861]*.
Superannuation (CSS) (Eligible Employees—Inclusion) Amendment Declaration 2005 (No. 1) [F2005L01867]*.

Superannuation (Family Law—Superannuation Act 1976) Amendment Orders 2005 (No. 1) [F2005L01589]*.

Superannuation Act 1990—
Superannuation Act 1990 (Interest) Determinations Nos—
160 [F2005L00051]*.
161 [F2005L00053]*.
162 [F2005L00172]*.
163 [F2005L00176]*.
164 [F2005L00177]*.
165 [F2005L00178]*.
166 [F2005L00179]*.
167 [F2005L00174]*.
168 [F2005L00173]*.
169 [F2005L00174]*.

170 [F2005L01735]*.
171 [F2005L01724]*.
172 [F2005L01739]*.

Superannuation (PSS) Membership Inclusion Amendment Declaration 2005 (No. 1) [F2005L01870]*.
Superannuation (PSS) Membership Inclusion Amendment Declaration 2005 (No. 2) [F2005L02038]*.
Superannuation (PSS) Membership Exclusion Amendment Declaration 2005 (No. 1) [F2005L01869]*.

Twenty-fifth Amending Deed to the Public Sector Superannuation Scheme Trust Deed [F2005L01860]*.
Twenty-fourth Amending Deed to the Public Sector Superannuation Scheme Trust Deed [F2005L01613]*.

Superannuation Act 2005—
Deed to establish the Public Sector Superannuation Accumulation Plan [F2005L01901]*.
Superannuation (PSSAP) (Division of Costs) Determination 2005 [F2005L01881]*.
Superannuation (PSSAP) Membership Eligibility (Exclusion) Declaration 2005 [F2005L01897]*.
Superannuation (PSSAP) Membership Eligibility (Inclusion) Declaration 2005 [F2005L01895]*.
Superannuation (PSSAP) Public Sector Employees Declaration 2005 [F2005L01883]*.
Superannuation (PSSAP) Unit Pricing Determination 2005 [F2005L02074]*.
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Superannuation (PSSAP) Unit Pricing Amendment Determination 2005 (No. 2) [F2005L02135]*.
Superannuation Industry (Supervision) Act—
Modification Declaration No. 26
[F2005L02041]*.
Request from Minister to APRA under section 230A, dated 15 April 2005.
Superannuation (Productivity Benefit) Act—
Superannuation (Productivity Benefit) (Approved Funds) Declaration 2004 [F2005L01698]*.
Superannuation (Productivity Benefit) (Penalty Interest) Amendment Determination 2005 (No. 1) [F2005L01868]*.
Superannuation Supplementary Levy Imposition Determination 2005 [F2005L01827]*.
Taxation Determinations—
Notices of Withdrawal—
TD 92/110.
TD 93/38, TD 93/57, TD 93/139, TD 93/145 and TD 93/185.
Taxation Rulings—
Addendum—TR 2000/18.
Old Series—Notices of Withdrawal—IT 2071, IT 2265 and IT 2443.
Telecommunications Act—
Telecommunications (Carrier Licence Exemption) Determination No. 1 of 2001 (Amendment No. 1 of 2005) [F2005L01704]*.
Telecommunications Numbering Plan Variation 2005 (No. 2) [F2005L01864]*.
Telecommunications Service Provider (Mobile Premium Services) Determination 2005 (No. 1) [F2005L01875]*.
Telecommunications (Consumer Protection and Service Standards) Act—
Telstra Carrier Charges—Price Control Arrangements, Notification and Disallowance Determination No. 1 of 2002 (Amendment No. 1 of 2005) [F2005L01831]*.
Therapeutic Goods Act—Therapeutic Goods Order No. 73—Standards for
haematopoietic progenitor cells derived from cord blood [F2005L01603]*.

Veterans’ Entitlements Act—

Instruments Nos—

R7/2005—Treatment Principles (2005 Budget and Other Amendments) [F2005L01579]*.

Repatriation Medical Authority Instruments Nos—

21 of 2005 [F2005L01945]*.
22 of 2005 [F2005L01946]*.
23 of 2005 [F2005L01947]*.
24 of 2005 [F2005L01948]*.
25 of 2005 [F2005L01949]*.
26 of 2005 [F2005L01950]*.
27 of 2005 [F2005L01951]*.

Water Efficiency Labelling and Standards Act—Water Efficiency Labelling and Standards Determination 2005 [F2005L01571]*.

Workplace Relations Act—Select Legislative Instrument 2005 No. 151—Australian Industrial Relations Commission Amendment Rules 2005 (No. 1) [F2005L01814]*.

Governor-General’s Proclamations—

Commencement of Provisions of Acts

Auslink (National Land Transport) Act 2005—Parts 3, 4, 5, 6, 7 and 8—28 July 2005 [F2005L02026]*.


(a) Part 4 of Schedule 1;
(b) item 15 in Schedule 1;
(c) item 3 in Schedule 2;
(d) Part 2 of Schedule 3 (other than item 43);
(e) items 67, 69, 70, 71, 75, 76, 78, 79, 80, 81, 85, 86, 87, 88, 89 and 90 in Part 4 of Schedule 3;
(f) items 98 and 99 in Part 5 of Schedule 3;
(g) item 119 in Part 6 of Schedule 3;


* Explanatory statement tabled with legislative instrument.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Fisheries: Southern Supporter

(Question No. 301)

Senator O’Brien asked the Minister for Fisheries, Forestry and Conservation, upon notice, on 23 December 2004:

(1) When were Australian authorities first made aware of alleged, actual or intended illegal fishing activity by the vessel the Viarsa in Australian waters near the Heard and McDonald Islands (HIMI) in 2003.

(2) What was the source of the information.

(3) When did Australian authorities authorise the Australian Fisheries Management Authority-contracted vessel the Southern Supporter to intercept the Viarsa.

(4) Where and when did the Southern Supporter first locate the Viarsa.

(5) (a) What action, pursuant to what international or domestic law, did the Southern Supporter order the Viarsa to undertake; (b) when was this order made; and (c) what was the Viarsa’s response.

(6) (a) Were the Viarsa’s identifiers displayed at the time it was located by the Southern Supporter; if so, were these identifiers later removed and when.

(7) When and how did the Viarsa first identify itself to the Southern Supporter.

(8) Was authorisation from a Minister or departmental officer required before the Southern Supporter commenced its hot pursuit of the Viarsa; if so: (a) when was this authorisation requested; (b) when was it provided; and (c) who provided it.

(9) When did the hot pursuit of the Viarsa by the Southern Supporter commence.

(10) Why did the Minister not announce the commencement of the pursuit until 12 August 2003.

(11) With reference to the Minister’s statement on 13 May 2003 concerning armed enforcement in HIMI, was the Southern Supporter armed; if not, what capacity did the Southern Supporter have to apprehend the Viarsa without additional enforcement assistance.

(12) Was the Department of Defence asked to provide logistical or enforcement assistance in the interception of the Viarsa; if so: (a) when was the request made; (b) what was the department’s response; and (c) what assistance was provided.

(13) (a) When did the Australian Government first make direct representations to the Uruguayan Government urging it to exercise its flag state responsibilities and require the Viarsa to accompany the Southern Supporter to the nearest Australian port; (b) what form did those representations take; (c) what was the Uruguayan Government’s initial response and when was that response received; (d) did the Uruguayan Government consent to Australia’s request that the Viarsa be ordered to accompany the Southern Supporter; (e) did the Uruguayan Government order the Viarsa to accompany the Southern Supporter to an Australian port; if so, when was that order made and what is the source of that information.

(14) (a) What subsequent representations did the Government make to the Uruguayan Government prior to the vessel’s apprehension; (b) what was the Uruguayan Government’s response to these representations; (c) when did the Minister make direct contact with the Uruguayan Minister for Livestock, Agriculture and Fisheries; (d) what assistance did the Minister seek; (e) how did the Uruguayan Minister respond to the Minister’s request for assistance; and (f) what assistance has the Uruguayan Embassy in Canberra provided in the Viarsa matter.
(15) Did the Uruguayan Government order the Viarsa to return to Montevideo; if so, when was that
order made and what is the source of the information.

(16) (a) When was the Minister and/or his department informed that a Uruguayan Government official
was aboard the Viarsa; (b) what was the source of this information; (c) what is the name of the
Uruguayan Government official and what position does the official hold; (d) what representations
has the Government made to the Uruguayan Government in this matter; (e) what was the Urugu-
ayan Government’s response; and (f) when did the Uruguayan official board the Viarsa.

(17) (a) What representations has the Government received from the Uruguayan Government since the
vessel’s apprehension; and (b) how has Australia responded to those representations.

(18) When did the Government first alert the secretariat of the Commission for the Conservation of
Antarctic Marine Living Resources (CCAMLR) of the alleged illegal fishing activity by the Viarsa.

(19) (a) What assistance did the Government, through its secretariat, ask members of CCAMLR to pro-
vide in relation to the Viarsa; (b) when was that assistance sought; and (c) what assistance, by
country, was provided.

(20) (a) When did the Government first make direct representations to the South African Government
seeking assistance in the apprehension of the Viarsa; (b) what request did the Government make;
(c) what response did the South African Government provide and when was it received; (d) when
was the Government informed that the SA Agulhas would be directed to intercept the Viarsa; and
(e) when did the SA Agulhas join the hot pursuit of the Viarsa.

(21) (a) When did the Government initiate commercial negotiations on the hire of the tug boat John
Ross to assist in the apprehension of the Viarsa; (b) when did the tug commence pursuit of the
Viarsa; (c) what was the composition of the crew aboard the tug; (d) did the tug operate under Aus-
tralian command; (e) what was the total cost of the tug hire; (f) was the cost of hiring the tug re-
duced as a result of Australia’s cooperative relationship with the South African Government on il-
legal fishing matters; and (g) what total cost is payable to South African interests for assistance in
the Viarsa matter.

(22) (a) When did the Government first make direct representations to the United Kingdom (UK) Gov-
ernment seeking assistance in the apprehension of the Viarsa; (b) what request did the Government
make; (c) what response did the UK Government provide and when was it received; (d) what assis-
tance did the UK Government provide; and (e) what total cost is payable to UK interests for assis-
tance in the Viarsa matter.

(23) When and where was the apprehension of the Viarsa effected.

(24) (a) What was the number and composition of the crew aboard the Viarsa upon its apprehension;
and (b) has the Government made representations to other governments on the presence of their
nationals aboard the Viarsa; if so, what representations has the Government made and what was the
response.

(25) What fish and equipment was allegedly found aboard the vessel.

(26) What is the status of legal proceedings related to the investigation into the Viarsa’s conduct in Aus-
tralian waters; and (b) where is the vessel and its crew currently located.

(27) What arrangements did the Government make for the disposal of fish allegedly found aboard the
vessel.

(28) How has the Government recognised the performance of the Australian officers involved in the
pursuit and apprehension of the Viarsa.

(29) What was the cost of the operation to apprehend the Viarsa.

(30) What total cost has the Government incurred in the Viarsa matter, including the cost of pre-pursuit
and post-apprehension operations.
(31) Was the cost of the Viarsa operation met from the $12 million budget allocation for Southern Ocean fisheries enforcement in the 2003-04 financial year, announced by the Minister on 13 May 2003; if so, was the operational plan for the 2003-04 financial year amended to account for the Viarsa operation.

Senator Ian Macdonald—The answer to the honourable senator’s question is as follows:

(1) Information on suspected illegal vessel contacts inside the Heard Island and McDonald Islands (HIMI) exclusive economic zone (EEZ) including the dates and nature of the source advising of these contacts is classified. It is important that such tactical information is not made public as this type of disclosure could compromise the outcome of any future monitoring, surveillance and enforcement activity by Australia against illegal fishing activity at HIMI.

(2) Information on suspected illegal vessel contacts inside the HIMI EEZ including the dates and nature of the source advising of these contacts is classified. It is important that such tactical information is not made public as this type of disclosure could compromise the outcome of any future monitoring, surveillance and enforcement activity by Australia against illegal fishing activity at HIMI.

(3) 7 August 2003.

(4) Approximately 30 nautical miles south of Heard Island on 7 August 2003.

(5) (a) Viarsa 1 was ordered, under Section 4 of the Fisheries Management Act 1991 (the Act), (having reasonable grounds to believe that the boat has been used, is being used or is intended to be used in contravention of the Act) and in accordance with Australia’s right under the United Nations Convention on the Law of the Sea, to stop and identify itself and allow itself to be inspected. (b) 7 August 2003. (c) The initial response was “No”, and permission to come aboard was denied.

(6) No.

(7) 7 August 2003. The Captain of the vessel identified it as the Viarsa through radio communication.

(8) No, because the on-scene commander was authorised under the Operation Patonga Operation Order to initiate hot pursuit in accordance with the United Nations Convention on the Law of the Sea, Article 111.

(9) 7 August 2003.

(10) Before 12 August 2003, timing for the patrol operation to become overt was still being assessed for tactical reasons.

(11) Such operational details are important tactical information and if made public could compromise future monitoring, surveillance and enforcement activity by Australia against illegal fishing activity at the HIMI Fishery.

(12) Yes. (a) 7 August 2003. (b) The Department of Defence said it could not provide operational assistance due to asset availability and that the distance from the pursuit area made it unlikely for an Australian patrol to be able to join with the pursuit. (c) A steaming party to escort the Viarsa 1 from Cape Town to the Australian mainland.

(13) (a) 8 August 2003. (b) Australia’s Ambassador in Buenos Aires made representations to the Government of Uruguay. (c) The Government of Uruguay responded positively the same day. (d) Yes. (e) Yes. On 16 August the Uruguayan Government used Coastwatch’s equipment to send a message to the vessel.

(14) (a) Following the first representations to the Uruguayan Government on 8 August, the Australian Government made further representations which: advised of the ongoing pursuit of the Viarsa 1; offered to facilitate the communication of a message from the Uruguayan Government to the Viarsa 1 which was no longer communicating with Montevideo; emphasised the basis for Australia’s hot pursuit of the Viarsa 1 under international law; explained the basis for concluding that the
vessel being pursued was the Viarsa 1; sought information on the identity of the crew on board; raised concerns about the accuracy of vessel monitoring information that the vessel had passed on to the Government of Uruguay; and underlined the importance of requiring the vessel to proceed to Fremantle. Australia also advised the Government of Uruguay through the Uruguayan Ambassador in Canberra of the imminent boarding and requested that Uruguay require the master of the Viarsa 1 to cooperate with any Australian led boarding of the vessel. (b) The Government of Uruguay provided Australia with the vessel monitoring information that the Viarsa 1 had passed on to the Government of Uruguay, confirmed that the pursued vessel was in fact the Viarsa 1, and accepted Australia’s offer to communicate a message to the Viarsa 1 requiring the vessel to comply with Australia’s orders. (c) 8 August 2003. (d) I requested the Uruguayan Government support Australian action in dealing with the suspected illegal fishing activity in Australian waters by the Viarsa 1. (e) No formal reply was received from the Uruguayan Minister, however, cooperation from the Uruguayan Government with Australian requests and the provision of vessel monitoring data and crew lists was forthcoming. (f) The Embassy of Uruguay facilitated communication from the Government of Uruguay to the Government of Australia.

(15) On 22 August 2003, the Government of Uruguay formally advised the Australian Government through its Embassy in Buenos Aires that the Viarsa 1 had been ordered to proceed to a Uruguayan port earlier that same day.

(16) (a) Over the weekend of 9 and 10 August 2003, (b) The National Office of Aquatic Resources of the Government of Uruguay provided the I crew list. (c) I am unwilling to provide the name of the Government Observer for privacy reasons. The Observer was not charged and was released to return to Uruguay. (d) The Australian Government made a number of requests for assistance in relation to the investigation into the activities of the I and its crew. (e) The Uruguayan Government responded cooperatively in relation to the Australian Government’s requests for assistance. (f) This is a matter for the Uruguayan Government.

(17) (a) The Government of Uruguay has made a number of representations to the Australian Government regarding the Viarsa 1 and its crew since the vessel’s apprehension, including requests for assistance in investigating the activities of the vessel. (b) The Australian Government has responded cooperatively in relation to these requests.

(18) The Australian Government first notified the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) on 7 August 2003, through the CCAMLR Secretariat, of the alleged illegal fishing activity by the Viarsa 1.

(19) (a) and (b) On 12 August 2003 the Australian Government wrote to CCAMLR a second time. In this letter the Australian Government sought the assistance and support of CCAMLR Parties, including through inspection of the vessel in accordance with CCAMLR conservation measures, should it seek access to the port of any Contracting Party. Australia also requested all Parties deny access to any catch suspected to have been illegally taken by the Viarsa 1. (c) The Republic of South Africa (RSA) and the United Kingdom (UK) offered their support. France indicated they were ready to respond to a request for assistance from Australia. The European Union offered its assistance but indicated that France was best placed to provide practical assistance. Japan and India stated that they would act consistently with their CCAMLR obligations. Japan also undertook to alert the Ministry of International Trade and Industry (MITI) (which is responsible for regulating market access for imports) of the issue. New Zealand said it had taken the necessary steps to ensure that catch from the Viarsa 1 could not enter New Zealand markets. New Zealand also said they were willing to assist Australia in any follow up action at CCAMLR. Germany also indicated it would fulfil its obligations as a CCAMLR member and would assist as necessary. The United States indicated that they would close their markets to products from the Viarsa 1.
(20) (a) Initial approaches to South Africa were made on 12 August 2003. (b) The Government requested operational assistance in effecting the apprehension of the Viarsa 1. (c) & (d) The South African Department of Marine and Coastal Management contact advised on 14 August 2003 that SA Agulhas departed Cape Town Harbour on 12 August and that it was under direction to complete a South African Fisheries task at Marion Island (in the Prince Edward Islands Group approximately 1200 nautical miles south east of Cape Town) but could be made available to support Australia’s ‘hot pursuit’ of the Viarsa 1 on completion of the task. (e) 19 August 2003.

(21) (a) 19 August 2003. (b) 21 August 2003. (c) Not known. Crew composition for specific tasks is at the discretion of the charter company (in this case SMIT Marine South Africa). John Ross is usually operated with a crew of 28. (d) No. John Ross was contracted to “transport a fisheries enforcement team to illegal fishing vessel Viarsa 1, to assist team to board the Viarsa 1 by putting their fast recovery craft to the avail of the enforcement team to enable them to proceed from the tug to the Viarsa 1, and to remain on standby at the Viarsa 1 until released by the enforcement team leader and then return to Cape Town”. (e) Rand 320,112.00 (approximately $A63,275). (f) No. (g) Approximately $A2.1 million.

(22) (a) Following Australia’s initial correspondence to CCAMLR members, the Australian Government contacted the United Kingdom on 14 August 2003. I formally wrote to Mr Elliot Morley, Minister for Environment and Agri-Environment, on 21 August 2003 and followed my letter with a telephone call to Minister Morley. (b) The Australian Government broadly sought operational assistance in its pursuit of the Viarsa 1. (c) The United Kingdom indicated on 19 August 2003 that refuelling options existed in the Falkland Islands and South Georgia (conditions allowing). In my discussions with Minister Morley, he indicated that the United Kingdom would be willing to provide operational assistance in whatever way it could once a formal request for assistance was made by Australia. (d) The Falkland Islands fisheries and surveillance vessel, the Dorada, assisted with the interception of the Viarsa 1. (e) $A167,000.

(23) At 1550 local time on Thursday 27 August 2003 in position 43 degrees 37 minutes South, 22 degrees 46 minutes West.

(24) (a) The Captain of the Viarsa 1 was Uruguayan. The crew (of 40) comprised nationals from Uruguay (4), Spain (13), Chile (16), Portugal (3), Peru (3), and Romania (1). (b) Governments of the relevant countries of nationality were advised that some of their nationals may be onboard the vessel.

(25) Significant quantities of long line fishing equipment such as hooks, main line, fishing radio beacons, main line weights and anchors were found aboard the Viarsa 1. There was also 92.450 tonnes of frozen toothfish trunks, cheeks and collars on board. There was also 92.438 tonnes of bait on board.

(26) (a) Charges were laid against the master and four crewmembers of the Viarsa on 10 October 2003. The defendants appeared in the Magistrates’ Court on the same day and were released on bail of $20,000 AUD per defendant. As conditions of bail, the defendants had to surrender their passports and seaman’s papers. The defendants were to remain within the metropolitan area of Perth, not approach within 100 metres of an international airport or 50 metres of the waters of the Fremantle wharf area. The defendants were also report to an AFMA fisheries officer twice a week.

The defendants appeared in the Western Australian Local Court on 22 January 2004 where the matter was referred to the Western Australian District Court. On 19 March 2004, the defendants pleaded not guilty and were granted an expedited hearing that was set down for 5-29 October 2004. The hearing commenced, but the jury was unable to reach a verdict and was dismissed on 2 December 2004. The courts made a decision to retry the case and a hearing has been listed for 10 weeks commencing 5 September 2005.
A bond for the release of the Viarsa 1 was set at approximately $5.5 million. The owners of the Viarsa 1 lodged an action in the Federal Court to challenge its apprehension and subsequent forfeiture to the Commonwealth. Competing claims from each party were submitted and a directions hearing scheduled for 20 August 2004. On 19 August 2004, the solicitors acting on behalf of the owners of the Viarsa 1 sought and received an extension to review the evidence submitted by the Commonwealth. The courts will not consider the challenge to the forfeiture of the Viarsa 1, which is a civil matter, until the criminal proceedings against the crew have concluded.

(b) The vessel has been seized and remains at Fremantle. Four of the crew who were charged remain in Fremantle, including the master, while one successfully had his bail conditions varied to allow him to return to Chile until the court hearing. The remaining crew who were not charged were repatriated.

(27) The 92.450 tonnes of Patagonian toothfish, (Dissostichus eleginoides) and 92.438 tonnes of mixed species of bait seized from the foreign fishing vessel, Viarsa 1, were sold by public tender. 

(28) The Fisheries, Customs and Navy personnel who took part in the pursuit and apprehension of the Viarsa 1 were welcomed home and thanked by the Minister for Justice and Customs, Senator Ellison and myself in Fremantle on 3 October 2003. 

(29) The total cost of the Viarsa apprehension has not been finalised. However, we estimate that the total for the apprehension is likely to be approximately $A4.5 million. 

(30) The total cost of the Viarsa apprehension has not been determined as some costs, particularly ongoing post-apprehension and prosecution costs, are still accruing. 

(31) Yes, costs of the operation were met from the allocated funding for 2003-04. Yes, the operational plan for the 2003-04 financial year was amended.

**Bananas**

**(Question No. 326)**

Senator Brown asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 3 February 2005:

In relation to restrictions on non-commercial growing of bananas in Queensland and potential impacts on flying foxes:

(1) Are non-commercial banana-growers limited to 30 stems; if so, why.

(2) Is there any evidence linking the restriction on non-commercial banana-growing with population levels of fruit-eating native species, in particular, is there any suggestion that flying fox populations are in decline and that limitations on banana-growing may be part of the cause.

(3) What work is being done to reduce the dependence of commercial banana crops on chemicals, for example, by encouraging more diversity in the varieties of bananas grown.

Senator Ian Macdonald—the Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:

(1) The Queensland Department of Primary Industries and Fisheries has advised that the Plant Protection Act 1989, which is legislation enacted by the Queensland Parliament, together with the guidelines to the Act, provides that a residential banana plantation means a banana plantation of no more than 10 plants or 30 pseudostems or less, not cultivated for commerce or sale of fruit and generally associated with a residential dwelling.

The restriction on the number of plants or pseudostems for non-commercial growers is applied to assist with the control of pests and diseases. As non-commercial growers generally grow bananas in clumps rather than rows, restricting non-commercial growers to 30 stems or less is a practical measure that enables inspectors to safely and effectively inspect non-commercial banana planta-
tions. Without this restriction there would be a greater threat of notifiable diseases such as Banana Bunchy Top, Panama Disease and Black Sigatoka damaging Queensland’s commercial banana industry.

Non-commercial growers generally do not employ pest and disease control programs, unlike commercial growers. This lack of control programs can increase the risk of non-commercial plants harbouring both exotic and endemic pests and disease. Reducing the plants to 30 stems means that if a disease infestation occurred, it can be more easily detected and controlled.

(2) Both the Queensland Environment Protection Agency and the Australian Government Department of the Environment and Heritage advise there is no evidence linking the restriction on non-commercial banana-growing with population levels of fruit-eating native species.

(3) Research and development (R&D) associated with reducing the reliance on chemical control measures has been supported by the Australian Government through matching funds paid to the former Horticultural Research and Development Corporation and to Horticulture Australia Limited. For example, the Queensland Department of Primary Industries and Fisheries advises that R&D on integrated pest management (IPM) methods has resulted in significant reductions in the use of insecticides in the banana industry, especially in north Queensland where 85% of Australia’s bananas are produced. This reduction is in the order of 90% of applied product for the period from 1980 to 2000. Trialling new varieties with genetic resistance to common pests and diseases has been a part of the R&D effort on developing the IPM approach, but has not yet identified candidate varieties with eating qualities acceptable to Australian consumers.

Australian Bureau of Agricultural and Research Economics: Report

(1) Can the Minister provide a copy of ABARE’s brief for this study, together with any other documents provided to the researchers by the department in commissioning the work or during the research and preparation of the report.

(2) (a) How much did the report cost; and
(b) Who funded it.

(3) (a) What is the source of the carbon capture and storage costs used in the study;
(b) Were the researchers given the figures;
(c) Why were they chosen; and
(d) How do they compare with the costs provided in answers to questions on notice nos. 1061-1063 answered in March 2003.

(4) (a) What is the source of the renewable energy and energy efficiency costs used in the study;
(b) Were the researchers given the figures;
(c) Why were they chosen; and
(d) What is the sensitivity of the results to changes in these figures.

Senator Minchin—The Minister for Industry, Tourism and Resources has provided the following answer to the honourable senator’s question:

(1) Work was commissioned as part of DITR’s ABARE Service Level Agreement. Informal discussions were held outlining the Department’s expectations in relation to the report. Discussions were
also held throughout the report writing process to ensure the project’s aims were achieved. The purpose of the study was to assess the role that carbon capture and storage technologies in the electricity sector might play in reducing global carbon dioxide emissions.

(2) (a) The total cost of the report was $260,000. Of this amount, $200,000 was paid in 2003-04 and $60,000 in 2004-05.
(b) Funding was provided from DITR’s ABARE Service Level Agreement.

(3) (a) Carbon capture and storage costs were sourced from a wide range of studies published in the economic, technical and scientific literature. Many of the referenced studies have been presented at international conferences for peer review and/ or are from reputable organisations such as the International Energy Agency (IEA).
(b) No. All cost figures were independently gathered by ABARE from the available economic, technical and scientific literature.
(c) A range of costs for carbon capture and storage is presented in the ABARE report to reflect the wide range and uncertainty associated with the costs of this technology as reported in the literature. The costs of carbon capture and storage used in the modelling component of the study are a reflection of the costs reported in the literature.
(d) The costs provided in DITR’s answers to questions on notice nos. 1061-1063 (March 2003) were derived from a number of sources as reported in the IEA publication “Solutions for the 21st century: zero emissions technologies for fossil fuels” (2002). This IEA report estimates that the cost of capturing and compressing CO2 at the power station is between $US16-86 a tonne of CO2 avoided. Transport costs range from $US1-3 a tonne for transporting CO2 per 100km of pipeline and storage costs are $US5-21 a tonne of CO2.
Capture and compression costs reported in the ABARE report range from $US13-49 a tonne of CO2 avoided, while the average cost of transport is reported as $US4 a tonne of CO2 based on an average distance of 50-200km. Average injection costs are reported as $US1-3 a tonne of CO2 and $US1-13 a tonne of CO2.
It is acknowledged in the ABARE report that a wide range of costs is reported in the literature for this technology and that costs will differ between capture technology, for different power generation technologies, between regions and over time. The narrower cost range reported in the ABARE study reflects advances in the understanding of the costs of this technology as reported in recent literature.

(4) (a) Renewable energy cost ranges reported in the ABARE report were sourced from the International Energy Agency’s report “Renewables for Power Generation: Status and Prospects” (2003). It is acknowledged in the ABARE report that costs will differ as a result of the variety of technical specifications available for each technology and differences in the factor endowment of natural resources.
(b) No. All cost figures were independently gathered by ABARE from the available literature.
(c) A range of costs for renewable energy is presented in the report. This is a reflection of the costs reported in the literature.
(d) The sensitivity of the results to changes in the cost of renewables was not explicitly considered in the study.

Aged Care

(Question No. 338)

Senator Marshall asked the Minister representing the Minister for Ageing, upon notice, on 10 February 2005:
(1) In each of the financial years 2002-03, 2003-04, and 2004-05:
   (a) what were the levels of federal government care subsidies paid to for-profit corporate sector service providers;
   (b) what were the levels of federal government care subsidies paid to not-for-profit community sector providers;
   (c) how many for-profit corporate sector service providers received federal government care subsidies;
   (d) how many not-for-profit community sector service providers received federal government care subsidies;
   (e) how many residents were accommodated in for-profit corporate sector facilities; and
   (f) how many residents were accommodated in not-for-profit community sector facilities.

(2) (a) How many Greek-speaking elders who reside in nursing homes and who have shown their preferred language to be Greek are residing in mainstream nursing homes (i.e. not cultural homes); and
   (b) what is the average length of stay for all Greek-speakers in these facilities.

(3) (a) How many Italian-speaking elders who reside in nursing homes and who have shown their preferred language to be Italian are residing in mainstream nursing homes (i.e. not cultural homes); and
   (b) what is the average length of stay for all Italian-speakers in these facilities.

(4) In each of the financial years 2000-01, 2001-02, 2002-03, 2003-04, 2004-05:
   (a) how many bed licences, per state and territory, were granted to for-profit corporate sector service providers;
   (b) how many bed licences, per state and territory, were granted to not-for-profit community sector service providers; and
   (c) how many bed licences, per state and territory, were targeted for elders with non-English speaking backgrounds.

(5) What is the department’s monitoring process for ensuring that specific groups and people targeted for beds actually receive beds.

Senator Patterson—the Minister for Ageing has provided the following answer to the honourable senator’s question:

(1) (a) Providers classified as ‘for profit’ include private incorporated and non incorporated bodies and incorporated companies. Funding for ‘for profit’ entities was as follows:

   
<table>
<thead>
<tr>
<th>Year</th>
<th>2002-03</th>
<th>2003-04</th>
<th>2004-05 as at 3/6/05</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,514,806,000</td>
<td>$1,772,988,000</td>
<td>$1,476,204,000</td>
</tr>
</tbody>
</table>

   (b) Providers classified as ‘not-for-profit’ include religious, charitable and community based organisations. Please note that many of these service providers make surpluses. Funding for ‘not-for profit’ entities was as follows:

   
<table>
<thead>
<tr>
<th>Year</th>
<th>2002-03</th>
<th>2003-04</th>
<th>2004-05 as at 3/6/05</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2,426,336,000</td>
<td>$2,916,174,000</td>
<td>$2,385,476,000</td>
</tr>
</tbody>
</table>

   (c) The numbers of private incorporated and non incorporated bodies and incorporated companies (‘for profit’ entities) that received Australian Government care subsidies were as follows:

   
<table>
<thead>
<tr>
<th>Year</th>
<th>2002-03</th>
<th>2003-04</th>
<th>2004-05 as at 3/6/05</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>454</td>
<td>454</td>
<td>453</td>
</tr>
</tbody>
</table>

   (d) The numbers of providers from religious, charitable and community based organisations that received Australian Government care subsidies were as follows:
(e) The numbers of residents accommodated in services by private incorporated and non incorporated bodies and incorporated companies (‘for profit’ entities) were as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>38,233</td>
<td>40,384</td>
<td>42,938</td>
<td>44,419</td>
</tr>
<tr>
<td>2003-04</td>
<td></td>
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<tr>
<td>2004-05</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(f) The numbers of residents accommodated in services from religious, charitable and community based organisations were as follows:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>89,002</td>
<td>90,739</td>
<td>92,773</td>
<td>94,675</td>
</tr>
<tr>
<td>2003-04</td>
<td></td>
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<td></td>
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<tr>
<td>2004-05</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(2) (a) and (b) The department does not keep statistical information on the preferred language of residents in Australian Government funded aged care homes. However, when people are assessed by Aged Care Assessment Teams these is an opportunity for them to nominate a preferred language. The number of people recorded as at 31 March 2005 through the Aged Care Assessment program, as having Greek as their preferred language and residing in aged care homes other than Greek ethno-specific homes is 730. However, any figure is limited by the propensity for these people to self-identify at the time of their Aged Care Assessment. The average length of stay as at 31 March 2005 of these Greek speaking residents in a residential aged care service, other than a Greek ethno-specific home, is 25 months.

(3) (a) and (b) The department does not keep statistical information on the preferred language of residents in Australian Government funded aged care homes. However, when people are assessed by Aged Care Assessment Teams there is an opportunity for them to nominate a preferred language. The number of people recorded as at 31 March 2005 through the Aged Care Assessment program, as having Italian as their preferred language and residing in aged care homes other than Italian ethno-specific homes is 2,526. However, any figure is limited by the propensity for these people to self-identify at the time of their Aged Care Assessment. The average length of stay as at 31 March 2005 of these Italian speaking residents in a residential aged care service, other than an Italian ethno-specific home, is 26 months.

(4) (a) and (b) The number of places allocated in the 2001, 2002, 2003 and 2004 Aged Care Approval Rounds by type of organisation is presented in the following table. Religious, charitable and community based organisations are referred to as ‘Not for profit’ and private incorporated and non incorporated bodies and incorporated companies are referred to as ‘For profit’ organisations. The variation in the number of places in the table is related to the number of places allocated under the Government’s planning targets. I note that in 2004 the planning target increased from 100 to 108 places per 1,000 of the population aged 70 years and over, and that the Government has allocated more than 95,000 places between 1996 and 2007-08.

<table>
<thead>
<tr>
<th>State or Territory</th>
<th>Type of organisation</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACT</td>
<td>Not for profit</td>
<td>70</td>
<td>69</td>
<td>111</td>
<td>254</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>NSW</td>
<td>Not for profit</td>
<td>1170</td>
<td>718</td>
<td>771</td>
<td>1838</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>670</td>
<td>638</td>
<td>624</td>
<td>1254</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>8</td>
<td>0</td>
<td>7</td>
<td>8</td>
</tr>
<tr>
<td>State or Territory</td>
<td>Type of organisation</td>
<td>Allocations (High Care, Low Care - Residential) Territory</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
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<td>----------------------------------------------------------</td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>2001</td>
<td>2002</td>
<td>2003</td>
<td>2004</td>
</tr>
<tr>
<td>NT</td>
<td>Not for profit</td>
<td>0</td>
<td>7</td>
<td>10</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>SA</td>
<td>Not for profit</td>
<td>462</td>
<td>190</td>
<td>186</td>
<td>433</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>68</td>
<td>68</td>
<td>226</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>32</td>
<td>45</td>
<td>5</td>
<td>13</td>
</tr>
<tr>
<td>WA</td>
<td>Not for profit</td>
<td>497</td>
<td>450</td>
<td>389</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>178</td>
<td>184</td>
<td>162</td>
<td>289</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>3</td>
<td>34</td>
<td>13</td>
<td>71</td>
</tr>
<tr>
<td>VIC</td>
<td>Not for profit</td>
<td>577</td>
<td>347</td>
<td>296</td>
<td>605</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>1070</td>
<td>982</td>
<td>328</td>
<td>2115</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>126</td>
<td>22</td>
<td>30</td>
<td>0</td>
</tr>
<tr>
<td>QLD</td>
<td>Not for profit</td>
<td>778</td>
<td>479</td>
<td>405</td>
<td>844</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>340</td>
<td>326</td>
<td>548</td>
<td>736</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>12</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TAS</td>
<td>Not for profit</td>
<td>114</td>
<td>52</td>
<td>123</td>
<td>203</td>
</tr>
<tr>
<td></td>
<td>For profit</td>
<td>10</td>
<td>24</td>
<td>60</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Government</td>
<td>9</td>
<td>6</td>
<td>10</td>
<td>0</td>
</tr>
</tbody>
</table>

N.B. 2004 allocations have not been completed for Queensland.

(c) The Aged Care Act 1997 requires consideration of access to aged care for special needs groups including people from non-English speaking backgrounds. Places are advertised on a regional basis for people with special needs, including people from non-English speaking backgrounds. The number of places with a focus on people from non-English speaking (culturally and linguistically diverse) backgrounds is determined following consideration of population projections, current aged care provision ratios and recommendations made by State and Territory Aged Care Planning Advisory Committees (ACPACS). ACPACS membership includes people with knowledge of culturally and linguistically diverse communities.

The total number of places allocated in the 2001, 2002, 2003 and 2004 Aged Care Approval Rounds with a focus on people from non-English speaking backgrounds was 1,829.

The Australian Government is aware that older people of a culturally and linguistically diverse background may not have the same opportunities as other members of the community to access aged care services. In order to increase access by this group of Australians to aged care services, the Government has allocated funding to the Partners in Culturally Appropriate Care program (PICAC) of $3.8 million over 3 years and $11.6 million over 4 years to the Community Partners Program (CPP). This funding, totaling $15.4 million will, over time, increase the access by people of culturally diverse backgrounds to Australian Government funded aged care services. This will include people who speak Greek and Italian.

(5) If an approved provider has been awarded places on the basis that it will provide care to a specific group or people, this will form part of the conditions of allocation.

**HMA Blaze Pty Ltd**

(Question No. 361)

**Senator Mark Bishop** asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 23 February 2005:

With reference to page 100 of the Civil Aviation Safety Authority’s (CASA) Annual Report for 2003-04

(1) What functions were performed by HMA Blaze Pty Limited.
(2) To which advertising campaigns does this activity relate.

(3) What was the process by which HMA Blaze Pty Limited was selected to perform these functions.

(4) How much has been paid by CASA to HMA Blaze Pty Limited for each month since 1 July 2004.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) HMA Blaze provided the Civil Aviation Safety Authority with advertising and media services.

(2) The advertising and media services were for:
   (a) Plan your aviation Christmas
   (b) Drug and Alcohol Testing Review – call for submissions
   (c) Tenders – Expressions of Interest
   (d) Military Aircraft Safety Seminar
   (e) Advertising of job vacancies

(3) For items a, c, d, and e in answer (2) above, HMA Blaze was selected through a tendering process that was conducted in accordance with CASA’s procurement process.

For item (b) above, CASA shared the cost of this advertising with the Department of Transport and Regional Services as this was a joint project. The Department of Transport and Regional Services is required to place non-campaign advertising through the master placement agency, HMA Blaze, as part of the Government’s Central Advertising System.

(4) Since 1 July 2004 CASA has paid HMA Blaze Pty Limited a total of $37,838.76. The monthly breakdown of this total appears in the table below.

<table>
<thead>
<tr>
<th>Month</th>
<th>Gross Amt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul-04 Total</td>
<td>545.85</td>
</tr>
<tr>
<td>Aug-04 Total</td>
<td>1,645.18</td>
</tr>
<tr>
<td>Sep-04 Total</td>
<td>783.42</td>
</tr>
<tr>
<td>Oct-04 Total</td>
<td>15,414.43</td>
</tr>
<tr>
<td>Nov-04 Total</td>
<td>705.08</td>
</tr>
<tr>
<td>Dec-04 Total</td>
<td>8,471.43</td>
</tr>
<tr>
<td>Jan-05 Total</td>
<td>2,964.65</td>
</tr>
<tr>
<td>Feb-05 Total</td>
<td>7,308.72</td>
</tr>
<tr>
<td>Grand Total</td>
<td>37,838.76</td>
</tr>
</tbody>
</table>

Health and Ageing: Funding
(Question No. 365)

Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 4 March 2005:

With Reference to the $918800 provided to the Australian Episcopal Conference of the Roman Catholic Church and the $245580 provided to the Australian Federation of Pregnancy Support Services

(1) For how long have these organisations been receiving government funding.

(2) Can the Minister provide a list of the amount of funding per year provided for each year that these organisations have received funding.

(3) Was this money allocated via an open tendering process; if not, why not; if so, can a copy be provided of the notice that appeared in national newspapers calling for expressions of interest.

QUESTIONS ON NOTICE
(4) What are the reporting processes in place to determine the quality of the services provided by these organisations.

(5) Does the department require these organisations to inform women of the beliefs and attitudes that underlie their organisations in their advertising, and before providing pregnancy counselling; if not, why not.

(6) Given best practice in unplanned pregnancy counselling involves providing objective, unbiased, non-directional information about all the options and support services available, how does the department assess if these groups are meeting best practice standards of care when they are counselling people.

(7) What conflicts of interest could arise between these organisations’ underlying beliefs and attitudes and the provision of best practice in unplanned pregnancy counselling.

(8) How does the department ensure that the pregnancy counselling is provided by properly trained health workers and counsellors.

(9) What proportion of women receiving pregnancy counselling from these organisations also receives information on all options available to them, including: (a) continuing with a pregnancy; (b) giving the child up for adoption after birth; or (c) having a termination.

(10) How does the department ensure that the information provided by these organisations reflects the most up-to-date scientific evidence available on the effects of: (a) continuing with a pregnancy; (b) giving the child up for adoption after birth; or (c) having a termination.

(11) Has any investigation been undertaken into the quality of counselling provided by these groups; if not, why not; if so, what was the outcome of this investigation.

(12) Has client satisfaction with the services provided by these groups been evaluated; if not, why not; if so, what was the outcome of this evaluation.

(13) Does the department collect information on whether the Australian Episcopal Conference of the Roman Catholic Church or the Australian Federation of Pregnancy Support Services pass on any of the government funding they receive to other organisations; if not, why not; if so, what are the names of these organisations.

**Senator Patterson**—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) Funding has been provided since 1974 to the Australian Catholic Social Welfare Commission. This funding was transferred to the Australian Episcopal Conference of the Roman Catholic Church (AECRCC) in 1990.

Funding for the Australian Federation of Pregnancy Support Services (AFPSS) commenced in 1999-2000.

The Department is unable to provide a full response to this question as the considerable work involved would require a significant diversion of resources from other Departmental operations.

(2) The Department can provide information on funding received by the Australian Federation of Pregnancy Support Services from 1999-2000 to 2004-05 and the Australian Episcopal Conference of the Roman Catholic Church from 1997-98 to 2004-05.

<table>
<thead>
<tr>
<th>Year</th>
<th>Funding ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997/98</td>
<td>763,180</td>
</tr>
<tr>
<td>1998/99</td>
<td>779,787</td>
</tr>
<tr>
<td>1999/00</td>
<td>799,377</td>
</tr>
<tr>
<td>2000/01</td>
<td>818,463</td>
</tr>
</tbody>
</table>
The 2004-05 allocation for the AECRCC is $918,826.

The 2004-05 allocation for the AFPSS is $245,580.

Note: An underpayment to AFPSS of $16,834 in the 2000-01 financial year was made up in 2002-03.

(3) No, both the AECRCC and the AFPSS were directly engaged by the Department.

(4) The Department has funding agreements with these national organisations funded through the national Family Planning Program. Funding agreements are managed within a quality framework and organisations are responsible and accountable for the delivery of agreed outputs. Such outputs vary between organisations; they include accredited training, national consistency, service standards, national partnerships and reporting of statistical data. Performance against these outputs is evaluated and measured through an agreed project plan and associated forecast expenditure plan. Organisations are required to report six monthly and these progress reports are linked to payments. Progress reports must include analysis of progress against the project plan, as well as financial statements.

(5) The AFPSS is funded to provide independent non-directive counselling for unplanned pregnancy. The AECRCC is funded to provide natural family planning counselling for the purpose of achieving or avoiding pregnancy; it is not funded to undertake unplanned pregnancy counselling.

The objective of the Family Planning Program is to provide a balanced approach to differing family planning service models, aimed at promoting responsible sexual and reproductive behaviours, rather than focussing on one particular strategy or program. There are no requirements in the contracts with these organisations for them to declare whether or not they are ‘pro-life’ or ‘pro-choice’. Consumers are protected by the provisions of the Trade Practices Act 1974 which deals with misleading or deceptive conduct by a corporation.

(6) The Department has funding agreements with these organisations funded through the national Family Planning Program. These agreements bind the funded organisations to deliver key outputs which vary between organisations. The AECRCC must ensure that its sexual and reproductive health and education services are culturally appropriate for the target groups, accessible and use evidence-based best practice interventions.

The AFPSS must gain and maintain accreditation as an Australian National Training Authority recognised Registered Training Organisation for training health educators, health professionals and other workers, and accrediting trained counsellors in affiliated agencies. They must also report on what evidence-based guidelines or needs based assessments are used to identify client needs.

Performance against these outputs is evaluated and measured through an agreed project plan and associated forecast expenditure plan. Organisations are required to report six monthly and these progress reports are linked to payments. Progress reports must include analysis of progress against the project plan, as well as financial statements.
In addition, the Sexual Health and Family Planning Australia Inc (SHFPA) is funded to act as a national peak body for the Family Planning Organisations. SHFPA provides the Australian Government and Family Planning Organisations with information and advice on the current and future trends affecting sexual and reproductive health.

(7) The objective of the national Family Planning Program is to provide a balanced approach to differing family planning service models, aimed at promoting responsible sexual and reproductive behaviours, rather than focusing on one particular strategy or program. This aims to increase choices for women who wish to seek advice from different perspectives.

(8) The Department has funding agreements with organisations funded through the national Family Planning Program. The agreements bind the funded organisations to deliver key outputs. The AFPSS must develop, implement and monitor appropriate counsellor training to support a 1300 telephone line and the local services provided by affiliated agencies. They must provide operational guidelines including expertise and standard qualification of counsellors.

The AFPSS must gain and maintain accreditation as an Australian National Training Authority recognised Registered Training Organisation for training health educators, health professional and other workers by the end of the contracted period. Once accredited, they must identify and implement methods of accrediting all AFPSS counsellors.

The AECRCC must provide nationally recognised accredited vocational training and education to its health and other professionals. They must ensure that its sexual and reproductive health and education services are culturally appropriate for the target groups, accessible and use evidence based best practice interventions. Performance against these outputs is evaluated and measured through an agreed project plan and associated reporting mechanisms such as a forecasted expenditure plan. Organisations are required to report regularly and these progress reports are linked to payments. Progress reports must include analysis of progress against the project plan.

(9) The objective of the Family Planning Program is to provide a balanced approach to differing family planning service models, aimed at promoting responsible sexual and reproductive behaviours, rather than focusing on one particular strategy or program. This aims to increase choices for women who wish to seek advice from different perspectives.

The AECRCC is not funded by the Australian Government to provide counselling for unplanned pregnancy. It provides counselling in relation to natural family planning methods which can be used to achieve or avoid pregnancy.

The AFPSS is funded to provide independent, non-directive counselling which covers all options for women. Specific data on what information has been discussed or passed on to women in their counselling session(s) with the AFPSS is not collected due to client confidentiality.

(10) The Department has a funding agreement with the AFPSS through the national Family Planning Program. This agreement binds the funded organisation to deliver key outputs. The AFPSS is required to report what evidence-based guidelines or needs based assessments are used to identify client needs. Performance against these outputs is measured through an agreed project plan and associated reporting mechanisms. The AECRCC is not funded by the Australian Government to provide counselling for unplanned pregnancy.

(11) Reporting requirements to the Department cover quality indicators. The Department has funding agreements with those national organisations funded through the national Family Planning Program. Funding agreements are managed within a quality framework and organisations are responsible and accountable for the delivery of agreed outputs. Such outputs vary between organisations; they include accredited training, national consistency, service standards, national partnerships and reporting of statistical data. Performance against these outputs is evaluated and measured through an agreed project plan and associated forecast expenditure plan. Organisations are required to re-
port six monthly and these progress reports are linked to payments. Progress reports must include analysis of progress against the project plan, as well as financial statements.

(12) The organisations are not required under the funding agreements to conduct client satisfaction evaluations.

(13) The AFPSS does not pass on any of the Australian Government funding they receive to other organisations. The AECRCC does deliver services through:

- Centacare Sydney
- Waverley Family Centre
- NFP Centre Diocese of St Maroun [Maronite community]
- Centacare Broken Bay
- Centacare – Archdiocese of Canberra & Goulburn
- Melbourne Catholic Family Planning Centre
- Billings Family Life Centre
- Centacare Brisbane
- Mater Misericordiae Hospital
- Billings Family Life Centre – SE Qld
- Centacare Townsville
- Catholic Education Office – Diocese of Cairns
- Perth NFP Services
- Billings WA
- Centacare Adelaide
- Billings Family Life Centre Adelaide
- Centacare Tasmania
- NFP Council NT Inc
- Australian Council of Natural Family Planning Inc
- Ovulation Method Research & Reference Centre of Australia Ltd

Australian Government funding is allocated to these agencies for natural fertility counselling for the purpose of gaining or avoiding pregnancy, not for unplanned pregnancy counselling.

Ms Sarah Murfett
(Question No. 367 amended)

Senator O’Brien asked the Minister representing the Minister for Transport and Regional Services, upon notice, on 10 March 2005:

(1) Has the Minister, the department or any agency for which the Minister is responsible investigated the disappearance of an overnight bag checked in by Ms Sarah Murfett at Launceston Airport on 12 November 2004 prior to boarding flight DJ613 to Melbourne; if so: (a) who initiated the investigation; (b) who undertook the investigation; (c) who was interviewed as part of the investigation; (d) when did the investigation commence; and (e) when did the investigation conclude.

(2) How did Ms Murfett’s bag disappear.

(3) What did the disappearance reveal about the integrity of airport baggage security at Launceston Airport.

(4) What recommendations arose from the investigation.
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(5) What was the Government’s response to those recommendations and what action has been taken to address security concerns associated with the disappearance of Ms Murfett’s bag.

(6) (a) When was Ms Murfett advised of the outcome of the investigation; (b) by whom; and (c) in what form was that advice provided.

(7) If no investigation has been undertaken by the Minister, the department or any agency for which the Minister is responsible, why not.

Senator Ian Campbell—The Minister for Transport and Regional Services has provided the following answer to the honourable senator’s question:

(1) (a) Office of Transport Security in the Department of Transport and Regional Services, Canberra.

(b) Office of Transport Security, Victoria/Tasmania Region.

(c) Employees of Virgin at both Launceston airport and Virgin Security in Brisbane.

(d) 3 March 2005.

(e) 3 March 2005.

(2) As the matter has been handled as a theft by Virgin, there is no ongoing role for the Office of Transport Security in determining the method of the loss.

(3) The last Office of Transport Security audit of Virgin’s operation at Launceston on 10 February 2005 did not report any deficiency in baggage security.

In regard to this matter, it has been determined that it is a police matter as the incident involved an alleged theft of passenger baggage and that there is no evidence to suggest that aviation security was compromised. It is considered that this theft does not constitute an act of unlawful interference with aviation at Launceston airport. It is understood that Ms Murfett has been compensated by Virgin for her loss.

(4) Not Applicable (refer 3. above).

(5) Not Applicable (refer 3. above).

(6) Not applicable as this a matter between Virgin Blue and Ms Murfett.

(7) Not applicable (refer 3. above).

Abortion

(Question No. 372)

Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 7 March 2005:

With reference to the Government’s attempt to clarify the use of Medicare Benefits Schedule item 35643 with the medical professions in 2004:

(1) Who initiated the need to clarify the use of this item.

(2) What was the nature of the clarification that was sought.

(3) What was the purpose of the clarification; that is, what was intended to be done with the information received through this clarification process.

(4) What was the outcome of the attempt to clarify the use of this item.

(5) Has any work been planned or commenced to undertake any consultation on the use of this item or the use of item 16525; if so, what is the purpose and nature of this consultation.

(6) (a) What work has the Australian Institute of Health and Welfare been requested to undertake in relation to abortion statistics; (b) when is this work expected to be finalised; and (c) will this work be made public.
**Senator Patterson**—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

1. As part of a routine review of items in the gynaecology section of the Medicare Benefits Schedule (MBS), the Department sought clarification on the use of item 35643 from the medical profession.
2. To clarify whether or not item 34643 should only be performed in the first trimester of pregnancy.
3. If necessary, an explanatory note would be added to the MBS clarifying the issue.
4. The profession advised that it could not support the addition of an explanatory note without further extensive consultation. It had concerns that this would restrict medical practitioners from performing a termination in the second trimester by curettage or suction curettage where it was clinically viable to do so. This could lead to such situations as a woman, whose foetus has died in utero in the second trimester, having to undergo an induced labour rather than the less traumatic procedure of curettage.
5. No.
6. (a), (b) and (c) The Australian Institute of Health and Welfare determines its own work program.

**Abortion**

**(Question No. 377)**

**Senator Stott Despoja** asked the Minister representing the Minister for Health and Ageing, upon notice, on 7 March 2005:

Has the Minister received advice from the department on the abortion issue within the past 12 months; if so, can the Minister provide a copy of this advice.

**Senator Patterson**—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

Consistent with his portfolio responsibilities the Minister has received information on a range of issues, including abortion.

**Aged Care**

**(Question No. 385)**

**Senator Allison** asked the Minister representing the Minister for Health and Ageing, upon notice, on 9 March 2005:

1. What evidence exists regarding the level of inappropriate use of medications in Australian residential aged care facilities, including the use of psychotropic medication.
2. Has the Government undertaken any investigation into the extent of systemic problems with the prescription, administration and review of medication in aged care facilities and, in particular, the extent of the use of psychotropic medications as a method of restraint.
3. What information does the Government have on the factors that contribute to the inappropriate use of medications in residential aged care facilities.
4. What plans does the Government have to review current practice in relation to the use of psychotropic medication as a chemical restraint on residents of aged care facilities.
5. How is the Government monitoring whether psychotropic medications are being used appropriately in residential aged care facilities.
6. Has the Government investigated whether standards concerning informed consent are being applied appropriately and adequately with regard to the use of medications in residential aged care facilities.

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(7) What information does the Government have on variations in the rate of use of psychotropic medication between different jurisdictions, localities and/or providers of residential aged care.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) There is no data collected in this area. Aged care homes do not prescribe medication; that is a matter for medical practitioners. Inappropriate prescribing of medication by medical practitioners is a matter for the relevant State or Territory regulatory authority, i.e. the Medical Board.

(2) No. However, the Aged Care Standards and Accreditation Agency (the Agency) assesses whether or not medication is managed safely and correctly in aged care homes. Through its processes of assessment and monitoring, the Agency has identified where homes have failed to comply with the required standard. Where problems are identified they are usually resolved within a short timeframe fixed by the Agency.

Additionally, where medication is reported as an issue of concern under the Aged Care Complaints Resolution Scheme, and should individual complaints suggest that there may be systemic problems, complaints may be referred to the Quality Assurance and Compliance area within the Department for assessment and possible referral to the Agency. Alternatively, depending on the issue, information may be referred to an appropriate external organisation, such as the police, coroner or a health professional regulatory body. Where a complaint raises issues about inappropriate prescription of medication, the Scheme may refer this matter to the appropriate State or Territory Medical Board.

(3) The Australian Pharmaceutical Advisory Council Guidelines for Medication Management in Residential Aged Care Facilities (November 2002) identify the factors that are known to contribute to inappropriate use of medicines in aged care homes including polypharmacy (i.e. resulting from multiple diagnoses and hence multiple and complex medication regimens), excessive use of psychotropic agents, lack of medication review, administration of medicines by untrained or unqualified staff and lack of awareness of specific issues relating to medication for older people.

(4) The Government aims to foster and support appropriate medication management. It has implemented a number of initiatives under the National Strategy for Quality Use of Medicines, including:

- Australian Medicines Handbook: Aged Care – aimed specifically at GPs to assist them with appropriate prescribing for older people. This was also circulated to all aged care homes.
- Decision-making tool: responding to issues of Restraint in Aged Care to assist staff and management in residential aged care homes to make informed decisions in relation to the use or non-use of restraint, including chemical restraint.
- Introduction of Medication Advisory Committees in individual aged care homes and at an area-wide or regional level (including representatives of management, GPs, nurses, supply pharmacists and resident advocates) to facilitate quality use of medicines.
- Australian Government funding for medication review and case conferencing services for aged care residents and older people in the community (Strengthening Medicare; Third Community Pharmacy Agreement).
- Clinical Information Technology (IT) trial projects to examine the impact of IT on medication management.
- A joint project between the Departments of Health and Ageing and Veterans’ Affairs piloting Quality of Care Committees to support continuous improvement in aged care homes. A tool kit is...

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currently being prepared to assist residential care homes to establish and maintain a Quality Care Committee to improve safety and quality of care, including medication management.

(5) The Agency manages accreditation of aged care homes and undertakes assessments of the quality of care provided to residents measured against the Accreditation Standards. The Agency is responsible for monitoring compliance against the Standards. The Standards include outcomes related to medication management and the Agency assesses whether or not medication is managed safely and correctly by aged care homes. The Agency also provides support through its education activities and promotion of better practice.

It is the responsibility of Approved Providers to identify relevant guidance, training and resource material to assist in the management and continuous improvement of residential aged care homes and the care of residents. This includes apprising themselves of the latest evidence based research and best practice on medication management.

(6) An integral part of best practice in medication management in aged care homes is observing residents’ rights. These are outlined in the Charter of Residents’ Rights and Responsibilities, in Schedule 1 of the Aged Care Principles under the Aged Care Act 1997. Residents (or where appropriate, their relatives or guardians) have the right to give informed consent for any medical intervention, including medication and restraint as a form of medication. Consultation with residents is included in the Agency’s assessment of standards of care.

(7) These data are not collected at this time.

Pregnancy Counselling Services

(Question No. 457)

Senator Stott Despoja asked the Minister representing the Minister for Health and Ageing, upon notice, on 14 March 2005:

(1) For the 2003-04 financial year, can the Government provide figures for the amount of funding provided to pregnancy counselling services, including direct and indirect funding and a breakdown of funding by organisation.

(2) Can the Government provide figures for the amount of funding which will be allocated to pregnancy counselling services in the 2004-05 Budget, including direct and indirect funding, and can a breakdown of funding by organisation be provided.

(3) Does the Government have any information regarding which of these fully or partially publicly-funded pregnancy counselling services are ‘pro-life’ and ‘pro-choice’.

(4) Is the Government aware of instances where ‘pro-life’ organisations have purported to provide independent pregnancy counselling through emergency telephone listings; if so, does the Government approve of this practice.

(5) If the Government is aware of the practice noted in (4) above, will the Government take action to ensure that such organisations are not represented as independent, through their name or otherwise.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) The Australian Episcopal Conference of the Roman Catholic Church is funded to provide natural family planning counselling for the purpose of achieving or avoiding pregnancy. The Australian Federation of Pregnancy Support Services is funded to provide independent non-directive counselling for unplanned pregnancy. Family Planning Organisations funded under the national family planning program also provide independent non-directive counselling for unplanned pregnancy.

In 2003-04, the Australian Government provided direct funding of $900,810 to the Australian Episcopal Conference of the Roman Catholic Church.
In 2003-04, the Australian Government provided direct funding of $240,764 to the Australian Federation of Pregnancy Support Services.

In 2003-04 the following funding was received by family planning organisations:

<table>
<thead>
<tr>
<th>Family Planning Organisations</th>
<th>2003-04</th>
</tr>
</thead>
<tbody>
<tr>
<td>FPA Health (NSW)</td>
<td>4,986,371</td>
</tr>
<tr>
<td>Family Planning Victoria</td>
<td>2,557,079</td>
</tr>
<tr>
<td>Family Planning Queensland</td>
<td>2,868,564</td>
</tr>
<tr>
<td>Family Planning Western Australia</td>
<td>1,637,942</td>
</tr>
<tr>
<td>Family Planning Tasmania</td>
<td>535,851</td>
</tr>
<tr>
<td>Family Planning Welfare Northern Territory</td>
<td>443,302</td>
</tr>
</tbody>
</table>

The South Australian and the Australian Capital Territory governments received funding for family planning via the Population Health Outcome Funding Agreements (PHOFAs). The level of funding allocated by the state or territory government for this purpose cannot be disaggregated.

(2) The 2004-05 allocation for the Australian Episcopal Conference of the Roman Catholic Church is $918,826.

The 2004-05 allocation for the Australian Federation of Pregnancy Support Services is $245,580.

The Australian Government decided on 29 March 2004 that funding for all Family Planning Organisations would be incorporated within the PHOFAs for the period 2004-05 to 2008-09. All states and territories have now signed the new agreements. The level of funding allocated by the state or territory government for this purpose cannot be disaggregated. However, funding provided to support Family Planning Organisations by states and territories is expected to be at levels similar to the previous year.

(3) The objective of the Family Planning Program is to provide a balanced approach to differing family planning service models, aimed at promoting responsible sexual and reproductive behaviours, rather than focussing on one particular strategy or program. There are no requirements in the contracts with these organisations for them to declare whether or not they are ‘pro-life’ or ‘pro-choice’.

(4) The Department is not aware of such instances.

(5) Family Planning Organisations are funded under the national Family Planning Program to provide independent non-directive counselling for unplanned pregnancy. Consumers are protected by the provisions of the Trade Practices Act 1974 which deals with misleading or deceptive conduct by a corporation.

Telstra: Mobile Telephones
(Question No. 495)

Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 April 2005:

(1) Do unused Telstra pre-paid mobile telephone credits expire; if so, what rules govern the expiry of pre-paid mobile telephone credits.

(2) How are Telstra customers advised of these expiry arrangements, is it: (a) at the time of pre-paid credit purchase; and/or (b) at the time of expiry.

(3) In each of the financial years 2002-03, 2003-04 and 2004-05 to date, what was the value of expired Telstra pre-paid mobile telephone credits.

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) Telstra has advised that customers’ unused pre-paid mobile phone credits, if any, expire at a designated credit expiry date. Telstra advised that this is consistent with standard industry practice and it
is not aware of any Australian telecommunications company which provides pre-paid mobile phone credits with an unlimited lifespan.

Telstra has advised that customers require a Telstra Pre-Paid Plus handset pack or starter kit in order to use Telstra’s pre-paid mobile service. These handset packs and starter kits contain an amount of included credit that is available for use within a network access period. I understand that the packaging of the handset pack or starter kit specifies the amount of included credit and the network access period (usually 6 months from registration of the service). The date on which the network access period ends is the credit expiry date.

Telstra further advised that if a customer recharges their service before the credit expiry date, their credit expiry date is extended by the access period applicable for that recharge amount.

(2) (a) and (b) Telstra has advised that its customers are informed of the expiry arrangements in a variety of ways in generally available promotional material, at the time of purchase, and prior to the expiry date, as set out below.

Telstra’s ‘Our Customer Terms’, which customers agree to prior to activating their pre-paid mobile service, explain the network access and credit expiry arrangements. ‘Our Customer Terms’ can be viewed at:

The Telstra Pre-Paid Plus website also explains the network access and credit expiry arrangements. The website is located at: http://www.telstra.com.au/telstraprepaidplus/recharging.htm.

The external packaging of the handset pack or starter kit specifies the network access period and states that any unused credit is forfeited unless topped up prior to the credit expiry date.

The Telstra Pre-Paid Plus User Guide also states that credit must be used within the access period and unused credit will be forfeited. The Pre-Paid Plus website is referenced in the User Guide.

Customers are advised of the expiry period on their recharge voucher when they recharge.

Customers can check their account balance at any time by calling 125 8888 (a free call from their Telstra Pre-Paid Plus service). They are also advised of the credit expiry period whenever they check their account balance.

Telstra sends a text message to customers to remind them that their credit is about to expire eight days and two days before the credit expiry date.

(3) Telstra has advised that expired credits represent a small and decreasing proportion of total pre-paid mobile service revenue. Telstra revenue associated with expired credits accounted for 2.6% and 1.9% of total pre-paid revenue in 2002-03 and 2003-04, respectively. For the 2004-05 financial year to May 2005, expired credits accounted for 1.2% of pre-paid revenue.

**Tasmania: Broadband Services**

*(Question No. 496)*

Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 April 2005:

(1) (a) In each of the financial years 2003-04 and 2004-05 to date, how many customers in Tasmania have signed up for broadband connection; and (b) of these customers, how many are waiting for connection due to a lack of capacity at a local exchange.

(2) (a) How many Tasmanian exchanges have reached full capacity; and (b) what are the names of the exchanges.

Senator Coonan—The answer to the honourable senator’s question is based on information provided by Telstra, and is as follows:
(1) (a) In terms of the number of Tasmanians that have subscribed to a broadband service in the financial years 2003-04 and 2004-05, while both the ABS and Australian Competition and Consumer Commission regularly collect broadband subscriber numbers, the number of broadband subscribers is not reported for each State and Territory.

The most popular broadband access technology in Australia is ADSL. Currently, most ADSL services are supplied either by Internet service providers reselling Telstra’s wholesale ADSL services or by Telstra’s retail Internet service providers Telstra Big Pond.

Telstra has advised that during the 2003-04 financial year there were approximately 6,500 Telstra wholesale and retail ADSL connections in Tasmania. In relation to the 2004-05 financial year, Telstra has advised that, as of 17 June 2005, there were approximately 17,727 wholesale and retail ADSL connections in Tasmania.

(b) Telstra has advised that all ADSL enabled telephone exchanges in Tasmania have the capacity to supply ADSL services to customers.

(2) (a) and (b) See answer to part 1 (b).

Regional Telecommunications Services

(Question No. 497)

Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 April 2005:

(1) When was the decision made to stage regional fora in the 2004-05 financial year at which the Minister would be present to discuss regional telecommunications services.

(2) For each forum held to date, can the following details be provided: (a) when the forum was held; (b) its location; (c) the venue; (d) the time and duration of the forum; (e) who was invited to attend; (f) who attended; (g) details of associated advertising, including form and media; and (h) the total cost, disaggregated to include all identified costs.

(3) Can details be provided of all planned future regional fora, including dates and locations.

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) As part of the Regional Telecommunications Inquiry – Community Information Campaign, the Department undertook a series of 35 broadband briefings around regional Australia to inform people of the Higher Bandwidth Incentive Scheme and the capabilities of broadband. These briefings were an ideal opportunity for me to listen to the community’s concerns about broader telecommunications issues and where possible, hold a communications forum following the briefing. The locations were based on my availability, and therefore often made just weeks before the event.

(2) (a) and (h)

<table>
<thead>
<tr>
<th>Location</th>
<th>Date/Time</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moree</td>
<td>10 November 2004, 12 noon</td>
<td>Town and Country Club</td>
</tr>
<tr>
<td>Launceston</td>
<td>15 December 2004, 10am</td>
<td>Country Club Villas</td>
</tr>
<tr>
<td>Maryborough</td>
<td>2 February 2005 , 10.30am</td>
<td>Carriers Arms Hotel Motel</td>
</tr>
<tr>
<td>Albury/Wodonga</td>
<td>25 February 2005, 2pm</td>
<td>Country Comfort Motel</td>
</tr>
<tr>
<td>Bundaberg</td>
<td>2 March 2005, 5pm</td>
<td>Brothers Sports Club</td>
</tr>
<tr>
<td>Alice Springs</td>
<td>4 April 2005, 2pm</td>
<td>Mercure Inn Diplomat</td>
</tr>
<tr>
<td>Broome</td>
<td>5 April 2005, 10am</td>
<td>Mangrove Resort Hotel</td>
</tr>
</tbody>
</table>

The fora were between 60 and 90 minutes. There was no invitation list nor was a record kept of those who attended the fora.

The Department’s broadband briefings were held immediately before the fora, and so they included mention of the fora in their newspaper advertising and in the written invitations sent to local tele-
communication companies. The Department chose its locations based on low levels of broadband take-up. The fora incurred no additional costs.

(3) No future departmental briefings or ministerial fora are planned.

**Telstra: Telephone Exchanges**

*(Question No. 498)*

**Senator O’Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 April 2005:

(1) For each of the financial years 2002-03, 2003-04 and 2004-05 to date, can details be provided of the 200 Telstra telephone exchanges which had the worst performance record.

(2) What criteria is used to determine the performance of a telephone exchange.

**Senator Coonan**—The answer to the honourable senator’s question is as follows:

(1) and (2) The Australian Communications Authority (ACA) has advised that although under Level 2 of the Network Reliability Framework (NRF), Telstra must provide the ACA a report which lists the Exchange Service Areas (ESAs) in which a specified number of services breach recurrent fault level thresholds over two consecutive months, performance against these measures does not necessarily translate to worst performance for the reported ESAs.

Therefore it is not possible to provide authoritative data on the ‘worst’ exchanges.

**Telstra: Mass Service Disruption Notices**

*(Question No. 499)*

**Senator O’Brien** asked the Minister for Communications, Information Technology and the Arts, upon notice, on 8 April 2005:

(1) In each of the financial years 2002-03, 2003-04 and 2004-05 to date, how many homes were covered by a telephone mass service disruption notice.

(2) In each of the financial years 2002-03, 2003-04 and 2004-05 to date, on how many occasions have mass service disruption notifications lasted for: (a) up to a week; (b) up to a month; and (c) more than a month.

(3) On how many occasions were mass service disruption notifications issued concurrently.

**Senator Coonan**—The answer to the honourable senator’s question is as follows:

(1) Telstra has advised that the Customer Service Guarantee (CSG) applies to individual phone services and not homes as stated in the question. As the CSG applies to a residence or small business with up to five lines, Telstra is unable to accurately determine the number of homes covered by MSDs.

(2) Telstra has provided data on the length of CSG Exemption Notices for the 2002-03, 2003-04 and 2004-05 (to 15 April 2005) periods. These are detailed in the table below:

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Period ≤ 1 week</th>
<th>Period &gt; 1 week and ≤ 1 month</th>
<th>Period &gt; 1 month</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td>26</td>
<td>38</td>
<td>1</td>
</tr>
<tr>
<td>2003-04</td>
<td>41</td>
<td>76</td>
<td>1</td>
</tr>
<tr>
<td>2004-05</td>
<td>37</td>
<td>42</td>
<td>0</td>
</tr>
</tbody>
</table>

(3) Telstra has provided data on the number of occasions when two or more CSG Exemptions were applicable concurrently for a period of time. However, these exemptions were not necessarily issued on the same date or for the same period of time. This data has been provided for the 2002-03, 2003-04 and 2004-05 (to 15 April 2005) and is detailed in the table below:
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**Financial year** | **Occasions where two or more CSG exemptions applicable concurrently**
---|---
2002-03 | 11
2003-04 | 8
2004-05 | 6

**Immigration and Multicultural and Indigenous Affairs: Overseas Travel**  
*(Question No. 532)*

Senator O’Brien asked the Minister for Immigration and Multicultural and Indigenous Affairs, 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 Vanstone—The answer to the honourable senator’s question is as follows:

My Department has been provided with the following data from the Department’s travel management company. The statistics for 2002-03 and 2003-04 only include Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) officers whereas statistics for 2004-05 include both DIMIA officers and other staff who are working on behalf of DIMIA (such as escorts for detainees).

For the financial year 2002-03, a total of 55 DIMIA officers travelled to Christmas Island and/or Cocos (Keeling) Islands: 45 travelled to Christmas Island and 10 to Cocos (Keeling) Islands. None travelled via Denpasar.

For the financial year 2003-04, a total of 73 DIMIA officers travelled to Christmas Island and/or Cocos (Keeling) Islands: 65 travelled to Christmas Island and 8 to Cocos (Keeling) Islands. None travelled via Denpasar.

For the current financial year 2004-05 (as at 13 May, 2005), a total of 52 persons working for DIMIA have travelled to Christmas Island and/or Cocos (Keeling) Islands: 44 to Christmas Island and 8 to Cocos (Keeling) Islands, 13 of these travellers were escorts for detainees. Of these:

(a) Three people travelled on one occasion to the islands through Denpasar, Indonesia;
(b) One person travelled on one occasion from the islands through Denpasar Indonesia;
(c) (i) Three people on one occasion transited through Denpasar with a stopover of one night; (ii) One person on one occasion transited through Denpasar with a stopover of two nights.

**MedicarePlus Safety Net**  
*(Question No. 536)*

Senator O’Brien asked the Minister representing the Minister for Health and Ageing, upon notice, on 12 April 2005:

For each financial year since the inception of the MedicarePlus safety net, how many claims have been made under the safety net in the federal electorate of Bass in each of the following categories: (a) Commonwealth concession card holders; (b) family tax beneficiaries; and (c) others.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

The Extended Medicare Safety Net commenced on 12 March 2004, and applies to non-hospital patient billed services on a calendar year of service basis.
Extended Medicare Safety Net statistics by electorate are not published separately for concession card holders, family tax beneficiaries and others.

Having regard to claims processed by the Health Insurance Commission, the Commonwealth paid $55,278 in Extended Medicare Safety Net benefits for the electorate of Bass up to and including 31 July 2004.

Notes to the Statistics

The most recently published statistics on Extended Medicare Safety Net benefits by federal electorate have regard to claims processed by the Health Insurance Commission up to and including 31 July 2004. The statistics were compiled from postcode level data (postcode of the head of the household, otherwise postcode of the oldest member of the family) and are based on 2001 electorate boundaries.

Where a postcode overlapped electorate boundaries, statistics were allocated to electorate using a concordance file derived from population census data. This can result in some data being erroneously allocated to an adjoining electorate. Data for people using post office boxes or private mail bags are excluded from electorate reporting as this cannot be appropriately allocated. Data have also been excluded if postcodes were not present on the concordance files.

**Minister for Health and Ageing: Overseas Travel**

(Question No. 684)

**Senator Chris Evans** asked the Minister representing the Minister for Health and Ageing, upon notice, on 4 May 2005:

(1) In relation to all overseas travel where expenses were met by the Minister’s portfolios, for each of the financial years 2000-01 to 2004-05 to date what was the total cost of travel and related expenses in relation to: (a) the Minister; (b) the Minister’s family; and (c) the Minister’s staff.

(2) In relation to all air charters engaged and paid for by the Minister and/or the Minister’s office and/or the department and its agencies, for each of the financial years 2000-01 to 2004-05 to date: (a) on how many occasions did the Minister or his/her office or department and/or agency charter aircraft, and in each case, what was the name of the charter company that provided the service and the related respective costs; and (b) what was the total cost.

**Senator Patterson**—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) This question should be directed to the Department of Finance and Administration who approve and fund overseas travel for Ministers and their staff.

(2) There has been no overseas charter travel undertaken by the department or portfolio agencies.

**Minister for Family and Community Services: Overseas Travel**

(Question No. 690)

**Senator Chris Evans** asked the Minister for Family and Community Services, upon notice, on 10 May 2005:

(1) In relation to all overseas travel where expenses were met by the Minister’s portfolios, for each of the financial years 2000-01 to 2004-05 to date what was the total cost of travel and related expenses in relation to: (a) the Minister; (b) the Minister’s family; and (c) the Minister’s staff.

(2) In relation to all air charters engaged and paid for by the Minister and/or the Minister’s office and/or the department and its agencies, for each of the financial years 2000-01 to 2004-05 to date: (a) on how many occasions did the Minister or his/her office or department and/or agency charter aircraft, and in each case, what was the name of the charter company that provided the service and the related respective costs; and (b) what was the total cost.
aircraft, and in each case, what was the name of the charter company that provided the service and the related respective costs; and (b) what was the total cost.

**Senator Patterson**—The answer to the honourable senator’s question is as follows:

(1) (a) Nil, (b) Nil, (c) Nil

(2) | Year    | Total | Cost  |
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<tr>
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</thead>
<tbody>
<tr>
<td>2004-05</td>
<td></td>
<td>$2,140</td>
</tr>
<tr>
<td>2003-04</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Murin Airways</td>
<td>$2,140</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$2,140</td>
</tr>
</tbody>
</table>

2002-03  Total = 5

<table>
<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002-03</td>
<td></td>
<td></td>
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<tr>
<td>Corporate Air</td>
<td>$1,880</td>
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<tr>
<td>Air Ngukurr</td>
<td>$2,000</td>
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<tr>
<td>Murin Airways</td>
<td>$500</td>
<td></td>
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<tr>
<td>Murin Airways</td>
<td>$1,190</td>
<td></td>
</tr>
<tr>
<td>Murin Airways</td>
<td>$3,800</td>
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<tr>
<td>Total</td>
<td>$9,370</td>
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</table>

2001-02  Total = 1

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<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Cost</th>
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</thead>
<tbody>
<tr>
<td>2001-02</td>
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<tr>
<td>Murin Airways</td>
<td>$330</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>$330</td>
<td></td>
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</tbody>
</table>

2000-01  Total = 2

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<thead>
<tr>
<th>Year</th>
<th>Total</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inland Pacific Air</td>
<td>$2,640</td>
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<tr>
<td>Northern Air Charter</td>
<td>$1,540</td>
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<tr>
<td>Total</td>
<td>$4,180</td>
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</table>

**Minister for Employment and Workplace Relations: Overseas Travel**

**(Question No. 692)**

**Senator Chris Evans** asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 4 May 2005:

(1) In relation to all overseas travel where expenses were met by the Minister’s portfolios, for each of the financial years 2000-01 to 2004-05 to date what was the total cost of travel and related expenses in relation to: (a) the Minister; (b) the Minister’s family; and (c) the Minister’s staff.

(2) In relation to all air charters engaged and paid for by the Minister and/or the Minister’s office and/or the department and its agencies, for each of the financial years 2000-01 to 2004-05 to date: (a) on how many occasions did the Minister or his/her office or department and/or agency charter aircraft, and in each case, what was the name of the charter company that provided the service and the related respective costs; and (b) what was the total cost.
**Senator Abetz**—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

(1) (a) Nil. (b) Nil. (c) Nil.

(2) (a) Details of charters are not in a readily retrievable form prior to commencement of the 2004-05 financial year. There were 89 aircraft charters used by the Department of Employment and Workplace Relations during the period 1 July 2004 – 30 April 2005.

Companies used during the period 1 July 2004 – 30 April 2005, and the costs incurred, are listed below.

<table>
<thead>
<tr>
<th>Company</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Frontier</td>
<td>$1,085</td>
</tr>
<tr>
<td>Air Ngkurr</td>
<td>$6,754</td>
</tr>
<tr>
<td>Air North</td>
<td>$685</td>
</tr>
<tr>
<td>Broome Aviation</td>
<td>$1,990</td>
</tr>
<tr>
<td>Demair</td>
<td>$1,830</td>
</tr>
<tr>
<td>Direct Air</td>
<td>$4,881</td>
</tr>
<tr>
<td>Golden Eagle</td>
<td>$13,927</td>
</tr>
<tr>
<td>Hardy Aviation</td>
<td>$6,050</td>
</tr>
<tr>
<td>Inland Pacific</td>
<td>$244</td>
</tr>
<tr>
<td>Layunhapuy</td>
<td>$10,553</td>
</tr>
<tr>
<td>Missionary Aviation</td>
<td>$5,540</td>
</tr>
<tr>
<td>Murin</td>
<td>$2,748</td>
</tr>
<tr>
<td>Northern Airlines</td>
<td>$1,453</td>
</tr>
<tr>
<td>Seacat</td>
<td>$80</td>
</tr>
<tr>
<td>Sky Trans</td>
<td>$2,766</td>
</tr>
<tr>
<td>Sling Air</td>
<td>$5,705</td>
</tr>
<tr>
<td>Tasmania Air</td>
<td>$560</td>
</tr>
<tr>
<td>Weipa Air</td>
<td>$552</td>
</tr>
<tr>
<td>Wyndham Aviation</td>
<td>$2,180</td>
</tr>
</tbody>
</table>

(b) In the period 1 July 2004 – 30 April 2005, total costs for charters for the Department of Employment and Workplace Relations are $69,584.

**Minister for Workforce Participation: Overseas Travel**

*(Question No. 707)*

**Senator Chris Evans** asked the Minister representing the Minister for Workforce Participation, upon notice, on 4 May 2005:

(1) In relation to all overseas travel where expenses were met by the Minister’s portfolios, for each of the financial years 2000-01 to 2004-05 to date what was the total cost of travel and related expenses in relation to: (a) the Minister; (b) the Minister’s family; and (c) the Minister’s staff.

(2) In relation to all air charters engaged and paid for by the Minister and/or the Minister’s office and/or the department and its agencies, for each of the financial years 2000-01 to 2004-05 to date: (a) on how many occasions did the Minister or his/her office or department and/or agency charter aircraft, and in each case, what was the name of the charter company that provided the service and the related respective costs; and (b) what was the total cost.

**Senator Abetz**—The Minister for Workforce Participation has provided the following answer to the honourable senator’s question:

The Portfolio Minister is responding on behalf of the Portfolio (PQoN SEN692).

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**QUESTIONS ON NOTICE**
Senator Chris Evans asked the Minister for Family and Community Services, upon notice, on 4 May 2005:

For each financial year from 2000-01 to 2002-03 can the following information relating to advertising be provided:

1. (a) What advertising campaigns were commenced; and (b) for what programs.
2. In relation to each campaign: (a) what was its total cost, including a breakdown of advertising costs for: (i) television placements, (ii) radio placements, (iii) newspaper placements, (iv) mail outs with brochures, and (v) research on advertising; and (b) what was the commencement and cessation date for each aspect of the campaign placement.
3. For each campaign: (a) on which television stations did the advertising campaign screen; (b) on which radio stations did the advertising campaign feature; and (c) in which newspapers did the advertising campaign feature.
4. Which: (a) creative agency or agencies; and (b) research agency or agencies, were engaged for the campaign.
5. In the event of a mail out, what database was used to select addresses the Australian Taxation Office database, the electoral database or other.
6. (a) What appropriations did 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) in which financial year will these appropriations be made; (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.
7. Was a request 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.
8. Did the Minister for Finance and Administration issue a drawing right as referred to in paragraph (7); if so, what are the details of that drawing right.
9. 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 Patterson—The answer to the honourable senator’s question is as follows:

Refer to the table below.

<table>
<thead>
<tr>
<th>Advertising Campaigns</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Question Nos 753 and 771)</td>
</tr>
</tbody>
</table>

Senator Patterson—The answer to the honourable senator’s question is as follows:

Refer to the table below.
Note:
No advertising campaigns were commenced in 2002-03.
Figures for the three campaigns identified capture total costs across financial years.

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>2000-01</th>
<th>IYV 2001</th>
<th>2001-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) (a) What advertising campaigns were commenced; and (b) for what programs.</td>
<td>Seniors Campaign ‘Acknowledging Older Australians’.</td>
<td>International Year of Volunteers 2001 (IYV 2001).</td>
<td>Voluntary Compliance Campaign.</td>
</tr>
<tr>
<td>(2) In relation to each campaign:</td>
<td>(a) $8.1m*</td>
<td>(a) $2.1m*</td>
<td>(a) $5.2m*</td>
</tr>
<tr>
<td>(a) what was its total cost, including a breakdown of advertising costs for:</td>
<td>(i) $3.3m</td>
<td>(i) $800,000</td>
<td>(i) $2.4m</td>
</tr>
<tr>
<td>(i) television placements,</td>
<td>(ii) $1.2m</td>
<td>(ii) n/a</td>
<td>(ii) $0.8m</td>
</tr>
<tr>
<td>(ii) radio placements,</td>
<td>(iii) $2m</td>
<td>(iii) n/a</td>
<td>(iii) $0.7m</td>
</tr>
<tr>
<td>(iii) newspaper placements,</td>
<td>(iv) -</td>
<td>(iv) n/a</td>
<td>(iv) n/a</td>
</tr>
<tr>
<td>(b) what was the commencement and cessation date for each aspect of the campaign placement.</td>
<td>(v) $134.250</td>
<td>(v) $90,000</td>
<td>(v) $149,378</td>
</tr>
<tr>
<td>(b) In relation to each campaign:</td>
<td>(b) 10-30 June 01; 26 Aug 01 to Sept 01</td>
<td>(b) 4 April 01 to 31 Dec 01</td>
<td>(b) 14 April to 4 May; 1-21 Sept 01</td>
</tr>
<tr>
<td>(c) in which newspapers did the advertising campaign feature.</td>
<td>* Total cost includes advertising agency fees and other media not requested.</td>
<td>* Total cost includes advertising agency fees and other media not requested.</td>
<td>* Total cost includes advertising agency fees and other media not requested.</td>
</tr>
<tr>
<td>These records are not held by the department, however placement was in accordance with media outlets used by the Central Advertising System.</td>
<td>These records are not held by the department, however placement was in accordance with media outlets used by the Central Advertising System.</td>
<td>These records are not held by the department, however placement was in accordance with media outlets used by the Central Advertising System.</td>
<td></td>
</tr>
</tbody>
</table>
Tuesday, 9 August 2005

<table>
<thead>
<tr>
<th>QUESTION</th>
<th>2000-01</th>
<th>2001-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>(4) Which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) creative agency or agencies; and</td>
<td>(a) Batey Kazoo Communications</td>
<td>(a) Vinten Browning Advertising</td>
</tr>
<tr>
<td>(b) research agency or agencies, were</td>
<td>(b) Worthington Di Marzio</td>
<td>(b) Orima Research</td>
</tr>
<tr>
<td>engaged for the campaign.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5) In the event of a mail out, what database was used to select addresses the Australian Taxation Office database, the electoral database or other.</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>(6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) What appropriations did 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;</td>
<td>(a) Appropriation Bill 1</td>
<td>(a) Appropriation Bill 1</td>
</tr>
<tr>
<td>(b) in which financial year will these appropriations be made;</td>
<td>(b) 2000-01</td>
<td>(b) 2001-02</td>
</tr>
<tr>
<td>(c) will the appropriations relate to a departmental or administered item or the Advance to the Minister for Finance and Administration; and</td>
<td>(c) Departmental</td>
<td>(c) Departmental</td>
</tr>
<tr>
<td>(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.</td>
<td>(d) Table 4.1 – PBS 00-01. FaCS Departmental Operating Statement: Suppliers. Page 188.</td>
<td>(d) Table 4.1 – PBS 01-02. FaCS Departmental Operating Statement: Suppliers. Page 208.</td>
</tr>
<tr>
<td>QUESTION</td>
<td>2000-01</td>
<td>2001-02</td>
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<td>-------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(7) Was a request 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.</td>
<td>No special request for a drawing right was made of the Minister for Finance and Administration as existing drawing rights were sufficient for the purpose.</td>
<td>No special request for a drawing right was made of the Minister for Finance and Administration as existing drawing rights were sufficient for the purpose.</td>
</tr>
<tr>
<td>(8) Did the Minister for Finance and Administration issue a drawing right as referred to in paragraph (7); if so, what are the details of that drawing right.</td>
<td>No special drawing right requested (see answer to Q7 above).</td>
<td>No special drawing right requested (see answer to Q7 above).</td>
</tr>
<tr>
<td>(9) 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.</td>
<td>No payments against special drawing rights (see answer to Q7 above)</td>
<td>No payments against special drawing rights (see answer to Q7 above)</td>
</tr>
</tbody>
</table>
Agriculture, Fisheries and Forestry: Customer Service  
(Question Nos 842 and 851)

Senator Chris Evans asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 4 May 2005:

With reference to the department and/or its agencies:

(1) For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

(2) For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

(3) For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

(4) How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Ian Macdonald—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question at attachment 1.

Attachment 1

<table>
<thead>
<tr>
<th>Customer Service Telephone Lines - QoN 842</th>
<th>1a</th>
<th>1b</th>
<th>1c</th>
<th>1d</th>
<th>2</th>
<th>3a</th>
<th>3b</th>
<th>3c</th>
<th>3d</th>
<th>3e</th>
<th>4</th>
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<tbody>
<tr>
<td>Customer Service Number</td>
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<td>Toll Free 24 hrs</td>
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<td>Output Area</td>
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<tr>
<td>Call Centre Located At</td>
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<tr>
<td>Cost of Maintaining the Customer Line</td>
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<td>Staff Costs</td>
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<td>Infrastructure Costs (including mainte-</td>
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<td>Telephone Costs</td>
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<td>Departmental Costs</td>
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<tr>
<td>Any Other Costs</td>
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<tr>
<td>Number of Calls</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2000/2001

| 1800 020 504 | N | AQIS | National | $- | NA | NA | NA | NA |
| 1800 803 006 | Y | AQIS | ACT | $4,464 | $3,629 | $346 | $488 | 616 |
| 1300 884 588 | Y | F&A | ACT | $- | NA | NA | NA | NA |
| 1800 686 175 | Y | RPI | ACT | $- | NA | NA | NA | NA |
| 1800 686 175 | N | RPI | ACT | $- | NA | NA | NA | 11,093 |
| 1800 813753 | Y | MS | ACT | $1,340 | $1,000 | NA | $340 | 3 |
| 02 6272 2010 | N | ABARE | ACT | $13,097 | $13,097 | NA | NA | NA |
| 1800 806 591 | N | ABARE | ACT | $3,372 | $3,372 | NA | NA | NA |

2001/2002

| 1800 020 504 | N | AQIS | National | $- | NA | NA | NA | NA | 11,325 |
| 1800 803 006 | Y | AQIS | ACT | $5,035 | $4,067 | $330 | $638 | 656 |
| 1300 884 588 | Y | F&A | ACT | $- | NA | NA | NA | 1,521 |
| 1800 686 175 | N | RPI | ACT | $- | NA | NA | NA | 1,822 |
| 1800 813753 | Y | MS | ACT | $1,352 | $1,000 | NA | $352 | 3 |
| 02 6272 2010 | N | ABARE | ACT | $13,097 | $13,097 | NA | NA | NA |
| 1800 806 591 | N | ABARE | ACT | $3,372 | $3,372 | NA | NA | NA |

2002/2003

| 1800 020 504 | N | AQIS | National | $- | NA | NA | NA | NA | 24,615 |
| 1800 803 006 | Y | AQIS | ACT | $5,407 | $4,473 | $330 | $604 | 536 |
| 1300 884 588 | Y | F&A | ACT | $- | NA | NA | NA | 2,085 |

QUESTIONS ON NOTICE
## QUESTIONS ON NOTICE

### Australian Government Department of Agriculture, Fisheries and Forestry

Customer Service Telephone Lines - QoN 842

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Toll Free 24 hrs</th>
<th>Output Area</th>
<th>Call Centre Located At</th>
<th>Cost of Maintaining the Customer Service Lines</th>
<th>Staff Costs</th>
<th>Infrastructure Costs (including maintenance)</th>
<th>Telephone Costs</th>
<th>Departmental Costs</th>
<th>Any Other Costs</th>
<th>Number of Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800 686 175 N</td>
<td>RPI</td>
<td>ACT</td>
<td>ACT</td>
<td>$-</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>2,077</td>
</tr>
<tr>
<td>1800 813753 Y</td>
<td>MS</td>
<td>ACT</td>
<td>ACT</td>
<td>$1,360</td>
<td>$1,000</td>
<td>NA</td>
<td>NA</td>
<td>$360</td>
<td>NA</td>
<td>2</td>
</tr>
<tr>
<td>02 6272 2010 N</td>
<td>ABARE</td>
<td>ACT</td>
<td>ACT</td>
<td>$13,097</td>
<td>$13,097</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>2</td>
</tr>
<tr>
<td>1800 020 157 N</td>
<td>BRS</td>
<td>ACT</td>
<td>ACT</td>
<td>$3,372</td>
<td>$3,372</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>69</td>
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</table>

### 2003/2004

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Toll Free 24 hrs</th>
<th>Output Area</th>
<th>Call Centre Located At</th>
<th>Cost of Maintaining the Customer Service Lines</th>
<th>Staff Costs</th>
<th>Infrastructure Costs (including maintenance)</th>
<th>Telephone Costs</th>
<th>Departmental Costs</th>
<th>Any Other Costs</th>
<th>Number of Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800 020 504 N</td>
<td>AQIS</td>
<td>National</td>
<td>ACT</td>
<td>$40,267</td>
<td>$17,203</td>
<td>$313</td>
<td>$16,89</td>
<td>NA</td>
<td>32,555</td>
<td></td>
</tr>
<tr>
<td>1800 020 504 N</td>
<td>AQIS</td>
<td>National</td>
<td>ACT</td>
<td>$40,267</td>
<td>$17,203</td>
<td>$313</td>
<td>$16,89</td>
<td>NA</td>
<td>32,555</td>
<td></td>
</tr>
</tbody>
</table>

### 2004/2005

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Toll Free 24 hrs</th>
<th>Output Area</th>
<th>Call Centre Located At</th>
<th>Cost of Maintaining the Customer Service Lines</th>
<th>Staff Costs</th>
<th>Infrastructure Costs (including maintenance)</th>
<th>Telephone Costs</th>
<th>Departmental Costs</th>
<th>Any Other Costs</th>
<th>Number of Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800 020 504 N</td>
<td>AQIS</td>
<td>National</td>
<td>ACT</td>
<td>$47,304</td>
<td>$21,214</td>
<td>$667</td>
<td>$17,08</td>
<td>$3,466</td>
<td>32,067</td>
<td></td>
</tr>
</tbody>
</table>

### NOTES:

1. The Department does not have dedicated call centres. Customer service lines are answered by general staff.

2. Answers provided to question 1d indicate—
   “National” - general staff located in regional offices around the country.
   “ACT” - general staff located in central office, Canberra.

3. NA denotes information is not available.

**KEY:**

DAFF OUTPUT AREA

<table>
<thead>
<tr>
<th>DAFF OUTPUT AREA</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AQIS</td>
<td>Australian Quarantine and Inspection Service</td>
</tr>
<tr>
<td>ABARE</td>
<td>Australian Bureau of Agricultural and Resource Economics</td>
</tr>
<tr>
<td>BRS</td>
<td>Bureau of Rural Sciences</td>
</tr>
<tr>
<td>F&amp;A</td>
<td>Food and Agriculture Division</td>
</tr>
</tbody>
</table>
Senator Chris Evans asked the Minister for Immigration and Multicultural and Indigenous Affairs and Minister representing the Minister for Citizenship and Multicultural Affairs, upon notice, on 4 May 2005:

(1) For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

(2) For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

(3) For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

(4) How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Vanstone—The answer to the honourable senator’s question is as follows:

Details of customer service telephone lines

<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>131 881 – General Enquiry Line</td>
<td>Yes</td>
<td>Operator access: 0900-1600 Mon-Fri (0900-1500 Wed) Recorded information: 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay 1.2 Refugee and humanitarian entry and stay 1.3 Enforcement of immigration law</td>
<td>Answered in each State / Territory Office</td>
</tr>
<tr>
<td>131 880 – Citizenship Inquiry Line</td>
<td>Yes</td>
<td>Operator access: 0830-1630 Mon-Fri Recorded information: 24 hours / 7 days</td>
<td>2.3 Australian Citizenship</td>
<td>Sydney</td>
</tr>
<tr>
<td>133 177 – Client Service Feedback Line</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>Across all output areas</td>
<td>Answered in each State / Territory Office</td>
</tr>
<tr>
<td>131 450 – Translating and Interpreter Service</td>
<td>Yes</td>
<td>Eastern and Western: normal business hours Southern: 24 hours / 7 days</td>
<td>2.2 Translating and interpreting services</td>
<td>Eastern – Sydney; Western – Perth; Southern – Melbourne</td>
</tr>
</tbody>
</table>
**FY 2001-02**

<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>131 881 – General Enquiry Line</td>
<td>Yes</td>
<td>Operator access: 0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Answered in each State / Territory Office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recorded information: 24 hours / 7 days</td>
<td>1.2 Refugee and humanitarian entry and stay</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.3 Enforcement of immigration law</td>
<td></td>
</tr>
<tr>
<td>131 880 – Citizenship Inquiry Line</td>
<td>Yes</td>
<td>Operator access: 0830-1630 Mon-Fri</td>
<td>2.3 Australian Citizenship</td>
<td>Sydney</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recorded information: 24 hours / 7 days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>133 177 – Client Service Feedback Line</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>Across all output areas</td>
<td>Answered in each State / Territory Office</td>
</tr>
<tr>
<td>131 450 – Translating and Interpreter Service</td>
<td>Yes</td>
<td>Eastern and Western: normal business hours</td>
<td>2.2 Translating and interpreting services</td>
<td>Eastern – Sydney</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Southern: 24 hours / 7 days</td>
<td></td>
<td>Western – Perth</td>
</tr>
<tr>
<td>03 9657 4115 – Adelaide Skilled Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide</td>
</tr>
<tr>
<td>03 9657 4116 – Adelaide Offshore Students Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td></td>
</tr>
</tbody>
</table>

**FY 2002-03**

<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>131 881 – General Enquiry Line</td>
<td>Yes</td>
<td>Operator access: 0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recorded information: 24 hours / 7 days</td>
<td>1.2 Refugee and humanitarian entry and stay</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1.3 Enforcement of immigration law</td>
<td></td>
</tr>
<tr>
<td>131 880 – Citizenship Inquiry Line</td>
<td>Yes</td>
<td>Operator access: 0830-1630 Mon-Fri</td>
<td>2.3 Australian Citizenship</td>
<td>Sydney</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recorded information: 24 hours / 7 days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>133 177 – Client Service Feedback Line</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>Across all output areas</td>
<td>Answered in each State / Territory Office</td>
</tr>
<tr>
<td>131 450 – Translating and Interpreter Service</td>
<td>Yes</td>
<td>24 hours / 7 days</td>
<td>2.2 Translating and interpreting services</td>
<td>Melbourne</td>
</tr>
<tr>
<td>03 9657 4115 – Adelaide Skilled Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide</td>
</tr>
</tbody>
</table>

**QUESTIONS ON NOTICE**
Tuesday, 9 August 2005

<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>03 9657 4116 – Adelaide Offshore Students Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide</td>
</tr>
<tr>
<td>1800 040 070 – Employer Work Rights Checking Line</td>
<td>Freecall</td>
<td>Operator access: 0830-1630 Mon-Fri</td>
<td>1.3 Enforcement of immigration law</td>
<td>Sydney</td>
</tr>
<tr>
<td>131 881 – General Enquiry Line</td>
<td>Yes</td>
<td>Operator access: 0900-1600 Mon-Fri (0900-1300 Wed) Recorded information: 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay 1.2 Refugee and humanitarian entry and stay 1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>131 880 – Citizenship Inquiry Line</td>
<td>Yes</td>
<td>Operator access: 0830-1630 Mon-Fri Recorded information: 24 hours / 7 days</td>
<td>2.3 Australian Citizenship</td>
<td>Sydney</td>
</tr>
<tr>
<td>133 177 – Client Service Feedback Line</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>Across all output areas</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>131 450 – Translating and Interpreting Service</td>
<td>Yes</td>
<td>24 hours / 7 days</td>
<td>2.2 Translating and interpreting services</td>
<td>Melbourne</td>
</tr>
<tr>
<td>03 9657 4115 – Adelaide Skilled Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide and Melbourne</td>
</tr>
<tr>
<td>03 9657 4116 – Adelaide Offshore Students Processing Centre</td>
<td>No</td>
<td>0900-1600 Mon-Fri (0900-1500 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide</td>
</tr>
<tr>
<td>1800 040 070 – Employer Work Rights Checking Line</td>
<td>Freecall</td>
<td>Operator access: 0830-1630 Mon-Fri</td>
<td>1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>1800 180 303 – Perth Offshore Parent Centre</td>
<td>Freecall</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Perth</td>
</tr>
<tr>
<td>1800 009 623 – Immigration Dob-in Line</td>
<td>Freecall</td>
<td>0830-1630 Mon-Fri</td>
<td>1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>1-888-990-8888 – North America Australian Visa Information Service</td>
<td>Toll free</td>
<td>Operator access: 1000-1700 Mon-Fri Recorded information: 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay 1.3 Enforcement of immigration law 2.3 Australian Citizenship</td>
<td>Ottawa, Canada</td>
</tr>
</tbody>
</table>

*Voicemail outside operator hours

FY 2003-04
### FY 2004-05 YTD

<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>131 881 – General Enquiry Line</td>
<td>Yes</td>
<td>Operator access: 0900-1600 Mon-Fri&lt;br&gt;Recorded information: 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay&lt;br&gt;1.2 Refugee and humanitarian entry and stay&lt;br&gt;1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>131 880 – Citizenship Inquiry Line</td>
<td>Yes</td>
<td>Operator access 0830-1630 Mon-Fri&lt;br&gt;Recorded information 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay&lt;br&gt;2.2 Translating and interpreting services</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>133 177 – Client Service Feedback Line</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>131 450 – Translating and Interpreter Service</td>
<td>Yes</td>
<td>24 hours / 7 days</td>
<td>2.2 Translating and interpreting services</td>
<td>Melbourne</td>
</tr>
<tr>
<td>1300 364 613 – Adelaide Skilled Processing Centre</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide and Melbourne</td>
</tr>
<tr>
<td>1300 652 486 – Adelaide Offshore Students Processing Centre</td>
<td>Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Adelaide</td>
</tr>
<tr>
<td>1800 040 070 – Employer Work Rights Checking Line</td>
<td>Freecall</td>
<td>Operator access: 0830-1630 Mon-Fri</td>
<td>1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>1800 180 303 &amp; 1300 652 421 – Perth Offshore Parent Centre</td>
<td>Freecall &amp; Yes</td>
<td>0900-1600 Mon-Fri (0900-1300 Wed)</td>
<td>1.1 Non-humanitarian entry and stay</td>
<td>Perth</td>
</tr>
<tr>
<td>1800 009 623 – Immigration Dob-in Line</td>
<td>Freecall</td>
<td>0830-1630 Mon-Fri</td>
<td>1.3 Enforcement of immigration law</td>
<td>Sydney and Melbourne</td>
</tr>
<tr>
<td>1-888-990-8888 – North America Australian Visa Information Service</td>
<td>Toll free</td>
<td>Operator access: 1000-1700 Mon-Fri&lt;br&gt;Recorded information: 24 hours / 7 days</td>
<td>1.1 Non-humanitarian entry and stay&lt;br&gt;1.3 Enforcement of immigration law&lt;br&gt;2.3 Australian Citizenship</td>
<td>Ottawa, Canada</td>
</tr>
<tr>
<td>1800 079 098 – OIPC National Enquiries Number</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Canberra</td>
</tr>
<tr>
<td>1800 089 148 – OIPC Nhulunbuy Local</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Northern Territory</td>
</tr>
<tr>
<td>1800 193 357 – OIPC Kalgoorlie ICC</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Western Australia</td>
</tr>
<tr>
<td>1800 202 366 – OIPC Leadership Group</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Canberra</td>
</tr>
<tr>
<td>1800 622 431 – OIPC ORAC</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Canberra</td>
</tr>
</tbody>
</table>

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QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Service</th>
<th>Toll Free</th>
<th>Hours of operation</th>
<th>Responsible output area</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800 107 107 – ATSIS Housing Loans</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Canberra</td>
</tr>
<tr>
<td>1800 064 800 – ATSIS Customer Lending</td>
<td>Freecall</td>
<td>24 hours / 7 days</td>
<td>3.1 Indigenous policy</td>
<td>Canberra</td>
</tr>
</tbody>
</table>

*Voicemail outside operator hours*

**Total cost per year ($)**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>131 881</td>
<td>not available</td>
<td>not available</td>
<td>5,429,739 a</td>
<td>5,165,055 a</td>
<td>5,155,680 a</td>
</tr>
<tr>
<td>131 880</td>
<td>not available</td>
<td>not available</td>
<td>722,674 b</td>
<td>1,948,668 b</td>
<td>2,342,171 b</td>
</tr>
<tr>
<td>133 177</td>
<td>not available</td>
<td>not available</td>
<td>49,403 b</td>
<td>39,082 b</td>
<td>53,167 b</td>
</tr>
<tr>
<td>131 450</td>
<td>not available</td>
<td>not available</td>
<td>21,465,837 c</td>
<td>16,526,015 c</td>
<td>17,453,322 c</td>
</tr>
<tr>
<td>03 9657 4115 / 03 9657 4116</td>
<td>Not yet established</td>
<td>not available</td>
<td>not available</td>
<td>not available</td>
<td>275,200 b</td>
</tr>
<tr>
<td>1300 364 613</td>
<td>not available</td>
<td>not available</td>
<td>21,048 b</td>
<td>70,096 b</td>
<td>not available b</td>
</tr>
<tr>
<td>1300 652 486</td>
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a Includes infrastructure, telephone and departmental costs for all ‘13’, 1300 and 1800 services
b Infrastructure, telephone and departmental costs incorporated in 131 881 figures
c Figure represents the total expenditure for TIS including Translations up to time of outsourcing this function in Aug 2002
d Staff and infrastructure costs only
e Telephone costs only
## QUESTIONS ON NOTICE

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Tuesday, 9 August 2005  SENATE  149

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1 Infrastructure and telephone costs for all departmental ‘13’, 1300 and 1800 services are unable to be separated

2 Departmental costs include support costs for staff managing these services centrally

Number of calls

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QUESTIONS ON NOTICE
Senator Chris Evans asked the Minister for Family and Community Services, upon notice, on 10 May 2005:

With reference to the department and/or its agencies:

1. For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

2. For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

3. For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

4. How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Patterson—The answer to the honourable senator’s question is as follows:

To provide full details in response to the question would require collating information across various service providers’ monthly reports for the last 60 months and involve a significant diversion of resources. Based on this, a limited response has been provided, based on the last 3 months of readily accessible data (March 2005-May 2005).

### Family and Community Services: Customer Service
(Question Nos 845 and 863)

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Tuesday, 9 August 2005

QUESTIONS ON NOTICE

Customer Service Number | Tollfree | Open 24 hours | Output Group responsible | Location of Call Centre
--------------------------|---------|---------------|--------------------------|-------------------------
1800255659               | Freecall| No            | Across All Output Groups | Tuggeranong ACT         
1800260402               | Freecall| No            | Across All Output Groups | Nationwide FaCS Offices
1800300125               | Freecall| No            | 1.1                      | Nationwide FaCS Offices
1800301130               | Freecall| No            | 3.2                      | Sydney NSW              
1800359918               | Freecall| No            | 2.2                      | Tuggeranong ACT         
1800441242               | Freecall| No            | Across All Output Groups | Tuggeranong ACT         
1800550244               | Freecall| No            | 3.2                      | Tuggeranong ACT         
1800558449               | Freecall| No            | 2.1                      | Woden ACT               
1800650717               | Freecall| No            | 1.4                      | Woden ACT               
1800670305               | Freecall| No            | 1.4                      | Sydney NSW              
1800672682               | Freecall| No            | 1.2                      | Tuggeranong ACT         
1800676446               | Freecall| No            | 1.4                      | Nationwide FaCS Offices
1800688249               | Freecall| No            | Across All Output Groups | Tuggeranong ACT         
1800801269               | Freecall| No            | Across All Output Groups | Tuggeranong ACT         
1800803664               | Freecall| No            | 3.4                      | Tuggeranong ACT         
1800813750               | Freecall| No            | 1.2                      | Woden ACT               
1800814838               | Freecall| No            | 3.2                      | Woden ACT               
1800880052               | Freecall| No            | 3.2                      | Sydney NSW              
1300137305               | Local call| No       | 1.1                      | Woden ACT               
1300303203               | Local call| No       | Across All Output Groups | Albury NSW              
1300653227               | Local call| No       | Across All Output Groups | Tuggeranong ACT         
1300654643               | Local call| No       | 2.2                      | Several, SA             
1300656294               | Local call| No       | 3.2                      | Melbourne VIC           
1300663500               | Local call| No       | 1.2                      | Tuggeranong ACT         
1300781377               | Local call| No       | 1.4                      | Woden ACT               

(2) Current contracted arrangements do not incur any maintenance (i.e. on-going line rental) charges. The Department only pays for in-bound call charges. We are unable to provide full details across the financial years 2000-01 to 2004-05 as it would involve collating information from various service providers’ monthly reports for the last 60 months and this would require a significant diversion of resources.

(3) We are unable to provide full details across the financial years 2000-01 to 2004-05 as it would involve collating information from various service providers’ monthly reports for the last 60 months and this would require a significant diversion of resources. The majority of customer service lines utilised by FaCS are resourced internally, and staff that provide customer assistance for these services do not always do so as their only function. Providing an accurate analysis of such costs would be extremely resource intensive. Direct costs (i.e. in-bound call charges) for the period March 2005 to May 2005 (inclusive) are provided below:

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Actual Cost to Department over quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800006546</td>
<td>$20.56</td>
</tr>
<tr>
<td>1800008948</td>
<td>$34.09</td>
</tr>
<tr>
<td>1800018312</td>
<td>$18.17</td>
</tr>
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<td>1800020283</td>
<td>$393.91</td>
</tr>
<tr>
<td>1800026277</td>
<td>$15.76</td>
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<tr>
<td>1800035544</td>
<td>$17.95</td>
</tr>
<tr>
<td>1800063187</td>
<td>$578.96</td>
</tr>
<tr>
<td>1800102014</td>
<td>$49.29</td>
</tr>
<tr>
<td>1800171866</td>
<td>$21.02</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Actual Cost to Department over quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800171882</td>
<td>$110.83</td>
</tr>
<tr>
<td>1800178835</td>
<td>$16.89</td>
</tr>
<tr>
<td>1800220425</td>
<td>$60.79</td>
</tr>
<tr>
<td>1800246009</td>
<td>$16.37</td>
</tr>
<tr>
<td>1800252604</td>
<td>$18.64</td>
</tr>
<tr>
<td>1800255659</td>
<td>$19.42</td>
</tr>
<tr>
<td>1800260402</td>
<td>$20.88</td>
</tr>
<tr>
<td>1800300125</td>
<td>$33.26</td>
</tr>
<tr>
<td>1800301130</td>
<td>$15.80</td>
</tr>
<tr>
<td>1800359918</td>
<td>$24.56</td>
</tr>
<tr>
<td>1800441242</td>
<td>$17.58</td>
</tr>
<tr>
<td>1800550244</td>
<td>$16.94</td>
</tr>
<tr>
<td>1800558449</td>
<td>$15.96</td>
</tr>
<tr>
<td>1800650717</td>
<td>$61.69</td>
</tr>
<tr>
<td>1800670305</td>
<td>$4,892.28</td>
</tr>
<tr>
<td>1800672682</td>
<td>$16.16</td>
</tr>
<tr>
<td>1800676446</td>
<td>$33.58</td>
</tr>
<tr>
<td>1800688249</td>
<td>$27.93</td>
</tr>
<tr>
<td>1800801269</td>
<td>$37.29</td>
</tr>
<tr>
<td>1800803664</td>
<td>$15.84</td>
</tr>
<tr>
<td>1800813750</td>
<td>$23.30</td>
</tr>
<tr>
<td>1800814838</td>
<td>$6.07</td>
</tr>
<tr>
<td>1800880052</td>
<td>$970.17</td>
</tr>
<tr>
<td>1300137305</td>
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</tr>
<tr>
<td>1300303203</td>
<td>$138.48</td>
</tr>
<tr>
<td>1300653227</td>
<td>$2,404.75</td>
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<td>1300654643</td>
<td>$1,415.94</td>
</tr>
<tr>
<td>1300656294</td>
<td>$92.49</td>
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<td>1300663500</td>
<td>$89.48</td>
</tr>
<tr>
<td>1300781377</td>
<td>$83.33</td>
</tr>
</tbody>
</table>

(4) We are unable to provide full details across the financial years 2000-01 to 2004-05 as it would involve collating information from various service providers’ monthly reports for the last 60 months and this would require a significant diversion of resources. The number of calls received for the above-mentioned (refer Question 1) service lines for the period March 2005 -May 2005 (inclusive) is shown below:

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Number of calls received over quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800006546</td>
<td>32</td>
</tr>
<tr>
<td>1800008948</td>
<td>153</td>
</tr>
<tr>
<td>1800018312</td>
<td>36</td>
</tr>
<tr>
<td>1800020283</td>
<td>4512</td>
</tr>
<tr>
<td>1800026277</td>
<td>5</td>
</tr>
<tr>
<td>1800035544</td>
<td>42</td>
</tr>
<tr>
<td>1800063187</td>
<td>1231</td>
</tr>
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<td>1800102014</td>
<td>516</td>
</tr>
<tr>
<td>1800171866</td>
<td>242</td>
</tr>
<tr>
<td>1800171882</td>
<td>8646</td>
</tr>
<tr>
<td>1800178835</td>
<td>18</td>
</tr>
<tr>
<td>1800220425</td>
<td>447</td>
</tr>
</tbody>
</table>
Senator Chris Evans asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 4 May 2005:

With reference to the department and/or its agencies:

(1) For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

(2) For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

(3) For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

(4) How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Abetz—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

<table>
<thead>
<tr>
<th>Customer Service Number</th>
<th>Number of calls received over quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1800246009</td>
<td>18</td>
</tr>
<tr>
<td>1800252604</td>
<td>21</td>
</tr>
<tr>
<td>1800255659</td>
<td>48</td>
</tr>
<tr>
<td>1800260402</td>
<td>132</td>
</tr>
<tr>
<td>1800300125</td>
<td>258</td>
</tr>
<tr>
<td>1800301130</td>
<td>8</td>
</tr>
<tr>
<td>1800359918</td>
<td>228</td>
</tr>
<tr>
<td>1800441242</td>
<td>30</td>
</tr>
<tr>
<td>1800550244</td>
<td>6</td>
</tr>
<tr>
<td>1800558449</td>
<td>4</td>
</tr>
<tr>
<td>1800650717</td>
<td>33</td>
</tr>
<tr>
<td>1800670305</td>
<td>9474</td>
</tr>
<tr>
<td>1800672682</td>
<td>7</td>
</tr>
<tr>
<td>1800676446</td>
<td>261</td>
</tr>
<tr>
<td>1800688249</td>
<td>108</td>
</tr>
<tr>
<td>1800801269</td>
<td>42</td>
</tr>
<tr>
<td>1800803664</td>
<td>8</td>
</tr>
<tr>
<td>1800813750</td>
<td>39</td>
</tr>
<tr>
<td>1800814838</td>
<td>12</td>
</tr>
<tr>
<td>1800880052</td>
<td>1314</td>
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<tr>
<td>1300137305</td>
<td>789</td>
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<tr>
<td>1300303203</td>
<td>255</td>
</tr>
<tr>
<td>1300653227</td>
<td>22802</td>
</tr>
<tr>
<td>1300654643</td>
<td>219</td>
</tr>
<tr>
<td>1300656294</td>
<td>48</td>
</tr>
<tr>
<td>1300663500</td>
<td>60</td>
</tr>
<tr>
<td>1300781377</td>
<td>24</td>
</tr>
</tbody>
</table>

Employment and Workplace Relations: Customer Service
(Question No. 847)

Senator Chris Evans asked the Minister representing the Minister for Employment and Workplace Relations, upon notice, on 4 May 2005:

With reference to the department and/or its agencies:

(1) For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

(2) For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

(3) For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

(4) How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Abetz—The Minister for Employment and Workplace Relations has provided the following answer to the honourable senator’s question:

QUESTIONS ON NOTICE
(1) The financial year breakdown for the information is not available. However Table 1 below provides details of the customer service lines currently in place.

<table>
<thead>
<tr>
<th>Customer Service Line</th>
<th>Location</th>
<th>Telephone No</th>
<th>Toll Free</th>
<th>Open 24 Hours</th>
<th>Outcome / Output Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Purchasing Services</td>
<td>Canberra</td>
<td>1300 733 514</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Employment Placement &amp; Strategies</td>
<td>Sydney</td>
<td>1300 733 297</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Employment Services Contract 3 Hotline</td>
<td>Canberra</td>
<td>1300 137 774</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Employment Systems Help Desk</td>
<td>Melbourne, Hobart, Sydney, Brisbane, Canberra, Adelaide, Perth &amp; Darwin</td>
<td>1300 305 520</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Indigenous Small Business</td>
<td>Canberra</td>
<td>1800 679 304</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Funds Hotline</td>
<td>Perth</td>
<td>1800 803 995</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Job Match Express</td>
<td>Canberra</td>
<td>1300 369 050</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>New Enterprise Incentive Scheme</td>
<td>Sydney</td>
<td>1300 365 065</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Australian Job Search Volunteer Hotline</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>1300 650 925</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>National Indigenous Cadetship Hotline</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>1800 062 171</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Indigenous Employment Service Hotline</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>180 2102</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Employer Hotline</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>13 1715</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Employment Services Information Line (ESIL)</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>13 6268</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Drought Force Information Line</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>1800 004 226</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Transition to Work</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>1300 363 037</td>
<td>No</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Telstra Call Centre, Dickson, Canberra</td>
<td>1800 805 260</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Darwin</td>
<td>1800 003 452</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Adelaide</td>
<td>1800 003 442</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Brisbane</td>
<td>1800 003 429</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Hobart</td>
<td>1800 003 357</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Melbourne</td>
<td>1800 333 140</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Perth</td>
<td>1800 003 449</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Customer Service Hotline</td>
<td>Sydney</td>
<td>1800 003 430</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Personal Support Program - Providers Help Desk</td>
<td>Canberra</td>
<td>1800 625 898</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
<tr>
<td>Supported Wage Systems</td>
<td>Canberra</td>
<td>1800 065 123</td>
<td>Yes</td>
<td>No</td>
<td>1.2</td>
</tr>
</tbody>
</table>
QUESTIONS ON NOTICE

Outcomes and Output Groups

Employment and Workplace Relations

Outcome 1 - An effectively functioning labour market
Output Group 1.1 - Labour market policy and analysis
Output Group 1.2 - Labour market programme management and delivery

Outcome 2 - Higher productivity, higher pay workplaces
Output Group 2.1 - Workplace relations policy and analysis
Output Group 2.2 Workplace relations implementation

Outcome 3 - Increased workforce participation
Output Group 3.1 - Working age policy
Output Group 3.2 - Labour market strategies

(2) This information is unavailable from the Department. Comcare has provided the following costs for their Customer Service Line:

<table>
<thead>
<tr>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000-2001</td>
<td>$120,527</td>
</tr>
<tr>
<td>2001-2002</td>
<td>$124,442</td>
</tr>
<tr>
<td>2002-2003</td>
<td>$58,979</td>
</tr>
<tr>
<td>2003-2004</td>
<td>$56,121</td>
</tr>
<tr>
<td>2004-2005 year to date</td>
<td>$52,966</td>
</tr>
</tbody>
</table>
(3) These costs are not captured at this level within the Department except for (c) telephone costs for some of the larger customer service lines. See Table 2 below.

**Table 2**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Purchasing Services</td>
<td>Service connected 28/10/2004</td>
<td>$206.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Placement &amp; Strategies</td>
<td>Service connected 28/10/2004</td>
<td>$235.46</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Services Contract 3 Hotline</td>
<td>Service connected 26/09/2001</td>
<td>$236.04</td>
<td>$318.72</td>
<td>$380.46</td>
<td>$255.02</td>
</tr>
<tr>
<td>Employment Systems Help Desk</td>
<td>$40,973.61</td>
<td>$52,973.24</td>
<td>$51,253.32</td>
<td>$58,060.75</td>
<td></td>
</tr>
<tr>
<td>Indigenous Small Business Funds Hotline</td>
<td>$2,551.81</td>
<td>$1,736.80</td>
<td>$861.25</td>
<td>$536.49</td>
<td>$290.25</td>
</tr>
<tr>
<td>DEWR Recoveries Hotline</td>
<td>$956.08</td>
<td>$908.29</td>
<td>$607.99</td>
<td>$498.62</td>
<td>$326.33</td>
</tr>
<tr>
<td>Job Match Express</td>
<td>$1,294.13</td>
<td>$1,087.81</td>
<td>$932.57</td>
<td>$774.55</td>
<td>$488.26</td>
</tr>
<tr>
<td>New Enterprise Incentive Scheme</td>
<td>$770.55</td>
<td>$1,065.44</td>
<td>$1,428.65</td>
<td>$1,553.40</td>
<td>$602.51</td>
</tr>
<tr>
<td>Australian Job Search Volunteer Hotline</td>
<td>$3,075.00</td>
<td>$1,576.24</td>
<td>$903.05</td>
<td>$757.89</td>
<td>$322.30</td>
</tr>
<tr>
<td>National Indigenous Cadetship Hotline</td>
<td>$672,150.60</td>
<td>$86,773.08</td>
<td>$649,698.64</td>
<td>$438,820.34</td>
<td>$174,933.86</td>
</tr>
<tr>
<td>* Indigenous Employment Service Hotline</td>
<td>$945,134.36</td>
<td>$824,141.60</td>
<td>$853,691.35</td>
<td>$820,782.58</td>
<td>$1,083,481.00</td>
</tr>
<tr>
<td>* Employment Services Information Line (ESIL)</td>
<td>$476,404.28</td>
<td>$406,082.83</td>
<td>$544,587.95</td>
<td>$993,412.45</td>
<td>$701,251.32</td>
</tr>
<tr>
<td>Drought Force Information Line</td>
<td>Service connected 1/12/2002</td>
<td>$495.79</td>
<td>$941.95</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transition to Work</td>
<td>$1,701.88</td>
<td>$3,897.59</td>
<td>$5,732.31</td>
<td>$2,813.01</td>
<td>$1,078.26</td>
</tr>
<tr>
<td>Customer Service Line</td>
<td>$20,047.52</td>
<td>$21,248.31</td>
<td>$46,753.40</td>
<td>$96,191.05</td>
<td>$34,773.12</td>
</tr>
<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$562.31</td>
<td>$1,190.69</td>
<td>$1,078.26</td>
<td></td>
</tr>
<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$4,079.81</td>
<td>$7,728.21</td>
<td>$1,357.29</td>
<td></td>
</tr>
<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$3,563.11</td>
<td>$7,883.32</td>
<td>$2,332.12</td>
<td></td>
</tr>
<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$1,514.82</td>
<td>$2,769.24</td>
<td>$570.22</td>
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</tr>
<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$2,349.40</td>
<td>$5,809.99</td>
<td>$1,980.55</td>
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<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$3,707.47</td>
<td>$8,410.82</td>
<td>$2,037.25</td>
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<tr>
<td>Customer Service Line</td>
<td>Service connected 27/06/2002</td>
<td>$1,243.50</td>
<td>$7,339.45</td>
<td>$3,079.00</td>
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<tr>
<td>Workinfo Hotline</td>
<td>$406.29</td>
<td>$312.25</td>
<td>$307.86</td>
<td>$304.64</td>
<td>$252.39</td>
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<tr>
<td>Employee Share Ownership Hotline</td>
<td>Service connected 19/09/2002</td>
<td>$245.85</td>
<td>$399.22</td>
<td>$349.62</td>
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<tr>
<td>Building Industry Task Force Hotline</td>
<td>$257.28</td>
<td>$819.51</td>
<td>$406.42</td>
<td>$762.00</td>
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<tr>
<td>Workplace Advisory Service</td>
<td>$389.29</td>
<td>$597.93</td>
<td>$1,104.73</td>
<td>$434.33</td>
<td>$239.15</td>
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<tr>
<td>General Employee Entitlements &amp; Redundancy Scheme</td>
<td>$42,220.39</td>
<td>$32,401.79</td>
<td>$19,269.89</td>
<td>$20,204.76</td>
<td>$6,882.07</td>
</tr>
<tr>
<td>Wageline</td>
<td>$361,928.20</td>
<td>$341,330.69</td>
<td>$356,081.69</td>
<td>$333,583.42</td>
<td>$193,139.84</td>
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**QUESTIONS ON NOTICE**

### Telephone Costs

<table>
<thead>
<tr>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Workplace Advisory Service</td>
<td>$571.07</td>
<td>$307.79</td>
<td>$667.81</td>
<td>$1,029.26</td>
<td>$922.26</td>
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<tr>
<td>Evaluation &amp; Program Performance Hotline</td>
<td>$4,228.35</td>
<td>$4,145.29</td>
<td>$4,598.25</td>
<td>$3,523.05</td>
<td>$2,304.01</td>
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<tr>
<td>Survey Hotline</td>
<td>$432.02</td>
<td>$570.35</td>
<td>$453.36</td>
<td>$342.43</td>
<td>$303.83</td>
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<tr>
<td>National Commercial Loans - Indigenous Business Australia (IBA)</td>
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<td></td>
<td></td>
<td></td>
<td>$4,506.39</td>
</tr>
<tr>
<td>Personal Support Program - Providers Help Desk</td>
<td>$4,228.35</td>
<td>$4,145.29</td>
<td>$4,598.25</td>
<td>$3,523.05</td>
<td>$2,304.01</td>
</tr>
<tr>
<td>Supported Wage Systems</td>
<td>Service transferred from IBA to Department of Employment and Workplace Relations (DEWR) 1/07/2004 then transferred back to IBA 24/03/2005. Information not available prior to 2004/2005. to May 2005. Information not available prior to this date.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Support Program - Complaints Hotline for Clients</td>
<td>Service transferred from Family and Community Services (FACS) to DEWR 24/2/2005. Information not available prior to this date.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Costs noted in Table 2 for the Indigenous Employment Service Hotline, Employer Hotline and Employment Services Information Line (ESIL) include both telephone and Telstra agent costs.

Comcare has provided the following breakdown of costs for their Customer Service Line:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure costs</td>
<td>0.3</td>
<td>0.3</td>
<td>0.2</td>
<td>0.4</td>
<td>0.3</td>
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<td>Telephone costs</td>
<td>0.1</td>
<td>0.1</td>
<td>0.1</td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td>Other indirect costs – including property, enabling services</td>
<td>0.4</td>
<td>0.4</td>
<td>0.3</td>
<td>0.4</td>
<td>0.4</td>
</tr>
</tbody>
</table>

(4) Calls received for some of the smaller customer service lines are not captured at this level. See Table 3 below.

**Table 3**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Purchasing Services</td>
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<td></td>
<td></td>
<td></td>
<td>136</td>
</tr>
<tr>
<td>Employment Placement &amp; Strategies</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>293</td>
</tr>
<tr>
<td>Employment Services Contract 3 Hotline</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment Systems Help Desk</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indigenous Small Business Funds Hotline</td>
<td>724</td>
<td>1018</td>
<td>458</td>
<td>289</td>
<td>168</td>
<td></td>
</tr>
<tr>
<td>DEWR Recoveries Hotline</td>
<td>649</td>
<td>941</td>
<td>648</td>
<td>505</td>
<td>331</td>
<td></td>
</tr>
<tr>
<td>Jobmatch Express</td>
<td>1198</td>
<td>25549</td>
<td>365485</td>
<td>141645</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Enterprise Incentive Scheme</td>
<td>2820</td>
<td>2153</td>
<td>1718</td>
<td>1521</td>
<td>1506</td>
<td></td>
</tr>
<tr>
<td>Australian Job Search Volunteer Hotline</td>
<td>645</td>
<td>802</td>
<td>1394</td>
<td>2030</td>
<td>1690</td>
<td></td>
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<tr>
<td>National Indigenous Cadetship Hotline</td>
<td>3416</td>
<td>1161</td>
<td>513</td>
<td>407</td>
<td>217</td>
<td></td>
</tr>
<tr>
<td>Indigenous Employment Service Hotline</td>
<td>21151</td>
<td>21962</td>
<td>20867</td>
<td>18592</td>
<td>13387</td>
<td></td>
</tr>
<tr>
<td>Employer Hotline</td>
<td>77462</td>
<td>69487</td>
<td>68291</td>
<td>72769</td>
<td>51266</td>
<td></td>
</tr>
</tbody>
</table>
The Work for the Dole, Transition to Work and Customer Service Line (CSL) were integrated into the Telstra Call Centre Employment Services Information Line (ESIL) in July 2002. Additional inbound services, for example Drought Force Information Line, have been connected to ESIL. At this time a facility was introduced enabling callers to nominate whether they had a general enquiry and were seeking advice, or if they had a complaint. The latter would be transferred to Customer Service Line. The change enabled general enquires about all programmes to be managed by the Telstra Call Centre, leaving the DEWR Customer Service Officers to manage the complex calls and complaints.

**Employment and Workplace Relations: Customer Service**

(Question No. 862)

Senator Chris Evans asked the Minister representing the Minister for Workforce Participation, upon notice, on 4 May 2005:

With reference to the department and/or its agencies:

(1) For each of the financial years 2000-01 to 2004-05 to date, can a list be provided of customer service telephone lines, including: (a) the telephone number of each customer service line; (b) whether the number is toll free and open 24 hours; (c) which output area is responsible for the customer service line; and (d) where this call centre is located.

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**QUESTIONS ON NOTICE**
(2) For each of the financial years 2000-01 to 2004-05 to date, what was the cost of maintaining the customer service lines.

(3) For each of the financial years 2000-01 to 2004-05 to date, can a breakdown be provided of all direct and indirect costs, including: (a) staff costs; (b) infrastructure costs (including maintenance); (c) telephone costs; (d) departmental costs; and (e) any other costs.

(4) How many calls have been received, by year, in each year of the customer service line’s operation.

Senator Abetz—The Minister for Workforce Participation has provided the following answer to the honourable senator’s question:

Please refer to response to question 847 for the Minister representing the Minister for Employment and Workplace Relations.

Vioxx

(Question No. 910)

Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 12 May 2005:

With reference to the withdrawal of the arthritis drug Vioxx:

(1) When did the Government become aware of possible increased risks associated with the use of Vioxx.

(2) Can the Minister confirm that the Therapeutic Goods Administration (TGA) alerted doctors in October 2003 to some evidence of increased risk of cardiovascular and cerebrovascular disease associated with the use of this drug.

(3) (a) What other options did the TGA have to protect community safety; and (b) were these options taken; if not, why not.

(4) (a) How many reports of adverse drug reactions did the TGA receive in relation to Vioxx; and (b) what proportion of these reports were considered serious adverse events.

(5) How do the answers provided in 4(a) and 4(b) above compare with those relating to Travacalm which led to the Level 1 Pan Pharmaceuticals recall.

(6) Why did the Government not institute a Level 1 recall in the case of Vioxx.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) The first indication that there may be an increased cardiovascular risk associated with use of Vioxx was in the Vioxx Gastrointestinal Outcomes Research (VIGOR) study, published in the New England Journal of Medicine November 2000. This study compared the upper gastrointestinal toxicity of rofecoxib and naproxen in patients with rheumatoid arthritis. In the VIGOR study the incidence of myocardial infarction was lower in patients who took naproxen than among those who took Vioxx, 50 mg each day. The overall mortality rate and the rate of death from cardiovascular causes were similar in the two groups. The dose of Vioxx taken in the VIGOR study (50 mg daily) was twice the maximum dose registered in Australia.

There was considerable discussion and research over several subsequent years seeking to establish whether or not the reason for the difference between the two drugs was a protective effect of naproxen on the heart. An increased risk of heart attacks with use of Vioxx 25 mg daily was not conclusively demonstrated until the announcement of the results of the Adenomatous Polyp Prevention on Vioxx (APPROVe) study, which occurred in September 2004.

QUESTIONS ON NOTICE
(2) Yes. An item on cardiovascular risk associated with Vioxx and Celebrex was published in the October 2003 edition of the Australian Adverse Drug Reactions Bulletin. This item noted that there may be an increased risk of cardiovascular and cerebrovascular disease with Vioxx.

(3) (a) In broad general terms, the options for regulatory action on the basis of new safety information are:

- Amendment to the Product Information to inform prescribers, and to the Consumer Medicines Information to inform patients of new safety information.
- Publication of information to alert prescribers, such as a letter from the sponsoring company to prescribers, an item in the Australian Adverse Drug Reactions Bulletin or a media release.
- Recall of a batch or a product from the distribution chain or from the market.

Vioxx was not recalled from the market by TGA because it was voluntarily withdrawn worldwide by the sponsor as soon as there was evidence from a clinical study that Vioxx increased the rate of heart attacks. This evidence came from the APPROVe study where the effect of Vioxx on the rate of heart attacks could not be attributed to a protective effect of naproxen. The earlier VIGOR study did not provide any evidence of an increased cardiovascular risk at the maximum dose registered in Australia of 25 mg daily, only at a dose twice this level.

(b) The product information for Vioxx was amended in 2001 to include a description of the results of the VIGOR study. This information was then available to prescribers to include in their assessment of the risks and benefits of therapy.

The item concerning cardiovascular risk with Vioxx published in the Australian Adverse Drug Reactions Bulletin in October 2003 noted that there may be an increased risk of cardiovascular and cerebrovascular disease with Vioxx. It was stated explicitly that "At present the evidence for an association between rofecoxib and a risk of cardiovascular events is inconclusive and indirect". Conclusive evidence was not available at that time.

(4) (a) Prior to the worldwide withdrawal of Vioxx on 30 September 2004, the TGA had received 959 adverse drug reaction reports for Vioxx over a period of nearly four years.

(b) Of these, 319 were classified as serious and 18 of these described heart attacks.

(5) A small number of case reports received in a short period in January 2003 gave clear evidence of unacceptable toxicity due to excessive hyoscine hydrobromide content in some Travacalm tablets. This led to a consumer level Class 1 recall of a Travacalm product from the market. Those adverse events arose from quality control failures in manufacturing and are readily distinguishable clinically from unwanted events not caused by a medicine. In contrast, the role of Vioxx in increasing the rate of heart attacks was only established unequivocally through the conduct of a rigorous clinical trial and did not arise as a result of failures in manufacturing quality processes. A simple comparison of Australian adverse reaction reporting rates is, therefore, not meaningful. A sequel to the events with Travacalm was the review of the manufacturing facility. The TGA was advised by an expert group that the results of that review indicated that there was an imminent risk of death, serious illness or serious injury through exposure to a range of products manufactured by Pan Pharmaceuticals. This resulted in the consumer level Class 1 Pan Pharmaceuticals recall in April 2003. The basis for that recall related to assessed risks of deficient manufacturing and is not comparable to the basis for the recall of Vioxx.

(6) Immediately following its announcement of the first clear-cut results demonstrating a safety problem with Vioxx 25 mg daily in September 2004, the sponsor company withdrew the product worldwide. Prior to that date, as reflected in the Australian Adverse Drug Reactions Bulletin, the evidence was not conclusive, and insufficient to require a recall.
Family and Community Services: Programs
(Question No. 915)

Senator Chris Evans asked the Minister for Family and Community Services, upon notice, on 19 May 2005:

For each of the financial years since 2000-01 to 2004-05 to date, can a list be provided of all administered programs in the department, including: (a) the level of funding allocated to each program; (b) the actual expenditure for each program and, if possible, by federal electorate; (c) funding in each financial year of the forward estimates for each program; and (d) the date on which each program is scheduled to end.

Senator Patterson—The answer to the honourable senator’s question is as follows:

(a) The level of funding allocated to each program is available in Department of Family and Community Services (FaCS) Annual Reports.

(b) The actual expenditure for each program is available in FaCS Annual Reports. This expenditure is not recorded by federal electorate and to provide such a breakdown would require significant resources which I am not prepared to commit.

(c) Forward estimates are available at an aggregate level in Family and Community Services Portfolio Budget Statements and for Specific Purpose Payments in Budget Paper No.3 Federal Financial Relations 2005-06.

(d) Attachment A provides a table with the termination date for each program where there is no provision for continuation in the forward estimates, or the renegotiation date in the case of Specific Purpose Payments to the States and Territories. Note that in this context, a termination date indicates that prior to that date, the Government will consider future options.

Attachment A
FaCS Administered programs as at 2005-06, by status

<table>
<thead>
<tr>
<th>Program</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Outcome 1</td>
<td>No terminating programs</td>
</tr>
<tr>
<td>Outcome 2</td>
<td>Commonwealth State housing agreement</td>
</tr>
<tr>
<td></td>
<td>Funding under current agreements with States &amp; Territories continues until June 2008.</td>
</tr>
<tr>
<td></td>
<td>Agreement with ACT expired June 2005. Funding under agreement with NSW continues until 2015-16.</td>
</tr>
<tr>
<td>Social housing subsidy program</td>
<td>SAAP IV agreements with States &amp; Territories continued until June 2005. SAAP V agreements currently under negotiation.</td>
</tr>
<tr>
<td>Outcome 3</td>
<td>Youth activities services</td>
</tr>
<tr>
<td></td>
<td>Includes component terminating June 2008</td>
</tr>
<tr>
<td>Outcome 4</td>
<td>No terminating programs</td>
</tr>
<tr>
<td>Outcome 5</td>
<td>Community business partnership</td>
</tr>
<tr>
<td></td>
<td>Terminating June 2008</td>
</tr>
<tr>
<td>Tsunami aftermath assistance</td>
<td>Terminating June 2007</td>
</tr>
</tbody>
</table>
Better Outcomes in Mental Health Care Initiative  
(Question No. 916)
Senator Allison asked the Minister representing the Minister for Health and Ageing, upon notice, on 24 May 2005:

With reference to the Better Outcomes in Mental Health Initiative:

(1) When will the full evaluation report of the initiative be made available: (a) to the Better Outcome Implementation Advisory Group; and (b) publicly.

(2) Can the Minister explain the delay in the release of the report.

Senator Patterson—The Minister for Health and Ageing has provided the following answer to the honourable senator’s question:

(1) The report from the lapsing program review of the Better Outcomes in Mental Health Care initiative is classified as Cabinet-in-Confidence and will not be released to members of the Better Outcomes Implementation Advisory Group or to the broader public. A summary of the main findings from the review was released on a confidential basis to members of the Better Outcomes Implementation Advisory Group on 1 December 2004.

(2) As a document with Cabinet-in-Confidence classification the evaluation is not able to be released.

Intelligent Island Program  
(Question No. 926)
Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 2 June 2005:

(1) When was the Intelligent Island program first announced.

(2) At the time of announcement, what was the projected Commonwealth expenditure profile for this program for each financial year of its projected duration.

(3) For each financial year since its announcement, what has been the actual expenditure by the Commonwealth under this program.

(4) Can a list be provided of recipients of Intelligent Island funding including: (a) name of applicant; (b) amount of funding applied for and date of application; (c) amount of funding provided by the Commonwealth, date of approval and date of payment; and (d) use of funds specified in the application.

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) The Intelligent Island program was announced on 20 June 1999.

(2) $20m in 1999-00 and $20m in 2001-02.

(3) $20m in 1999-00 and $20m in 2001-02 through payments to the Tasmanian Department of Economic Development.

(4) Administration of the Intelligent Island fund is undertaken by the Tasmanian Department of Economic Development (DED). DED provides an annual report and program update on funded initiatives.

Intelligent Island Program  
(Question No. 927)
Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 2 June 2005:
With reference to the Minister’s media statement 036/05 dated 18 April 2005, would the Minister advise: (a) what meetings the Minister or the department has attended since 1 September 2004 to pursue other viable alternatives to invest the $20 million Intelligent Island funding within Tasmania; (b) who convened each meeting; (c) where and when each meeting was held; (d) who attended each meeting and in what capacity they attended; and (e) whether a copy of the written record of each meeting can be provided; if not, why not.

Senator Coonan—The answer to the honourable senator’s question is as follows:

The Department of Communications, Information Technology and the Arts (DCITA) has participated in two meetings since 1 September 2004 to consider options for the expenditure of Intelligent Island funds.

Meeting 1
(a) Intelligent Island Project Executive Officials meeting.
(b) Convened by the Tasmanian Department of Economic Development.
(c) Teleconference on 5 May 2005.
(d) Rhys Edwards, Jonathan Wood, Christine Lane and Maria Jeffries of the Tasmanian Department of Economic Development (DED); and Philip Allnutt, Scean Kearns and Jennifer Jones of DCITA.
(e) As the DED meeting record contains commercial information relating to ongoing negotiations on the expenditure of the remaining funding, it is inappropriate for it to be released.

Meeting 2
(a) Meeting with CSIRO ICT Centre regarding a possible research centre in Tasmania.
(b) Arranged by CSIRO.
(c) DCITA, 12 May 2005.
(d) Gary Doherty, CSIRO ICT Centre and Philip Allnutt and Jennifer Jones, Department of Communications Information Technology and the Arts.
(e) As the DCITA meeting record contains commercial information relating to ongoing negotiations on the expenditure of the remaining funding, it is inappropriate for it to be released.

Intelligent Island Board
(Question No. 929)

Senator O’Brien asked the Minister for Communications, Information Technology and the Arts, upon notice, on 2 June 2005:

With reference to the Intelligent Island Board announced on 1 March 2000, would the Minister advise:

(1) The published role of the Board.
(2) The process by which the Board was selected.
(3) How many persons were considered for appointment to the Board.
(4) How many and which persons were appointed to the Board.
(5) Who made the final decision.
(6) The stakeholder groups that each Board member was appointed to represent.
(7) The term of each Board member, including the commencement and conclusion of each Board member’s term.
(8) The total amount of remuneration, sitting fees, travel and accommodation expenses paid by the Commonwealth to each member of the Board.
(9) Which, if any, of the original Board members had their term extended; if so: (a) what was the nature of the extension; and (b) who made the final decision.

(10) When the Board was disbanded.

(11) Who undertook the published role of the Board after it was disbanded and under what authority.

Senator Coonan—The answer to the honourable senator’s question is as follows:

(1) The role of the Board as published in the Intelligent Island program 2002-03 annual report was to invest program funds wisely, rather than quickly, seeking the combination of activities that will, in its view, best accelerate growth of the local ICT industry.

(2) The Intelligent Island Board was selected jointly by the Australian and Tasmanian Governments.

(3) Eleven persons were considered for appointment to the Intelligent Island Board.

(4) Nine members were appointed to the Intelligent Island Board in 2000: Mr Neville Roach (Chair); Senator Brian Harradine; Dr Michael Vertigan; Senator Brian Gibson; Mr Peter Gartlan; Professor Christopher Keen; Mr Jeff Kelly; Ms Linda Hornsey; and Mr Neville Stevens.

(5) The Minister for Communications, Information Technology and the Arts and the Premier of Tasmania.

(6) The following structure was established for the Intelligent Island Board: a Chair with high level, broad ranging government and business expertise; Senator Brian Harradine; two Tasmanian members with senior level business and government experience; the chair of the Tasmanian IT Industry Council; a Tasmanian tertiary education representative; two senior Tasmanian Government officials; and a senior Australian Government official.

(7) The term of each Intelligent Island Board member was:

- Mr Neville Roach, AO, Chair, 1 March 2000 to 7 June 2004;
- Senator Brian Harradine, 1 March 2000 to 7 June 2004;
- Senator Brian Gibson, AM, 1 March 2000 to 7 June 2004;
- Dr Michael Vertigan, 1 March 2000 to 7 June 2004;
- Mr Peter Gartlan, 1 March 2000 to 13 June 2002;
- Mr Steve Jessup, 14 June 2002 to 21 July 2003;
- Mr Mike Nermut, 22 July 2003 to 7 June 2004;
- Professor Christopher Keen, 1 March 2000 to 7 June 2004;
- Mr Jeff Kelly, 1 March 2000 to 31 July 2002;
- Mr Mark Kerslake, 1 August 2002 to 9 June 2003;
- Mr Rhys Edwards, 10 June 2003 to 6 April 2004;
- Mr Norm McIlpatrick, 7 April 2004 to 7 June 2004;
- Ms Linda Hornsey, 1 March 2000 to 7 June 2004;
- Mr Neville Stevens, 1 March 2000 to 31 May 2002;
- Dr Ian Watt, 19 March 2001 to 31 December 2001; and
- Ms Helen Williams, AO, 1 January 2002 to 7 June 2004.

(8) The Australian Government did not pay any remuneration to Intelligent Island Board members. Board expenses were funded out of the interest earned on Intelligent Island funds provided to the Department of Economic Development and are reported in the Intelligent Island program annual reports.
(9) (a) Mr Neville Stevens had his term extended from 19 March 2001 to 31 May 2002. (b) The term was extended by the Minister for Communications, Information Technology and the Arts with the agreement of the Tasmanian Government.

(10) The Board was disbanded on 7 June 2004.

(11) A Memorandum of Understanding between the Australian and Tasmanian Governments signed by the Minister of Communications, Information Technology and the Arts and the Premier of Tasmania on 7 April 2004 appointed a Project Executive of the Secretaries of the Australian Department of Communications, Information Technology and the Arts and the Tasmanian Department of Economic Development to oversee the Intelligent Island program.

**Tasmania: Salmon**

(Question No. 930)

Senator Brown asked the Minister for the Environment and Heritage, upon notice, on 2 June 2005:

(1) What environmental impact assessment was conducted prior to the introduction of salmon to a number of Tasmanian streams and inland waterways.

(2) What is the potential impact of the introduced salmon on these waterways in the World Heritage areas and other protected areas in Tasmania.

Senator Ian Campbell—The answer to the honourable senator’s question is as follows:

(1) No proposals by the Tasmanian Government Inland Fisheries Service for the introduction of salmon to streams and inland waterways have been referred under Environment Protection and Biodiversity Conservation Act 1999, and consequently no environmental impact assessments have been conducted under the Act.

(2) I am advised that no salmon have been introduced by the Tasmanian Government Inland Fisheries Service into any waters in the Tasmanian Wilderness World Heritage Area since the passage of the Environment Protection and Biodiversity Conservation Act 1999. I am also advised that the Inland Fisheries Service has found no evidence of salmon having become established in the wild or having an impact on matters protected by the Environment Protection and Biodiversity Conservation Act 1999.

**Freshwater Ecosystems**

(Question No. 931)

Senator Brown asked the Minister for Fisheries, Forestry and Conservation, upon notice, on 2nd June 2005:

In view of the Commonwealth’s commitment to the protection of freshwater ecosystems as described within the National Water Initiative and the National Reserve System:

(a) is the Government preparing to undertake a comprehensive national assessment of the conservation status of freshwater ecosystems with the cooperation of state governments; and

(b) will the Government make an appropriate financial commitment to support such a study.

Senator Ian Macdonald—The answer to the honourable senator’s question is as follows:

(a) All State and Territory Governments and the Australian Government have agreed through the Natural Resource Management Ministerial Council to the document Directions for the National Reserve System – A Partnership Approach. In this document, all States and Territories have agreed to review the current understanding of freshwater ecosystems to ensure that they are appropriately incorporated within a comprehensive, adequate and representative national reserve system. States and Territories have further agreed to the identification and mapping of freshwater systems at an appro-
priate scale to assist in assessing the extent to which they are incorporated within the national re-
serve system.

Under the National Water Initiative, the Australian Government and all States and Territories (ex-
cept Western Australia) have agreed to put into place planning frameworks that identify surface and
groundwater systems of high conservation value, and to manage those systems to protect and en-
hance their conservation values. States and Territories have also committed to establishing effective
and efficient management and institutional arrangements to ensure the achievement of environ-
mental outcomes, including any special requirements necessary to sustain high conservation value
rivers, reaches and groundwater areas.

(b) The Government provides funding through the National Reserve System Program of the Natural
Heritage Trust to assist in the establishment of the national reserve system. This may include areas
with freshwater ecosystems identified through the above processes.

The $2 billion Australian Government Water Fund will invest in water infrastructure, improved
water management, and better practices in the stewardship of Australia’s scarce water resources.
The Fund will support practical on-ground water projects that will improve Australia’s water effi-
ciency and environmental outcomes and help achieve the objectives, outcomes and actions of the
National Water Initiative.

Consistent with the National Water Initiative, the $500 million Murray-Darling Basin Intergovern-
mental Agreement recovers water for six ecologically significant assets in the Murray River sys-
tem. The Agreement is a five year commitment to address water over-allocation in the Murray-
Darling Basin between the Australian Government ($200 million), and the governments of
New South Wales ($115 million), Victoria ($115 million), South Australia ($65 million) and the
Australian Capital Territory ($5 million).

Airlie Marina Development Project

(Question No. 932)

Senator Brown asked the Minister for the Environment and Heritage, upon notice, on 2
June 2005:

With reference to the proposed Port of Airlie Marina Development Project:

(1) Has the Government accepted the recommendations contained in the Environmental Impact State-
ment and Supplementary Environmental Impact Statement published by the Queensland Coordina-
tor-General that the project be approved subject to strict conditions relating to the construction and
operation of the proposed marina.

(2) Has a project plan been submitted by the developers in which they indicate how they will meet the
above condition; if so, is the Government satisfied that there will be no significant environmental
damage, particularly to the Great Barrier Reef.

Senator Ian Campbell—The answer to the honourable senator’s question is as follows:

(1) The Government has taken into account relevant matters under the Environment Protection Biodi-
versity Conservation Act 1999 for the proposed marina.

(2) The Australian Government’s approval decision requires the preparation and approval of a number
of plans. To date, a number of plans relating to the construction phase have been approved. Further
plans are required to be approved for the construction and operational phases.

Rwanda

(Question No. 933)

Senator Brown asked the Minister representing the Minister for Foreign Affairs, upon no-
tice, on 2 June 2005:
(1) Can the Minister provide information on: (a) the alleged progressive killing of genocide survivors in Rwanda due to their potential to witness against genocide perpetrators; (b) the alleged lack of treatment of 67 per cent of genocide widows in Rwanda infected with HIV due to systematic rape during the genocide, given that the level of HIV infection in the general population is 13 per cent; and (c) the alleged lack of secondary education for genocide orphans in Rwanda.

(2) With reference to the post-genocide period in Rwanda: (a) how are the bona fides of refugees wanting to come to Australia, who are claiming Tutsi ethnicity, verified by reliable referees; and (b) what support and assistance is Australia giving to achieve reconciliation within Rwanda by reducing the barriers which exist such as removing injustices still experienced by genocide survivors by: (i) removing from positions of authority known genocide perpetrators, (ii) use of independent Gacaca judiciary, (iii) restoring of property and possessions stolen from Tutsi during the genocide, (iv) addressing the huge backlog of Hutu prisoners awaiting trial on genocide related crimes, and (v) other measures.

Senator Hill—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:

(1) (a) to (c) Australia does not have resident representation in Rwanda. While aware of media reports of the matters mentioned in the question, the Department of Foreign Affairs and Trade is unable to confirm them or provide additional information.

(2) The answer to 2 (a) has been provided by the Department of Immigration, Multicultural and Indigenous Affairs:

(a) Under Australia’s Offshore Humanitarian Program refugees are referred to DIMIA posts overseas by UNHCR, the organisation mandated for refugee protection, which has registered and screened them and determined that resettlement in a third country is the best option for them. This is the case with Rwandan refugees in East Africa. DIMIA is guided by the bio-data prepared and referred by UNHCR in its Resettlement Registration Form (which includes information on ethnicity and background and basis of the refugee claim), and this is checked when applicants are interviewed by DIMIA officers.

Other applicants under the Offshore Humanitarian Program provide information relating to their claims in their application form and these are also tested at interview.

(b) (i) to (v) Australia is a relatively small development partner in the Africa region and targets its limited assistance strategically. The Government provided $73.6 million in aid to Africa in 2003-04. This assistance is delivered under the Africa program strategy, known as the African Development Cooperation Framework, covering the period 2003-2007.

Under the strategy, Australia focuses aid in 10 countries of southern and eastern Africa, covering the priority areas of governance, health (in particular HIV/AIDS) and food security. This includes support provided to NGOs and volunteers. Assistance outside the target group is for humanitarian emergencies such as the current crisis in western and southern Sudan.

Rwanda is not a recipient of development aid under the current Africa program strategy. However, Australia has financially supported two key institutions which facilitate reconciliation in Rwanda:

(a) The International Criminal Tribunal for Rwanda

Australia has been a long-standing and consistent supporter of the International Criminal Tribunal for Rwanda (ICTR). That tribunal was established by the United Nations Security Council in November 1994 to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda between 1 January 1994 and 31 December 1994. Australia meets the annual assessed contribution to the ICTR on time and in full. For calendar year 2005, Australia’s assessed contribution was
approximately USD$2 million. A number of Australians are also employed at the Tribunal’s headquarters in Arusha, Tanzania, and at the Office of the Prosecutor based in Kigali.

(b) The Rwandan Unity and Reconciliation Commission

Australia has provided approximately A$100,000 towards the Rwandan Unity and Reconciliation Commission. The Commission is the key organisation charged with rebuilding the nation following the 1994 genocide.

Rwanda
(Question No. 934)

Senator Brown asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 2 June 2005:

Will the Minister consider establishing a special category of refugees for genocide survivors from Rwanda which: (a) receives priority for processing by the department; (b) can be applied for on an in-country basis; (c) treats individuals on the same basis of families as far as eligibility to apply for entrance to Australia and financial support getting to and in Australia; (d) does not discriminate against applicants on the basis of physical and mental illness; and (e) enables applicants to prioritise their preferred refugee destinations to ensure: (i) family reunion, and (ii) establishment of sustainable communities of genocide survivors.

Senator Vanstone—The answer to the honourable senator’s question is as follows:

No. Refugees and people in humanitarian need from Rwanda are already resettled in Australia under our Humanitarian Program. Australia has granted 146 humanitarian program visas to Rwandans since 1995-96 (as at 30 April 2005). Sixty four of these have been granted this program year (1 July 2004 to 30 April 2005).

The Humanitarian Program is global and non discriminatory. In 2004-05 the program increased from 12,000 new places a year to 13,000 new places a year. These places are managed to ensure that no places are lost and to give the Government the flexibility to respond to emerging humanitarian crises. All Humanitarian Program places are fully utilised. The Australian Government will maintain the Humanitarian Program at 13,000 new places in 2005-06.

There has been no call from the international community to establish a special resettlement program for Rwandans. Any person can apply for a humanitarian visa under Australia’s Humanitarian Program. Applications are assessed on a case-by-case basis with priority being given to those referred by the United Nations High Commissioner for Refugees (UNHCR) – the organisation mandated for refugee protection.

Bushfire Awareness and Preparedness Day
(Question No. 935)

Senator O’Brien asked the Minister representing the Attorney-General, upon notice, on 6 June 2005:

With reference to the Prime Minister’s statement dated 8 September 2004 headlined: ‘Increased Funding for Bushfire Preparedness’, in which the Prime Minister announced $6 million over 3 years towards the establishment of a Bushfire Awareness and Preparedness Day:

(1) Would the Minister advise: (a) what is the projected expenditure profile for each financial year; (b) what has been the actual expenditure to date under this program; (c) which Commonwealth department and/or agency is the lead agency for this program; and (d) from which departmental and/or agency budget will the $6 million over 3 years be provided.
(2) (a) How will relevant bodies apply for funding under this program; (b) can a copy be provided of the application form and the program guidelines; and (c) can the Minister advise how and when both were made available to the public.

(3) Since 1 September 2004: (a) which departments or ministers have been involved in discussions and/or consultations regarding the proposed date of Bushfire Awareness and Preparedness Day; (b) who attended each meeting and in what capacity did they attend; (c) when and where was each meeting held; and (d) can the written record of each meeting be provided; if not, why not.

(4) Since 1 September 2004: (a) how many dates have been proposed for Bushfire Awareness and Preparedness Day; (b) who proposed each date; (c) which dates have been discarded and why; and (d) who made the final decision on each discarded date.

(5) When is Bushfire Awareness and Preparedness Day to be held.

Senator Ellison—The Attorney-General has provided the following answer to the honourable senator’s question:

(1) (a) $2 million
(b) $180 639
(c) Emergency Management Australia, Attorney-General’s Department
(d) Emergency Management Australia, Attorney-General’s Department

(2) (a) This is a nationally coordinated initiative to complement current community awareness programs in the States and Territories – there is no application funding program.
(b) Not applicable
(c) Not applicable

(3) (a) Department of the Prime Minister and Cabinet (PM&C), Australian Broadcasting Corporation (ABC), Australian Building Codes Board (ABCB), Bureau of Meteorology (BOM), Commonwealth Scientific and Industrial Research Organization (CSIRO), Department of Communication, Information Technology and the Arts (DCITA), Department of Defence (Defence), Department of Finance and Administration (DOFA), Department of Family And Community Services (FACS), Geoscience Australia (GA), Department of Education Science & Training (DEST), Department of Environment & Heritage (DEH), Department of Transport and Regional Services (DOTARS), ACT Emergency Services Authority, Country Fire Authority (Victoria), Country Fire Service (SA), Tasmania Fire Service, Northern Territory Fire and Rescue Service, New South Wales Rural Fire Service, Queensland Department of Emergency Services, Fire and Emergency Services Authority of Western Australia (FESA), Australasian Fire Authorities Council (AFAC), and the Bushfire CRC.
(b) An Australian Government agency meeting on 7 February 2005 was attended by representatives from the PM&C, ABC, ABCB, BOM, CSIRO, DCITA, Defence, DOFA, FACS, GA, DEST, and DEH. A Strategy Workshop at EMA Mt Macedon on 19-20 May 2005 was attended by representatives from the ACT Emergency Services Authority, Country Fire Authority (Victoria), Country Fire Service (SA), Tasmania Fire Service, Northern Territory Fire and Rescue Service, New South Wales Rural Fire Service, Queensland Department of Emergency Services, FESA, AFAC, Bushfire CRC, BoM, ABC, and DEH.
(c) EMA Canberra, 7 February 2005; and EMA Mt Macedon, 19-20 May 2005
(d) Yes

(4) (a) Nil
(b) Not applicable
(c) Not applicable

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(d) Not applicable

(5) States and Territories will determine appropriate dates as fire seasons are variable.

Securing and Policing Australia’s Major Airports

(Question No. 955)

Senator O’Brien asked the Minister representing the Minister for Small Business and Tourism, upon notice, on 14 June 2005:

With reference to the media release dated 7 June 2005 headlined, ‘Securing and Policing Australia’s Major Airports’, announcing a range of security measures:

(1) (a) What modelling has been commissioned or used by the Minister, or the department, to determine the impact on regional tourism of any extra costs these measures will pass onto passengers on regional air routes.

(2) (a) Who performed the modelling;

(b) how were they selected;

(c) what was the cost to the Commonwealth of the modelling;

(d) when did the modelling commence and when was it completed; and

(e) can a copy of the modelling be provided; if not, why not.

Senator Abetz—The Minister for Small Business and Tourism has provided the following answer to the honourable senator’s question:

(1) (a) None.

(2) (a) Refer to answer to question 1 (a).

(b) Refer to answer to question 1 (a).

(c) Refer to answer to question 1 (a).

(d) Refer to answer to question 1 (a).

(e) Refer to answer to question 1 (a).

Parafield Airport

(Question No. 959)

Senator O’Brien asked the Minister for Justice and Customs, upon notice, on 14 June 2005:

With reference to the article: ‘Flying visit for elite airport police team’, in the Adelaide Advertiser on 9 June 2005:

(1) Can the information be provided on:

(a) whether the reported visit was a visit by the Melbourne-based Aviation Rapid Deployment Team (ARDT);

(b) how did the team travel to Parafield Airport; and

(c) what time and from where did the team depart and what time did it arrive at Parafield Airport.

(2) In the event of the need to conduct a short notice, intelligence-driven and threat-based operational deployment to Parafield Airport to pre-position a Counter Terrorist First Response capability, what is the expected minimum time between the the summoning of the ARDT and its arrival at Parafield Airport.

Senator Ellison—The answer to the honourable senator’s question is as follows:
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(1) (a) The visit to Parafield Airport was conducted by the Melbourne based Regional Rapid Deployment Team (RRDT).

(b) The deployment to Parafield Airport was part of a deployment to other South Australian regional airports. The RRDT travelled from Melbourne Airport to Adelaide Airport on a commercial flight and then travelled between the regional airports via the use of hire vehicles. Other airports visited on this deployment were Whyalla (06/06/05) and Port Augusta (07/06/05). Parafield Airport was the last airport to be deployed to during this time.

(c) The RRDT deployed to Parafield Airport at 0700 hrs on 08 June 2005 and departed Parafield Airport at 1130 hrs on the same day.

(2) The response time to Parafield Airport will be dependent upon the level of threat, intelligence received and the availability of transport. The AFP RRDT has several alternative air and road transport options available in deploying to Parafield Airport and does not comment on operational strategies that may potentially compromise operational effectiveness. The RRDTs can deploy to any of the security controlled airports within 24 hours of advice.

Minister for Foreign Affairs: Visit to Launceston
(Question No. 963)

Senator O’Brien asked the Minister representing the Minister for Foreign Affairs, upon notice, on 14 June 2005:
With reference to the Minister’s visit to Launceston on 21 April 2005:

(1) When did planning for the visit commence and when was it finalised.

(2) Was the visit initiated by the department or the Minister’s office.

(3) (a) Which federal Members of Parliament were advised that the visit was to occur; and (b) when and in what manner were they made aware.

(4) (a) Which federal Members of Parliament were invited to attend the function(s) with the Minister; and (b) when and in what manner were they invited.

(5) Who accompanied the Minister and in what capacity did they accompany him.

(6) What was the total cost to the Commonwealth of the visit.

(7) How much Commonwealth funding was spent on each of the following: (a) alcohol; (b) food and catering; (c) room hire; (d) ministerial travel; and (e) ministerial accommodation.

Senator Hill—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:
As with all domestic travel, this trip was within the guidelines for Government travel.

Minister for Small Business and Tourism: Visit to Tasmania
(Question No. 964)

Senator O’Brien asked the Minister representing the Minister for Small Business and Tourism, upon notice, on 14 June 2005:

With reference to the Minister’s media release of 18 April 2005 headlined, ‘Tasmanian visit kicks off for Australian Minister’:

(1) (a) When did planning for the visit commence and when was it finalised;
   (b) was the visit initiated by the department or the Minister’s office;
   (c) what was the cost of the visit to the Commonwealth;
   (d) which federal Members of Parliament were advised the visit was to occur;
(e) when and in what manner were they made aware; and
(f) who attended the visit with the Minister and in what capacity they attended.

(2) (a) Who arranged the tourism roundtables in East Devonport and Hobart;
(b) what was the total cost and the cost to the Commonwealth of each event;
(c) which federal Members of Parliament were invited to each event with the Minister; and
(d) when and in what manner were they invited.

**Senator Abetz**—The Minister for Small Business and Tourism has provided the following answer to the honourable senator’s question:

(1) (b) The visit was initiated by the Minister’s office.
(c) The only costs incurred by the Department were those relating to the provision of briefing material to the Minister, and the attendance of a locally based departmental officer at two small business forums on 19 April 2005 in Launceston and 20 April 2005 in Hobart to provide information on small business and tourism programs administered by Ausindustry.

(2) (a) The tourism roundtables in East Devonport and Hobart were arranged by the Minister’s office.
(b) The only costs incurred by the Department were those relating to the provision of briefing material to the Minister.

**Cyanide**

(1) **Senator Brown** asked the Minister for the Environment and Heritage, upon notice, on 17 June 2005:

With reference to the intention of Barrick Gold and ICI to transport cyanide from Gladstone in Queensland to the proposed gold mine at Lake Cowal in New South Wales: What safeguards are in place to ensure: (a) the health and safety of the residents of the 12 major regional and rural town centres along the proposed route, including the capacity of the local emergency services to deal with an accident or spillage; (b) the security of the cyanide whilst on route; and (c) the protection of the environment of the Lake Cowal area.

**Senator Ian Campbell**—The answer to the honourable senator’s question is as follows:

(a) The Australian Dangerous Goods Code covers the transport of dangerous goods, however the regulation of the transport of dangerous goods is the responsibility of the States and Territories. In relation to the matters raised in your question, the appropriate competent authorities are the New South Wales Department of Environment and the Queensland Department of Transport.

(b) See (a) above.

(c) The proposed gold mine at Lake Cowal was referred under the Environment Protection and Biodiversity Conservation Act 1999 (the Act) on 29 August 2001. It was determined not to be a controlled action on 29 September 2001, as it was not considered likely to have a significant impact on any matter protected under the Act. Regulatory oversight of the Lake Cowal Project is under New South Wales responsibility. Management plans, devised after an exhaustive Environmental Impact Statement process, are in place.

**Mr David Hicks**

(2) **Senator Cook** asked the Minister representing the Attorney-General, upon notice, on 23 June 2005:
With reference to the trial of Mr David Hicks before a Military Commission of the United States of America (US):

(1) Is Mr Hicks an Australian citizen.

(2) Is Australia a party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishments.

(3) Is the US a party to the Convention.

(4) Does Article 15 of the Convention provide that each party shall ensure that any statement which is established to have been obtained by torture shall not be invoked in any proceedings.

(5) Can the Minister confirm that Australia supports international action against torture and deplores torture whenever and wherever it can.

(6) Do the rules of procedure of the Military Commission provide that any statement by Mr Hicks, established to have been obtained by torture, will not be invoked in the proceedings.

(7) Can the Military Commission admit into evidence, statements obtained from Mr Hicks by torture, of they are deemed to have probative value.

(8) Has the Government asked the US administration to ensure that the rules of procedure applying in the trial of Mr Hicks will: (a) conform with Article 15 of the Convention; if so, what was the response; if not, why not; and (b) provide that any statement obtained by torture from Mr Hicks will be absolutely prohibited from admission into evidence; if so, what was the response; if not, why not.

Senator Ellison—The Attorney-General has provided the following answer to the honourable senator’s question:

(1) Yes.

(2) Yes.

(3) Yes.

(4) Yes. The article states:

“The article states:

“Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made.”

(5) Yes. The Attorney-General has publicly stated that the Australian Government does not condone the use of torture or cruel or inhumane or degrading treatment in any form.

(6) No. However, the US has previously advised that in arguing that evidence is not admissible in a military commission trial, defence counsel can raise the manner in which that evidence was obtained. If the manner in which evidence was obtained would lead a reasonable person to conclude that the evidence does not have probative value, then that evidence is not admissible before the commission. In addition, there is scope for a case to be dismissed on the grounds that a conviction based on evidence obtained as a result of torture is unfair or insufficiently based on reliable evidence.

(7) The Government will not speculate on what evidence might be admitted by the Military Commission. United States authorities have previously advised that the manner in which evidence was obtained will be relevant to determining whether it is admissible.

(8) The Government has ongoing discussions with the United States on Mr Hicks’s case and is satisfied that the concessions that will apply specifically to the trial of Mr Hicks, plus the fundamental procedural guarantees included in the military commission order and instructions, will help facilitate a fair and transparent trial.
Filep Karma and Yusak Pakage
(Question No. 976)

Senator Brown asked the Minister representing the Minister for Foreign Affairs, upon notice, on 23 June 2005:

With reference to the gaol sentences of Mr Filep Karma and Mr Yusak Pakage for organising a peaceful ceremony in Abepura on 1 December 2004:

(1) Does the Government consider that these sentences are an excessive response to a peaceful expression of the desire for independence.

(2) Does the Government agree with Amnesty International, as stated in a report dated 1 February 2005 that Mr Karma and Mr Pakage are prisoners of conscience.

(3) Has the Government conveyed to the Indonesian Government concerns that the people of Papua are being unduly denied freedom to express their legitimate aspirations for their country.

(4) Given that the previously mentioned Amnesty International report states that, ‘When the flag was raised, police advanced on the crowd, firing warning shots and beating people with batons. At least four people were reportedly injured by bullets fired by the police, including two people receiving bullet wounds to the head, and at least one student had her body stepped on by members of the police forces. Police also beat a human rights monitor from the Institute for Human Rights Study and Advocacy (ELSHAM), who was trying to photography the police attack on the crowd’; has the Government raised with the Indonesian Government concerns regarding the excessive use of force by the police in response to a peaceful ceremony.

Senator Hill—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:

(1) Filep Karma and Yusak Pakage were convicted under Articles 106 (committing an act of treason) and 110 (involvement in conspiracy to commit an act of treason) of the Indonesian Criminal Code (KUPH). Karma was sentenced to 15 years in prison and Pakage to 10 years by the Jayapura District Court. The maximum penalty under both Articles is life imprisonment.

(2) Mr Karma and Mr Pakage committed crimes under existing Articles of the Indonesian Criminal Code.

(3) Australia respects Indonesia’s territorial integrity, including its sovereignty over Papua.

(4) Yes.

F111 Aircraft
(Question No. 981)

Senator Chris Evans asked the Minister for Defence, upon notice, on 24 June 2005:

(1) What is the operating condition of the 14 F-111Gs.

(2) How many have been used for spares since their purchase.

(3) Where are they stored.

(4) How many are stored: (a) in the two Belman hangers; and (b) in the open.

(5) If some have been stored in the open, for how long.

(6) When are the F-111Gs due to be retired.

Senator Hill—The answer to the honourable senator’s question is as follows:

(1) Five aircraft are in operational use, and nine non-operational aircraft are in storage, or used for breakdown spares.
(2) Seven.
(3) Royal Australian Air Force Base Amberley.
(4) (a) None.
   (b) Seven.
(5) The first of the seven aircraft referred to in 4(b) was moved to open-air storage in mid-2002.
(6) This information is classified.

Family and Community Services: Grants
(Question Nos 994 and 1012)

Senator O’Brien asked the Minister for Family and Community Services, upon notice, on 24 June 2005:

For each of the financial years 2001-02, 2002-03, 2003-04 and 2004-05, has the Minister, the department or any agency or statutory authority for which the Minister is responsible, made grants or other payments to business organisations and/or associations, including but not necessarily limited to peak employer groups; if so, can information be provided for each grant or other payment including: (a) the name and address of the recipient organisation; (b) the quantum and purpose of the payment; (c) the name of the program under which the grant or other payment was funded; (d) who approved the grant or other payment; and (e) whether the grant or payment was successfully acquitted; if so, when; if not, can details be provided, including action taken to recover the grant or other payment.

Senator Patterson—The answer to the honourable senator’s question is provided in the table below.
<table>
<thead>
<tr>
<th>Funding Recipient</th>
<th>Payment Type</th>
<th>Purpose of payment</th>
<th>2001-02</th>
<th>2002-03</th>
<th>2003-04</th>
<th>2004-05</th>
<th>Name of Program under which payment was funded</th>
<th>Who approved grant or payment</th>
<th>Date of acquittal 2001-02</th>
<th>Date of acquittal 2002-03</th>
<th>Date of acquittal 2003-04</th>
<th>Date of acquittal 2004-05</th>
<th>If not successfully acquitted provide details including action to recover</th>
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<tbody>
<tr>
<td>ACROD</td>
<td>Grant 📐</td>
<td>To provide secretarial services for its members and be a conduit for the flow of information between its members, the Government and the Minister</td>
<td>250,000</td>
<td>275,000</td>
<td>281,324</td>
<td>286,389</td>
<td>National Secretariat Program</td>
<td>Minister</td>
<td>15/11/2003</td>
<td>21/06/2004</td>
<td>15/02/2005</td>
<td>N/A</td>
<td>- Contract not yet complete</td>
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<td>Australian Chamber of Commerce and Industry</td>
<td>Other 📕</td>
<td>Undertake activities aimed at assisting FaCS funded disability business services to increase awareness of the wider business sector</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>57,200</td>
<td>Disability Employment Assistance Program</td>
<td>Minister</td>
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<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>National Retail Association</td>
<td>Other 📕</td>
<td>Provision of event management services for the Prime Minister’s Awards for Excellence in Community Business Partnerships</td>
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<td>0</td>
<td>0</td>
<td>57,000</td>
<td>Prime Minister’s Community Business Partnership</td>
<td>Delegate within the Department</td>
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<td>N/A</td>
<td>N/A</td>
<td>13/05/2005</td>
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QUESTIONS ON NOTICE
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<tr>
<th>Full name and address of funding recipient</th>
<th>Type</th>
<th>Purpose of payment</th>
<th>Date of acquittal 2001-02</th>
<th>Date of acquittal 2002-03</th>
<th>Date of acquittal 2003-04</th>
<th>Date of acquittal 2004-05</th>
<th>If not successfully acquitted provide details including action to recover</th>
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<tbody>
<tr>
<td>National Retail Association</td>
<td>O</td>
<td>Sponsorship of Community Spirit</td>
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<td>0</td>
<td>0</td>
<td>49,500</td>
<td>Prime Minister’s Community Business Partnership</td>
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**QUESTIONS ON NOTICE**