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the Senate and committee hearings are available at

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SITTING DAYS—2008

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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-SECOND PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

Senate Officeholders
President—Senator Hon. Alan Baird Ferguson
Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Leader of the Opposition in the Senate—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Hon. Christopher Martin Ellison

Senate Party Leaders and Whips
Leader of the Australian Labor Party—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy
Leader of the Liberal Party of Australia—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz
Leader of the Nationals—Senator Hon. Nigel Gregory Scullion
Deputy Leader of the Nationals—Senator Hon. Ronald Leslie Doyle Boswell
Leader of the Australian Democrats—Senator Lynette Fay Allison
Leader of the Australian Greens—Senator Robert James Brown
Leader of the Family First Party—Senator Steve Fielding

Government Whips—Senators Kerry O’Brien, Ruth Stephanie Webber and Dana Wortley
Liberal Party of Australia Whips—Senators Stephen Parry and Judith Adams
The Nationals Whip—Senator Fiona Joy Nash
Australian Democrats Whip—Senator Andrew John Julian Bartlett
Australian Greens Whip—Senator Rachel Siewert
Family First Party Whip—Senator Steve Fielding

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

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<th>Senator</th>
<th>State or Territory</th>
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(1) Chosen by the Parliament of Queensland to fill a casual vacancy vice Hon. Santo Santoro, 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.
(4) Chosen by the Parliament of Tasmania to fill a casual vacancy vice Susan Mary Mackay, resigned.
(5) Chosen by the Parliament of South Australia to fill a casual vacancy vice Hon. Robert Murray Hill, resigned.
(6) Chosen by the Parliament of South Australia to fill a casual vacancy vice Jeannie Margaret Ferris, died in office.
(7) Chosen by the Parliament of South Australia to fill a casual vacancy vice Hon. Amanda Eloise Vranstone, resigned.
(8) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Hon. Ian Gordon Campbell, resigned.
(9) Chosen by the Parliament of Tasmania to fill a casual vacancy vice Hon. Paul Henry Calvert, resigned.

**PARTY ABBREVIATIONS**

AD—Australian Democrats; AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal 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—D Kenny (Acting)
RUDD MINISTRY

Prime Minister Hon. Kevin Rudd MP
Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion Hon. Julia Gillard MP
Treasurer Hon. Wayne Swan MP
Minister for Immigration and Citizenship and Leader of the Government in the Senate Senator Hon. Chris Evans
Special Minister of State, Cabinet Secretary and Vice President of the Executive Council Senator Hon. John Faulkner
Minister for Trade Hon. Simon Crean MP
Minister for Foreign Affairs Hon. Stephen Smith MP
Minister for Defence Hon. Joel Fitzgibbon MP
Minister for Health and Ageing Hon. Nicola Roxon MP
Minister for Families, Housing, Community Services and Indigenous Affairs Hon. Jenny Macklin MP
Minister for Finance and Deregulation Hon. Lindsay Tanner MP
Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House Hon. Anthony Albanese MP
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate Senator Hon. Stephen Conroy
Minister for Innovation, Industry, Science and Research Senator Hon. Kim Carr
Minister for Climate Change and Water Senator Hon. Penny Wong
Minister for the Environment, Heritage and the Arts Hon. Peter Garrett MP
Attorney-General Hon. Robert McClelland MP
Minister for Human Services and Manager of Government Business in the Senate Senator Hon. Joe Ludwig
Minister for Agriculture, Fisheries and Forestry Hon. Tony Burke MP
Minister for Resources and Energy and Minister for Tourism Hon. Martin Ferguson MP
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<td>Assistant Treasurer and</td>
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<td>Minister for Competition Policy and Consumer Affairs</td>
<td>Hon. Chris Bowen MP</td>
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<td>Ministers for Veterans’ Affairs</td>
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<td>Minister for Housing and</td>
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<td>Minister for the Status of Women</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Minister for Employment Participation</td>
<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Small Business, Independent Contractors and the Service</td>
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<tr>
<td>Economy and Minister Assisting the Finance Minister on Deregulation</td>
<td>Hon. Craig Emerson MP</td>
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<tr>
<td>Minister for Superannuation and Corporate Law</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister for Ageing</td>
<td>Hon. Justine Elliot MP</td>
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<td>Minister for Youth and</td>
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<td>Minister for Sport</td>
<td>Hon. Kate Ellis MP</td>
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<tr>
<td>Parliamentary Secretary for Early Childhood Education and Childcare</td>
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<td>Parliamentary Secretary for Defence Procurement</td>
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<td>Hon. John Murphy MP</td>
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SHADOW MINISTRY

Leader of the Opposition Hon. Brendan Nelson MP
Deputy Leader of the Opposition and Shadow Minister for Employment, Business and Workplace Relations Hon. Julie Bishop MP
Leader of the Nationals and Shadow Minister for Infrastructure and Transport and Local Government Hon. Warren Truss MP
Leader of the Opposition in the Senate and Shadow Minister for Defence Senator Hon. Nick Minchin
Deputy Leader of the Opposition in the Senate and Shadow Minister for Innovation, Industry, Science and Research Senator Hon. Eric Abetz
Shadow Treasurer Hon. Malcolm Turnbull MP
Shadow Minister for Health and Ageing and Leader of Opposition Business in the House Hon. Joe Hockey MP
Shadow Minister for Foreign Affairs Hon. Andrew Robb MP
Shadow Minister for Trade Hon. Ian MacFarlane MP
Shadow Minister for Families, Community Services, Indigenous Affairs and the Voluntary Sector Hon. Tony Abbott MP
Shadow Minister for Agriculture, Fisheries and Forestry Senator Hon. Nigel Scullion
Shadow Minister for Human Services Senator Hon. Helen Coonan
Shadow Minister for Education, Apprenticeships and Training Hon. Tony Smith MP
Shadow Minister for Climate Change, Environment and Urban Water Hon. Greg Hunt MP
Shadow Minister for Finance, Competition Policy and Deregulation Hon. Peter Dutton MP
Shadow Minister for Immigration and Citizenship and Manager of Opposition Business in the Senate Senator Hon. Chris Ellison
Shadow Minister for Broadband, Communications and the Digital Economy Hon. Bruce Billson MP
Shadow Attorney-General Senator Hon. George Brandis
Shadow Minister for Resources and Energy and Tourism Senator Hon. David Johnston
Shadow Minister for Tourism Hon. John Cobb MP
Shadow Minister for Regional Development and Shadow Minister for Water Security
Shadow Minister for Justice Hon. Chris Pyne MP
Assisting Shadow Minister for Immigration and Citizenship Senator Hon. Michael Ronaldson
Shadow Special Minister of State Steven Ciobo MP
Shadow Minister for Small Business, the Service Economy and Tourism Hon. Sharman Stone MP
Shadow Minister for Environment, Heritage, the Arts and Indigenous Affairs Michael Keenan MP
Shadow Assistant Treasurer and Shadow Minister for Superannuation and Corporate Governance Margaret May MP
Shadow Minister for Ageing
Shadow Minister for Defence Science and Personnel and
Assisting Shadow Minister for Defence  
Hon. Bob Baldwin MP

Shadow Minister for Business Development, Independent
Contractors and Consumer Affairs and
Deputy Leader of Opposition Business in the House
Luke Hartsuyker MP
Hon. Bronwyn Bishop MP

Shadow Minister for Veterans’ Affairs  
Andrew Southcott MP

Shadow Minister for Employment Participation and
Apprenticeships and Training

Hon. Sussan Ley MP

Shadow Minister for Housing and
Shadow Minister for the Status of Women
Hon. Pat Farmer MP

Shadow Minister for Youth and

Shadow Minister for Sport

Shadow Parliamentary Secretary Assisting the Leader of
the Opposition and

Don Randall MP

Shadow Cabinet Secretary  
Shadow Parliamentary Secretary Assisting the Leader of
the Opposition and

Senator Hon. Ian Macdonald  
Senator Hon. Richard Colbeck  
Senator Hon. Brett Mason  
Hon. Peter Lindsay MP

Parliamentary Secretary for Northern Australia
Barry Haase MP

Shadow Parliamentary Secretary for Health
John Forrest MP

Shadow Parliamentary Secretary for Education

Shadow Parliamentary Secretary for Defence

Shadow Parliamentary Secretary for Infrastructure, Roads
and Transport

Louise Markus MP

Shadow Parliamentary Secretary for Local Government
Sophie Mirabella MP

Shadow Parliamentary Secretary for Tourism
Jo Gash MP

Shadow Parliamentary Secretary for Ageing and the
Voluntary Sector
Mark Coulton MP

Shadow Parliamentary Secretary for Foreign Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Families and
Community Services
Senator Cory Bernardi
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Thursday, 14 February 2008

The PRESIDENT (Senator the Hon. Alan Ferguson) took the chair at 9.30 am and read prayers.

PETITIONS

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

Dampier Archipelago: World Heritage Listing

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

The petition of the undersigned shows:

The petitioners support for World Heritage Listing on the Dampier Archipelago as shown in the underlying map and oppose the development of any further industrial infrastructure on any of the islands that make up the Dampier Archipelago that may impact on the National and World Heritage values of the place.

It is acknowledged that the Dampier Archipelago contains what is probably the largest assemblage of prehistoric engravings (petroglyphs) anywhere in the world and provides one of the few chronologies in the world of environmental and social change through the last ice age to the present.

In light of the above statement your petitioners request that the Senate:

Review all scientific data and expert advice on the scientific, cultural and heritage values of the rock art, standing stones and other components of the archaeology that exists on the islands of the Dampier Archipelago to test its value as a World Heritage nomination.

Investigate what activities the Federal Government has made or may undertake to encourage the State of Western Australia to nominate the area for World Heritage listing and make ensuing recommendations to the Federal Government to pursue such nomination.

Your petitioners therefore request that you give this matter earnest consideration, and your petitioners as in duty bound; will ever pray

by Senator Siewert (from 170 citizens)

Petition received.

NOTICES

Presentation

Senator Bartlett to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to establish an Office of National Commissioner for Children and Young People, and for related purposes. National Commissioner for Children Bill 2008.

Senator Bob Brown to move on the next day of sitting:

That the Senate—

(a) notes that 23 February 2008 marked the 6th year that Ingrid Betancourt has been held hostage by the Revolutionary Armed Forces of Colombia (FARC); and

(b) calls on the FARC to release Ms Betancourt and all its hostages.

COMMITTEES

Selection of Bills Committee

Report

Senator O’BRIEN (Tasmania) (9.31 am)—I present the first report for 2008 of the Selection of Bills Committee and I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE

REPORT NO. 1 OF 2008

(1) The committee met in private session on Wednesday, 13 February 2008 at 7.15 pm.

(2) The committee resolved to recommend—

That the Alcohol Toll Reduction Bill 2007 be referred immediately to the Community Affairs Committee for inquiry and report by 18 June 2008 (see appendix 1 for a statement of reasons for referral).

The committee recommends accordingly.

(3) The committee considered a proposal to refer the provisions of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 to a committee (see ap-
APPENDIX 2 for a statement of reasons for referral), but was unable to agree on the referral of the bill.

(Kerry O’Brien)
Chair

APPENDIX 1
13 February 2008
Senator Kerry O’Brien
Government Whip
Parliament House
CANBERRA ACT 2600

Dear Senator O’Brien

I write to seek the agreement of the Selection of Bills Committee to refer the Alcohol Toll Reduction Bill 2007 to the Senate Standing Committee on Community Affairs for inquiry.

The Bill was introduced to the Senate in September last year.

Alcohol is a major problem - it kills three times more Australians than all illicit drugs combined. Family First wants to address our alcohol toll to help change our binge drinking culture to a healthy drinking culture.

Family First’s Alcohol Toll Reduction Bill 2007 will:

- Require health information labels on all alcohol products;
- Require all alcohol ads to be pre-approved by a government body rather than a body run by the alcohol industry;
- Restrict TV and radio alcohol advertising to after 9pm and before 5am to stop alcohol being marketed to young people;
- Ban alcohol ads which are aimed at children or which link drinking to personal, business, social, sporting, sexual or other success.

The inquiry could seek submissions and expert testimony from:

- Alcohol Education and Rehabilitation Foundation
- Australian Drug Foundation
- Arbias Ltd - Acquired Brain Injury Assessment and Consulting
- Dr Alex Wodak, St Vincent’s Hospital
- Professor Sandra Jones, University of Wollongong
- Australian Medical Association
- National Health and Medical Research Council
- Distilled Spirits Industry Council of Australia
- Australian Hotels Association

Hearings could be held in the week of 3 March and the Committee could report back to the Senate by Thursday, 20 March.

I would appreciate the Committee’s support to refer the Alcohol Toll Reduction Bill 2007 for an inquiry so that the Senate can examine how best to address the serious problem of binge drinking in Australia.

Yours sincerely
Senator Sieve Fielding
Family First Leader
Family First Senator for Victoria

———

APPENDIX 2

SENIOR THE HON. JOE LUDWIG
Minister for Human Services
Manager of Government Business in the Senate
Senator for Queensland
Senator O’Brien Government Whip
cc Richard Pye - Senate Table Office Senate PLO

SELECTION OF BILLS AGENDA

I write to seek your cooperation to have the following bill considered at the Selection of Bills Committee meeting on Wednesday 13 February 2008.

- Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008.

This bill is to be introduced into the House of Representatives on Wednesday 13 February 2008.

Yours sincerely
JOE LUDWIG
Minister for Human Services
12 February 2008

———
Proposal to refer a bill to a committee

Name of bill(s):
Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008

Reasons for referral/principal issues for consideration
Inquire and report by 3 March 2008 with particular reference to the impact of Australian Workplace Agreements on the employees and their families, employers and their businesses.

Possible submissions or evidence from:
Employer and employee organisations
Non-profit organisations
Academic experts

Committee to which bill is to be referred:
Employment, Workplace Relations and Education

Possible hearing date(s):
25-27 February, 2008

Possible reporting date:
3 March 2008

Senator O’BRIEN—I move:

That the report be adopted.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (9.32 am)—I move the following amendment:

At the end of the motion, add “and, in respect of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, the provisions of the bill be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 17 March 2008”.

What we have here is a government that wants to ensure that AWAs end today by ensuring that the committee reports back to this place by 17 March; then the report will be available for debate in the March sitting period. Almost three months ago the Australian people voted for change. They did not vote for the coalition; they voted for a change. In doing so, they voted for a change in our workplace relations laws. The Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 delivers our key election commitment to the Australian people to change the workplace relations laws—the unfair laws that those opposite imposed on the Australian people which ripped away their conditions, took away the safety net and ensured they would suffer under the workplace relations laws.

We believe in a system which ensures that there is no place for AWAs, a system which has fairness at its heart. What the opposition believe in is a system that ensures that this unfairness and the rort under AWAs will continue. Up to the election you argued furiously for your workplace relations changes but you did not win the election. We have a clear mandate to ensure that AWAs end. This debate had an end point, and the end point was at the election. The passage of the AWA transitional amendment bill will ensure that it finishes in the March sitting. It finishes today.

We believe the opposition, particularly the opposition spokesperson on workplace relations, are now trying to pretend that none of this happened—that there was no election and that they did not lose it. Of course they did not win the election. What they are now saying is, ‘We will continue to have AWAs until such time as we think they should end.’ The Australian people have already spoken and have indicated that they should now end. What they are now saying is that they want a committee to continue on right up until 28 April and beyond so that employers can continue to enter into AWAs unfairly and hurt Australian people. They have clearly not heard the message from the Australian people in respect of this.

On the substantive matter, when you were in government you did not provide sufficient time for committees. You pushed through many bills by having short committee hearings: welfare to work, the IR legislation itself
and the sale of Telstra. Again and again you put matters through committees but gave very little time to look at them. In this instance there is more than a month to deal with this substantive matter. It is not a complex matter; you will be able to deal with it in that time. I am sure you will also be able to listen to the employers and to the Australian people and hear that the matter of AWAs has now been dealt with. We will be able to get on with business in this Senate without your unduly delaying it and ensuring that AWAs continue to stay alive, because that is effectively what you are doing.

This government campaigned on the promise that we would take Australia forward with fairness without Australian workplace agreements. That was our promise to the Australian people and we will continue to ensure that that promise is realised in this place. We know your track record. It is a disgraceful track record. It is a track record that is mired and quagmired in AWAs and unfairness. It ensures that people will hurt under your AWAs. Be very clear about this: what you are now doing is ensuring that AWAs will continue; employers will be able to continue to enter into unfair AWAs past the time this bill could be debated in March and finalised. Every day after that you are going to ensure that it will continue. *(Time expired)*

**Senator Ellison** (Western Australia) (9.37 am)—The government is clearly embarrassed by this, because two days ago we gave a notice of reference of this very important issue to the Senate Standing Committee on Education, Employment and Workplace Relations and the government was caught sleeping at the wheel, because it did not even think of that. It knows that important legislation goes to a Senate committee, and that has been the practice for years. When it saw the notice of motion brought by the opposition it suddenly thought, ‘We’d better get on this bandwagon,’ and yesterday it rushed in a late reference to the Selection of Bills Committee with, initially, a reporting date of early March until pressure was put on them and the government then said 12 March. This was one of the most important issues in the election last year. There is no doubt that workplace relations was front and centre in the election held just a few months ago. This government was only going to give a few weeks for the review of that legislation.

What we propose is that the reporting date be 28 April. That is the alternative motion that we have put up. But to try and meet the government and accommodate its desire to move legislation along, we are suggesting that we could bring that forward to mid-April and have the Senate sit for the week commencing 5 May, before the budget, to consider that legislation and report. We have heard about the Prime Minister saying, ‘We’re back at work and we’re going to have Friday sittings in the other place.’ Let us see if he is going to put his money where his mouth is. Let us see if this bloke can really work, because I can tell you that we are willing to work. We are willing to bring back the Senate. The Senate has the lightest sitting pattern in the first half of this year that I have ever seen. I can tell you right now: it is a disgrace, because the government is scared. It is scared of Senate scrutiny.

What we are proposing is that this bill go to a Senate committee. We will bring forward the reporting date to accommodate the government but, importantly, we will set aside an extra week of sitting so that the Senate can consider that report and the legislation, and we will do it before the budget so that the government can get on to the important job of the budget. We recognise that. But let us have another sitting week beforehand. The government is refusing this. It is scared of work and it is lazy. I say to the people of Australia: you have a government here which will not front up to the parliament. It
is lazy, it is scared of extra sitting days and it is scared of scrutiny of one of the most important issues that Australians looked at in the election. We believe that an issue such as this should be given close attention over a period of time to enable all those interested to put forward a submission to the Senate committee. There is nothing more reasonable than that. We are willing to bring that reporting date forward and we are willing to sit an extra week to consider that.

This government is scared. It is lazy and scared. It does not want an extra week and does not want extra Senate scrutiny. We have a Prime Minister who is trying to fool people by saying: ‘Yes, we are hardworking. We are going to have extra sitting days.’ Yet in the Senate we have fewer sitting days, and we are saying, ‘Let’s bring the Senate back earlier.’ After an extensive period of some seven weeks of recess over April, we can set aside an extra week to give this due consideration. During that recess we can have the time to examine one of the most important issues this nation considered in the recent election. What do we get from this government? We get a complete refusal—a refusal which is arrogant and which absolutely flies in the face of its responsibility to give the people of this nation a chance to look at one of the most important issues that we faced in the last election.

It is simple: we are willing to put in the hours. We are willing to bring back the Senate earlier. We are willing to bring on the reporting date earlier. What we are not willing to do is to give to this government what it seeks, and that is a couple of weeks review in the normal sitting period so it gets jammed into the normal legislative agenda. We realise that this is an important issue.

Senator Ronaldson interjecting—

Senator ELLISON—As Senator Ronaldson says, what are they scared of? Why are they so scared of this scrutiny? Why are they so scared of sitting an extra week? Can’t they take the hours? This is what we are all about. Obviously the Prime Minister has not got the mettle to put in those hard yards. I say to those listening and the people of Australia: this is the first sign of a government that is not up to the task and one that not only is not capable of doing the job; it is not willing to even try to do the job. (Time expired)

Senator BARTLETT (Queensland) (9.42 am)—There is a bit of a competition in hypocrisy going on in the chamber at the moment, I would have to say.

Senator Ian Macdonald—You should sit down, then!

Senator BARTLETT—I appreciate, Senator Macdonald, that there is no way I could win that particular competition. So you can have it hands down—there is no doubt about it. We have had the coalition here suddenly saying, ‘Yes, we need proper time to look at this legislation,’ when everybody in this chamber and in the wider community knows, because it is part of the reason you got thrown out, that you debauched the Senate committee process as comprehensively as possible by preventing proper scrutiny of legislation and by railroading through bill after bill, including the massive changes of Work Choices itself. These were huge, revolutionary reforms bulldozed through without adequate scrutiny.

The Democrats complained at the time that there was inadequate time. We always agree with the principle that there needs to be adequate time for examining legislation. It is concerning that the Labor government, in the very first piece of legislation it puts forward, wants to try and push it through very quickly. It is also ironic that, having complained all of last year about the then government using the Selection of Bills Committee process to refer their own bills to
committee to try to use that to push them through as quickly as possible, the Labor government then start off straightaway by also using the Selection of Bills Committee process to refer their own bills to committee when there is already a motion on the table.

Having said that, the government has now put forward a reporting date of 17 March—I think that is what I heard Senator Ludwig say—and that does provide slightly more than a month for the committee inquiry. That is hitting about the minimum acceptable level. I draw the Senate’s attention to the answer from the Department of the Senate to a question on notice in estimates in February last year that my colleague Senator Murray put forward seeking an outline of a reasonable minimum time for a committee inquiry on a bill. It detailed a time line of about 28 days. So this does go slightly above that. This is an important issue. It is not about the whole of Work Choices; it is just one part. We know that all of the argy-bargy about Work Choices and AWAs has been a key political point-scoring exercise and a key political football over the last 12 months or longer. We here in the Senate now should not just be about continuing the political point-scoring; with this particular matter before us now we are considering what the law will be. It is one thing to look at the point-scoring opportunities for vote winning leading up to an election, and that is all part of the political process; it is another to make sure that you get the law right and look at what the actual impact will be beyond the political impact for the main parties. That is part of what we are doing and that is why we have to do this properly.

Having spoken yesterday in this place to the motion about sitting days—and, I might say, I was the only person who spoke to that motion—I am pleased to now hear the coalition joining with the Democrats in expressing concern about the inadequate number of sitting days. I wish they had shared my concerns last year and the year before that when I expressed concern about the inadequate and historically low number of sitting days that the then coalition government inflicted upon the Senate. I wish they had supported my motions to create extra sitting weeks. Of course now that they are in opposition suddenly they see that there is a problem with an inadequate number of sitting days.

I would say that you had the opportunity yesterday to amend the motion that was put forward to create that extra sitting week. I should also emphasise that it is not the government that sets the sitting days for the Senate; it is the Senate that sets the sitting days. So you can move a motion to amend the sitting days and put it through. You do not need to rely on the government to agree; you can do it—and I will support it. I spoke about that yesterday. The coalition were silent. If we were that keen on getting back into the job then we should have been sitting last week.

I put on the record yesterday how there is a historically low number of sitting days for this year, so of course we would support an extra sitting week. At least as I understand it, it does not need the government’s agreement; it is a decision of the Senate. The Senate should decide that, and we would support it. So we are left with the obvious fact that this is all about politics again. I can understand that, but let us not forget that we are actually about considering the impact of what will go into law. I would suggest that that is much more significant to the Australian people than whether or not there are some more political points to be scored on the floor of the parliament here today.

Senator SIEWERT (Western Australia) (9.47 am)—The Greens will be supporting the motion for the reporting date of 17 March. We were very deeply concerned
about the reporting date of 3 March as first proposed by the government. We thought that was an abuse of the process. We believe that the reporting date of 17 March will give us enough time to discuss the legislation that we all knew was coming and that the government did foreshadow. It is so surprising, although I guess we should not be surprised, to see that the opposition is now all of a sudden really keen on having a thorough Senate process and a thorough committee process—and there are three more proposals soon to come before us to set up committees that they want to control—when they changed the committee system in the first place so that the government could control it. Now there is a different government and all of a sudden the now opposition want to change the committee process. For 2½ years the former government systematically abused the Senate process, abused the committee process and treated this place like a sausage factory. All of sudden they are throwing their arms up in the air and saying, ‘It’s not fair. The government are abusing the process to try to push through legislation that actually does away with Work Choices.’

The government was very clear about bringing this legislation in. They went to the people with it. The opposition said, ‘Yeah, Work Choices is dead,’ but it seems like it is in name only. They’re just going to create another name for it. The same people who dreamed up Work Choices are still there and still pushing it. It is clear that Work Choices is not dead; they are just going to use another name for it. This is not about a proper Senate process; this is about the opposition not wanting to see AWAs go. They want to see them there as long as possible. If you were genuine about using the Senate process then why did you refer this in the way that you did? Why not use the selection of bills process that you were so keen on last time? This is just about frustrating the government’s AWA process and reform of IR. The Australian community will be in no doubt about what the opposition is trying to achieve—that is, to frustrate the reform process. That is what this is about. It is not about all of a sudden having a road to Damascus experience about how important committee review is.

The Northern Territory intervention was supposedly at the time the most significant government package on Aboriginal reform ever seen in Australia. There was a one-day Senate hearing. The then government did not even call the authors of the report which supposedly kicked it off in the first place. That is how serious the then government—the now opposition—was about using the committee process and having fair review of legislation. What a joke that only a couple of months down the track they are back in this place all of a sudden championing the committee process. Get real. Everybody can see through this, and the Australian public will see through it. All you are trying to do is stop the AWA reform process. All the opposition are currently trying to do is to stop the review and reform of the IR process. Everybody can see through that. The Greens will be supporting the amendment as proposed by the government to have a review and to complete the committee process by 17 March. We believe that the people of Australia have been looking forward to this legislation coming in. They will be able to read about it, able to get their submissions in on time and able to appear before the committee during that process because they have been primed to the fact that this is happening. We do not normally support a review process of just one month but in this instance we think it is particularly important because we believe that the public of Australia have voted on and are keen to get rid of AWAs. That is what this legislation is about. They will have
time to get their comments in and we will get
time to review this legislation.

Senator FIELDING (Victoria—Leader
of the Family First Party) (9.51 am)—Just
for the record, Family First opposed Work
Choices because it went too far. Look at
what is being proposed: a four-week inquiry.
If the Senate is serious, it can go through this
inquiry and make sure that the relevant areas
are looked at and considered and make sure
that people who do not have a voice, like
small business and families, can have their
say on it as well. Certainly at the last election
there was a lot of talk about undoing Work
Choices, and this bill goes in that direction.
A delay until 28 April is too far out. I think a
balance has been struck. The government
were looking at having an even shorter time
frame for the inquiry which I think was too
short, but going out to 17 March would give
the Senate inquiry time to look at the aspects
of the legislation that is being proposed.

Senator MURRAY (Western Australia)
(9.53 am)—The chamber knows that I have
been the Democrats’ workplace relations
spokesperson since 1996. For nine years we
had the balance of power. Of course, we
were pressured constantly by the government
to pass their legislation and get committee
inquiries done in a short time. During the
time the Senate was not in the hands of the
government, committee inquiries took their
proper course, reports were produced and the
legislation was dealt with properly. It is my
view that neither the Democrats nor the Sen-
ate should change their standards. Govern-
ments are governments and oppositions are
oppositions. Governments will always argue
for mandate, for short sitting times and for
having their legislation rushed through, and
oppositions have a duty to look at it from a
Senate perspective. So I am less interested in
the hypocrisy of the past, even where that
ests, than I am in the standards we should
apply now. I am always very disappointed
when I hear those who argued previously for
higher standards arguing the reverse just be-
cause it suits their particular political case at
the time.

I would note with respect to sitting days
that, given this is the first year of a new gov-
ernment—with, I assume, a great deal of
legislation and new policies to be assessed
and debated—both the Senate and the House
each probably need to sit at least up to 100
days, or 20 to 22 weeks. I remind the Senate
that the House sits for 82 days and the Senate
sits for 52 days this year. The Senate sits for
21 days in the first half and 31 days in the
second half of the year. Frankly, that is an
absolute disgrace. Senators who belong to
the Labor Party should never have allowed
themselves to be railroaded by the House of
Representatives, which determined these
sitting times.

I would also support my colleague Senator
Bartlett, who holds the view that the Senate
is entitled to set the sitting days it wishes.
That should normally be done cooperatively.
But, frankly, the Senate cannot deal with the
sort of legislative program that is before it
with the number of sitting days that we have
this year. We started too late in February; we
have far too few sitting days in the first half
of the year; the recesses are too long. It is
going to be a lazy Senate and that is not the
right look for a new government. I suggest
that the opposition go away, decide on when
it wants extra sitting weeks, put the motion
to the Senate and let the Senate decide when
it wants to sit and then sit accordingly to deal
with the matters. I would urge the opposition
to do that and, if possible, do it today and
bring it on as special business.

Turning to the matter at hand: frankly, if I
were the government, given the importance
of the workplace to the people of Australia, I
would have introduced an exposure draft in
January, referred it to a committee in January
Thursday, 14 February 2008

and advertised for submissions in January. We could have been reporting in March and had it all done in time. Again, we are dealing with a lazy government that has come at this far too late. The issues are not that difficult. I am unimpressed, frankly, with being presented with a bill of this importance this late. Having said that, we need a minimum of 28 days for advertising, submissions, hearings and report writing, and then we need considerable time for debate and writing amendments and reports. I would suggest, based on historical circumstances, that somewhere between 28 days and 42 days is the right period for this particular bill—28 being the minimum. I certainly think the coalition is too far out with the date of 28 April, but, given the fact that you think it is unlikely that the bill would be ready for debate and the report ready by the time the last week of March sitting comes, it probably does not matter that much. However, introducing an extra week of sitting at a time other than the last week before May makes sense, frankly—I would not be disturbed by that—and of course the Senate can always give leave to those who have already fixed other engagements. I would urge the government to accept a compromise date which allows the Senate to properly consider legislation which needs to be examined carefully and reported on, as the Senate always should with legislation that matters enormously to the people of Australia.

Senator MINCHIN (South Australia—Leader of the Opposition in the Senate) (9.57 am)—The timing of the report that we have proposed—28 April—is, as Senator Murray quite rightly says, a function of the government’s extraordinary lethargy with respect to sittings of the parliament. The first six months of the parliament reflect the laziness of this government and its unwillingness to face Senate scrutiny. If you have a reporting date of 17 March—which I gather the government was originally going to set as 3 March—you will effectively have only two weeks for an inquiry into this bill, and if you report on 17 March you will have just three days to debate the bill before we have a seven-week recess. I suspect that this bill is not going to get through in three days, so inevitably this bill will carry over to the budget sittings. In good faith, the opposition has said to the government: ‘We’re prepared to have a reporting date of 14 April if you, the government, will agree that the Senate will resume in the week of 5 May—that is, the week before the budget. The report can be received and debated, and the legislation can be considered in that week. We are prepared to devote as much time as you like in the week of 5 May to consider this legislation.’

The legislation is not insignificant. The bill runs to 121 pages and the explanatory memorandum runs to 98 pages. This is not idle legislation; this is significant reform of Australia’s industrial relations arrangements. And for all the rhetoric we had from Senator Ludwig about AWAs, this bill introduces the Labor version of an AWA: an individual statutory agreement called an individual transitional employment agreement. This is significant legislation. It will have significant impact on employment, on the economy and on industries all over Australia.

The Senate should properly scrutinise this legislation by conducting, right across this land, inquiries that consider this bill in detail and give everybody an opportunity to comment on significant changes to our industrial relations arrangements which, as I said, allow the Labor Party to introduce its own form of individual statutory agreement. The Senate should properly examine that—examine its impact on the inflation which the government is so concerned about. The Senate should examine its impact on employment and on our great mining industries in
Senator Murray’s state of Western Australia, which are genuinely concerned about what Labor proposes to do with individual statutory agreements. It is worthy of proper examination.

Of course, governments will always try to have short inquiries. I am not going to pretend that we did not, but we are now the opposition and other non-government parties in the Senate ought to hold this government to account for the proper scrutiny of its legislation. Therefore the coalition, in good faith, have said that we are prepared to compromise. We are prepared to bring it forward. If there were more sitting weeks we could have a more relevant and probably earlier reporting date, but if the government stick to 17 March the Greens say that we have effectively two weeks only, because there is a week of estimates next week, two clear weeks and then the Senate resumes. The Greens are saying that they are prepared to join with Labor in having a two-week inquiry into, as I just said, a bill of over 100 pages and an explanatory memorandum of about 100 pages. This bill demands greater scrutiny than that, and the opposition, in good faith, offer 14 April. If that is rejected then we believe the appropriate reporting date is the 28th, allowing this bill to be considered in the budget week. As I said, our offer still stands. We are here ready, willing and able to return to this parliament on 5 May if the government wishes.

Question put:

That the amendment (Senator Ludwig’s) be agreed to.

The Senate divided. [10.06 am]

(The President—Senator the Hon. Alan Ferguson)

<table>
<thead>
<tr>
<th>Ayes</th>
<th>34</th>
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<td>Noes</td>
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AYES
Allison, L.F.
Bishop, T.M.
Brown, C.L.
Conroy, S.M.
Evans, C.V.
Fielding, S.
Hogg, J.J.
Kirk, L.
Lundy, K.A.
McEwen, A.
Milne, C.
Murray, A.J.M.
O’Brien, K.W.K.*
Ray, R.F.
Stephens, U.
Stott Despoja, N.
Wong, P.

NOES
Adams, J.
Bernardi, C.
Boswell, R.L.D.
Brandis, G.H.
Colbeck, R.
Cormann, M.H.P.
Ellison, C.M.
Ferravanti-Wells, C.
Fisher, M.J.
Humphries, G.
Kemp, C.R.
Macdonald, I.
Mason, B.J.
Minchin, N.H.
Parry, S.*
Payne, M.A.
Scullion, N.G.
Trood, R.B.

PAIRS
Carr, K.J.
Sherry, N.J.
Hutchins, S.P.

* denotes teller

Question negatived.
Original question agreed to.
BUSINESS
Rearrangement
Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (10.09 am)—I move:

That the following bills be considered from 12.45 pm till not later than 2 pm today.
Aged Care Amendment (2008 Measures No. 1) Bill 2008
Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) 2007-2008
Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) 2007-2008.
Question agreed to.

NOTICES
Postponement
Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.10 am)—by leave—I move:

That general business notice of motion no. 13 standing in my name for today, calling for wage restraint for members of parliament, be postponed until Tuesday, 11 March 2008.

Question agreed to.

BUSINESS
Consideration of Legislation
Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (10.11 am)—I move:

That the provision of standing order 111(6) which prevents the continuation or resumption of the second reading debate on a bill within 14 days of its first introduction in either House not apply to the following bills:
Aged Care Amendment (2008 Measures No. 1) Bill 2008
Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) 2007-2008
Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) 2007-2008.
Question agreed to.

RIGHTS OF THE TERMINALLY ILL
(EUTHANASIA LAWS REPEAL)
BILL 2008
First Reading
Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.11 am)—I move:

That the following bill be introduced: A Bill for an Act to repeal the Euthanasia Laws Act 1997, and for related purposes.

Question agreed to.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.12 am)—I present the bill and move:

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

Question agreed to.

Bill read a first time.
Second Reading
Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.12 am)—I move:

That this bill be now read a second time.

I seek leave to table the explanatory memorandum and to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—
This is a Bill for an Act to repeal the Euthanasia Laws Act 1997, through which the national parliament overruled the Northern Territory Rights of the Terminally Ill Act 1995. It restores the legitimacy of the Northern Territory legislation, which established the right of a terminally ill person to request assistance from a medically qualified person to voluntarily terminate his or her life in a humane manner, to allow for such assistance to be given in certain circumstances without legal impediment to the person rendering the assistance, to provide procedural protection against the possibility of the abuse of the rights recognised in this Act, and for related purposes. Additionally, my bill will enable the Australian Capital Terri-
tory to introduce legislation for the rights of the terminally ill.

In 1995, the Parliament of the Northern Territory passed a law which reflected not only the will of Northern Territorians, but also the strongly held views of the majority of all Australians. Every opinion poll conducted over the last two decades has shown that approximately three-quarters of Australians support the concept of voluntary euthanasia. A poll conducted by Roy Morgan in June 2002 found that seventy percent of those surveyed thought the law should be changed to allow a hopelessly ill patient to seek assistance from a doctor to commit suicide; and seventy-eight percent thought the law should be changed so that it is no longer an offence to be present at such a suicide. A Newspoll in February 2007 found that eighty percent of Australians believe that terminally ill people should have a right to choose a medically assisted death. This poll also found that twenty-two percent of respondents nationally have had a personal experience of a close relative or friend being hopelessly ill and wanting voluntary euthanasia. It has been consistently reported that each year hundreds of terminally ill people are assisted to an early and dignified death by compassionate medical professionals.

In the decade since the Euthanasia Laws Act was introduced here, the legal right to die with dignity has been available to the citizens of The Netherlands, Belgium, Oregon in the United States, Israel and Albania. In Switzerland, assisted suicide has been legal since 1918. Introduction of such laws has not led to a significant increase in the number of people choosing this option. For example in The Netherlands after an initial increase the percentage of deaths as a result of euthanasia, the number has decreased from 2.6% in 2001 to 1.7% in 2005. In Oregon, according to the health department annual report, an average of 29 individuals has died each year as a result of their Death with Dignity Act - in a population of 3.5 million.

In 1995 the Northern Territory Assembly led the way in Australia by giving its citizens the option to end their suffering with dignity and medical support. In 1997, Canberra removed that right. This bill would redress that action. It reflects the heartfelt views of the majority of Australians on this important issue.

I commend the bill to the Senate.

Senator BOB BROWN—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

AUSTRALIAN SECURITIES AND INVESTMENTS COMMISSION (FAIR BANK AND CREDIT CARD FEES) AMENDMENT BILL 2008

First Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (10.13 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the Australian Securities and Investments Commission Act 2001 to limit unfair banking and credit card penalty fees, and for related purposes.

Question agreed to.

Senator FIELDING (Victoria—Leader of the Family First Party) (10.13 am)—I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (10.14 am)—I move:

That this bill be now read a second time.

I seek leave to table the explanatory memorandum and to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

Family First is fed up with banks making massive profits while ripping off customers with exorbitant bank penalty fees.

That is why Family First is introducing the Australian Securities and Investments Commission
(Fair Bank and Credit Card Fees) Amendment Bill 2008, to stop banks slugging customers with unreasonable bank penalty fees on their accounts and credit cards.

Banks are a licence to make money. Their focus is their shareholders, which is why families need the Parliament to step in to look after their interests.

Last year the big four banks produced bumper profits for their shareholders:

- Westpac announced a record profit of $3.4 billion, up 12 per cent;
- ANZ Bank posted a record $4.2 billion net profit, up 13 per cent;
- National Australia Bank’s profit was up 4.2 per cent to $4.6 billion; and
- Commonwealth Bank’s profit increased 18 per cent to $4.6 billion.

Yet the big four still charge their customers as much as $50 for a mistake that might be a bounced cheque or an electronic payment that isn’t honoured.

A 2004 report by the Consumer Action Law Centre revealed some banks seize up to 16 times the cost of processing dishonoured cheques, and 92 times the cost of processing dishonoured direct debit transactions!

It is time to stop the bank’s ruthless profit grab and time to stop banks fleecing vulnerable Australians.

Family First is particularly concerned that low income families are hardest hit by penalty fees for every dishonoured periodic payment, direct debit or cheque.

For some Australians, that is a third of their weekly income and a huge burden.

Instead of ripping off customers, Family First believes banks should recognise they have community obligations and actually help customers to AVOID penalty fees.

Family First applauds the efforts of Choice and the Consumer Action Law Centre which launched a campaign against exorbitant penalty fees.

Family First’s bank penalty fee bill has incorporated expert advice from the Law Council, Choice and the Consumer Action Law Centre.

Family First’s bill will stop fee gouging by banks by:

- Ensuring penalty fees are for cost recovery only;
- Giving the Australian Securities and Investments Commission (ASIC) the power to demand information to ensure fees reflect costs;
- Boosting the powers of ASIC to monitor fees and investigate customer complaints and issues referred by the Treasurer;
- Outlawing inward cheque dishonour fees;
- Stopping penalty fees charged because another bank charge has pushed the customer over or under the necessary bank balance;
- Preventing penalty fees for customers exceeding their credit card limit where the bank does not give customers the option of a solid maximum credit limit; and,
- Banning charging multiple fees for the same mistake.

Family First’s Bill covers banks, building societies, credit unions and other institutions that offer credit cards.

The Bill would ban inward cheque dishonour fees, where a customer banks a cheque in good faith but is slugged a penalty fee because the person who wrote the cheque did not have enough money to cover it.

Most banks have abolished this fee, but not all of them. Why should a person be forced to pay a penalty for something they had no control over?

The Bill also states that penalty fees must be reasonable. They must be a fair estimate of the cost to the financial institution of the event that leads to the charge.

For example, if you write a cheque and don’t realise you don’t have sufficient funds to cover it, you can be charged a reference fee of $30 and a dishonour fee of $50. So that’s an $80 penalty,
apart from any embarrassment. Does that $80 penalty fee really reflect the cost to the bank?

Some banks, credit unions or building societies charge penalty fees for failed transactions on an ATM. You can be charged as much as $2 just for entering the wrong pin number, not completing a transaction, pushing the wrong account button or not having enough money.

The Bill provides a remedy of enforceable undertakings, so ASIC can negotiate with a financial service provider and get a written undertaking where there is concern over penalty fees. This saves both ASIC and the financial service provider having to go to court and should provide a faster resolution.

The Bill also preserves customers’ right to seek compensation if ASIC has taken successful action against a bank.

Family First’s Bill boosts the powers of the corporate watchdog so it can demand information from banks relating to any penalty fee investigations.

The Treasurer may also direct ASIC to investigate penalty fees.

Reserve Bank figures reveal late payment fees on credit cards have risen more than 50 per cent over the last five years from $20 to $31.

And fees for credit cards which are over the limit have climbed 500 per cent from $6 to $30.

The Australian Consumers Association points out that most Australians choose a bank account, credit card or housing loan for the benefits they offer.

Most people do not consider the penalty fees as they do not expect to pay them. That means there is not much of a competitive market to keep fees low.

Because there is strong competition in other areas of banking, it has been claimed financial institutions sometimes try to boost their funds through penalty fees.

It is interesting to note that bank fee income from households has been increasing at a faster rate than business fee income, for most of the last decade. In fact, in 2006 bank fee income from households topped $9.7 billion.

Unfortunately the Reserve Bank does not publish more detailed information about what percentage of those fees are penalty fees.

Why don’t banks offer customers a credit card which will not allow you to go over the limit, rather than charging a penalty fee when they do?

Why don’t banks warn their customers, for example with an email or SMS, when their card is expected to go over the credit limit with pre-arranged automatic payments, rather than just hitting them with a penalty fee?

By all means financial institutions should be able to cover the reasonable costs of a transaction. But we must stop banks using penalty fees to reap even more millions.

Senator FIELDING—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

POKER MACHINE HARM REDUCTION TAX (ADMINISTRATION) BILL 2008

First Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (10.15 am)—I move:

That the following bill be introduced: A Bill for an Act for the administration of poker machine harm reduction tax and the establishment of the Poker Machine Harm Reduction Transition Fund, and for related purposes.

Question agreed to.

Senator FIELDING (Victoria—Leader of the Family First Party) (10.15 am)—I present the bill and move:

That this bill be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator FIELDING (Victoria—Leader of the Family First Party) (10.15 am)—I move:

That this bill be now read a second time.
I seek leave to table the explanatory memorandum and to have the second reading speech incorporated in *Hansard*.

Leave granted.

*The speech read as follows—*

Family First has today declared war on poker machines with the introduction of the Poker Machine Harm Reduction Tax (Administration) Bill 2008. It is a bold new plan that will see pokies phased out of pubs and clubs and restricted to racetracks and casinos.

Everyday Australians are ambushed by the temptation of poker machines at local pubs and clubs. Family First believes pokies should be restricted to racetracks and casinos, which are dedicated gambling venues where people go to have a flutter, not community venues where families go to eat dinner.

Family First’s bill phases in a new federal tax on poker machines in pubs and clubs to push pokies out of community venues. The tax will be phased in over a number of years to allow these businesses to wean themselves off pokie profits. All revenue from the tax will be held in a trust fund to help community and sporting groups through the transition.

Poker machines have inflicted a devastating toll on thousands of families, particularly children, and the problem is not going to go away. About 293,000 people have a significant gambling problem in Australia and about 85% of problem gamblers use poker machines.

As the Herald Sun editorial said this week “For all the flashing lights, the dark reality for problem gamblers is often crime, social dislocation and family breakdown.”

The statistics paint a frightening picture:

- Around 52% of problem gamblers said they had borrowed money and not paid it back;
- About 36% of problem gamblers said they had sold property to raise money to bet;
- A further 43% of problem gamblers said they sometimes went without food to pay for their addiction;
- And one in four problem gamblers suffered divorce or separation.

On average, around seven other people are affected by a severe problem gambler’s behaviour. That’s around 2 million Australians.

And a staggering 50% of regular poker machine users are problem gamblers or at risk of becoming problem gamblers.

Not only are poker machines addictive for players, but they are also addictive for state and territory governments.

State government revenue from poker machines and Keno in 2006-07 was almost $3 billion. Gambling addicted state governments are incapable of weaning themselves off surging poker machine taxes.

Unless there is Federal intervention the policy paralysis at the state level will continue. The states have shown they are incapable of kicking their addiction to pokies. That is why Federal intervention is necessary.

Family First’s legislation will see gaming machines confined to casinos and racetracks. It works by imposing a tax on individual poker machines in pubs and clubs which gradually increases, eventually rendering them non-profitable.

Tax revenue from this measure will be held in the Poker Machine Harm Reduction Transition Fund, to help community and sporting groups through the transition. It will be used to:

- Provide funding to local community and sporting groups where they no longer receive funding from poker machine operators;
- Support problem gambling treatment, rehabilitation, research and prevention programs; and,
- Promote community education on responsible gambling.

Poker machines are the worst form of gambling for problem gamblers.

The Productivity Commission found “the extent of problem gambling varies across the states and territories, with New South Wales having the highest rates and Western Australia the lowest - reflecting the relative availability of gaming machines.”

In Western Australia poker machines are already successfully restricted to the Burswood Casino.
which again backs up the viability of this new legislation.
The Western Australian Government resisted the temptation to allow pokies into every pub and club and the Commission noted that people spent the least on gambling in Western Australia.
And in NSW, South Sydney Rugby League Club The Rabbitohs, proved that clubs can operate without pokies when they decided to scrap their poker machines last year.
Poker machines are the worst form of gambling for problem gamblers.
In my own home state of Victoria, 85 per cent of problem gamblers spend most of their gambling time using poker machines. That’s 36,000 people in Victoria alone and most play the pokies every week.
Another 32,000 Victorians who use poker machines are classified by the Centre for Gambling Research as “at risk” of becoming problem gamblers.
So that’s 68,000 people, or more than half of regular poker machine users in Victoria, are problem gamblers or at risk of becoming problem gamblers.

A 2005 report commissioned by the Victorian Government found that problem gamblers spent an average six times the spending on poker machines of non-problem gamblers every week. In practical terms that means problem gamblers were spending more than $440 a week on poker machines.

One recent study estimates problem or at-risk gamblers account for about 53 per cent of the money spent in Victoria on poker machines outside casinos in 2005-06. The Productivity Commission’s estimated problem gamblers accounted for 42 per cent of expenditure on poker machines nationally.

Poker machines plague our suburbs and cause family breakdown and financial devastation and the Government has turned a blind eye to the devastation.
The Productivity Commission found one in ten people with significant gambling problems said they had thought of committing suicide because of their gambling. Problem gamblers spend about 20 per cent of their household income on gambling while other gamblers spent just over one per cent. Gambling was also responsible for relationship breakdowns and poor job performance. The most common impact on gamblers was depression.
The Victorian community is demanding action. A report revealed three in four Victorians believe pokies do more harm than good and gambling was too widely accessible.
Unfortunately state and territory governments are so addicted to pokies that the $3 billion a year split by government and operators is the biggest barrier to addressing this menace.

Family First acknowledges that to change this overnight would be reckless. That is why the Family First plan of phasing in the pokies tax means that business and state governments can wean themselves gradually off their dependence on pokies with the revenue from the tax being held in a trust fund to assist community and sporting groups through the transition.

Given these shocking social statistics, Family First is urging Federal politicians from all political parties to support this bill. No one can deny that this is a matter of urgency.

Senator FIELDING—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

STOLEN GENERATION COMPENSATION BILL 2008
First Reading

Senator BARTLETT (Queensland) (10.16 am)—I move:

That the following bill be introduced: A Bill for an Act to provide for ex gratia payments to be made to the stolen generation of Aboriginal children, and for related purposes.

Question agreed to.

Senator BARTLETT (Queensland) (10.16 am)—I present the bill and move:

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

Question agreed to.
I seek leave to table the explanatory memorandum and to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

It is now more than a decade since the “Bringing Them Home” report was first tabled. This report set out the gross human rights violations that so many Aboriginal and Torres Strait Islander people endured because of official government policies and laws which enabled and often encouraged Indigenous children to be removed from their parents and separated from their community and culture solely on the basis of the colour of their skin.

There is still a lack of appreciation in various parts of Australian society about just how profound and far-reaching the trauma caused by these practices has been, and how strongly it continues to affect many Indigenous people and communities today.

As a result of this inquiry, some important and effective actions have been taken to facilitate family reunion and to improve counselling and family support services for victims. However, many recommendations from the report were rejected or remain inadequately implemented by governments at both state and federal level.

One important recommendation among the many which have not been implemented was for a formal national apology to the Stolen Generations to be made. The previous Liberal Party government doggedly and damagingly refused to take this action, despite it being undertaken promptly by all State Parliaments around the country.

I am pleased that the new Labor government have taken a first step towards addressing the substantial unfinished business surrounding the stolen generations issue and initiated a formal national apology, which was unanimously supported by Parliament yesterday and celebrated in Parliament House and by millions of people all across Australia.

It is however disappointing that the government have completely rejected any proposal of providing monetary compensation for those forcibly and unjustifiably separated from their families. I believe that while first steps are important, it is imperative that our governments show leadership and take responsibility for those in our community who have been comprehensively disadvantaged simply because of the colour of their skin. Our governments must accept that it has been part of a system which perpetuated and perpetrated active discrimination which has affected generations and generations of Aboriginal people and their communities who are in need of healing.

I am pleased to re-introduce this bill to the present parliament, which seeks to put a key component of the uncompleted recommendations from the Bringing Them Home report back on the agenda and to provide an example of a way to redress some of the wrongs of the past.

I initially tabled an exposure draft on this bill in the Senate in April 2007, which was largely modelled on the Act adopted by the Tasmanian Parliament to provide compensation to stolen generations victims, which on the 22nd of January 2008 saw $5 million shared amongst 106 applicants.

I sought comments and feedback from Aboriginal and Torres Strait Islander groups and organisations and other people from across the country. The bill that I table today reflects the valuable contributions and comments that I received. I am grateful for their time and the recommendations that many people put forward to improve the workability of this bill. It is clear that what may be suitable in Tasmania will not always translate well into the situations from other parts of the country, so I have made amendments to that initial exposure draft.

The majority of the changes are reflected in the area of eligibility for compensation which has been broadened out to ensure that a more meaningful degree of justice is delivered. The eligibility criteria have been extended to take into consideration:

• Those who were subject to previous government policies which removed Indigenous
children from their families. This ensures that eligibility can be extended to provide for children of those removed under previous government policies of removal to claim compensation payments to which their parent(s) would have had an entitlement;

- Those Aboriginal and Torres Strait Islander children of mixed race descent:
  - who were subject to legislation for removal from their families regardless of the process of conferring wardship or any other official status bringing about their removal from their families;
  - to apply for a compensation payment whether cared for by an Aboriginal family during that period or not;
- Children of deceased persons who were subject to previous government policies or removal of Aboriginal and Torres Strait Islander children from their families;
- The ability of the Stolen Generations Assessor to accept oral evidence in relation to the removal of Aboriginal and Torres Strait Islander children; and
- The surviving children of those Aboriginal and Torres Strait Islander people removed from their families under previous government policies.

While I acknowledge that money can never fully compensate for such a wrong, it is nevertheless a mechanism for some reparation and recognition of the harm done to the individual person.

Feedback I received also drew attention to other aspects of the Bringing Them Home report, and included proposals for the establishment of healing centres and services of assistance for people in receipt of compensation as a result of removal from their families. In addition to this, the establishment of a Funeral Trust Fund to provide funeral services for the deceased and to assist families with this expense are reflected in this bill.

It is important that we as a nation recognise the significant loss in relation to cultural knowledge, relationship to land, inability to claim land, loss of enjoyment of family life, and impairment to access of economic opportunities that our First People have been subjected to. This loss experienced by Aboriginal and Torres Strait Islander children fundamentally harmed not only their life chances, but also life chances of their children and grandchildren.

It is important that we allow for a new generation to be part of the healing process in order to move into the future. Governments must show leadership on this issue and the Democrats recommend that the federal government also support the following initiatives as a positive step towards this process:

- Making funding available for initiatives such as convening a conference to provide the opportunity to those removed from their families to determine future policy in relation to the support required to address the effects of separation from their families for themselves and their children;
- The implementation and promotion of historical information about the Stolen Generations and the effects of previous government policies which removed Aboriginal and Torres Strait Islander children from their families in schools and public institutions to the benefit of a national identity in the spirit of true reconciliation;
- Implement a bill of rights established which includes a guarantee of protection and safe custody for Aboriginal and Torres Strait Islander children. This would provide for the cultural and spiritual obligations to be enshrined within the legal framework of national and state legislation to ensure that wrongful removal of Aboriginal and Torres Strait Islander children from their families does not occur again.

This Bill is intended to assist in rebuilding momentum towards addressing major areas of unfinished business, including but not limited to the many unimplemented recommendations of the Bringing Them Home report. It should be emphasised that there has been a general failure of governments at state level as well as federal to address these issues. The time for action on these areas is long overdue, and must occur before we can genuinely move forward and reach our full potential as a nation.
Whilst I have taken heed of public feedback to amend the initial exposure draft of the legislation, I am open to further suggestions about how to further improve this bill by way of more amendments.

I commend this bill to the Senate and urge the new federal government to embrace the historic opportunity and to take that extra step towards righting the wrongs of the past in the true spirit of reconciliation.

Senator BARTLETT—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

CLIMATE CHANGE
Senator MILNE (Tasmania) (10.17 am)—I move:

That the Senate—

(a) notes that at the United Nations Framework Convention on Climate Change (UNFCCC) meeting in Bali, Indonesia in December 2007, an action plan was agreed to, which, inter alia, resolved to:

(i) urgently enhance implementation of the United Nations Convention on Climate Change,

(ii) respond to the findings of the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, that delay in reducing emissions significantly constrains opportunities to achieve lower stabilisation levels and increases the risk of more severe climate change impacts, and

(iii) adopt a decision at the UNFCCC meeting in 2009 on the sustained implementation of the convention, through long-term cooperative action after the end of the Kyoto Protocol in 2012;

(b) agrees that it is in the interest of current and future Australians that the Bali Action Plan succeed in producing an international agreement which minimises the risk of dangerous interference with the climate; and

(c) calls on the Government to contribute in good faith to a timely successful implementation of the Bali Action Plan.

Question agreed to.

CLIMATE CHANGE
Senator MILNE (Tasmania) (10.17 am)—I move:

That the Senate—

(a) notes that:

(i) in December 2007, the Prime Minister, Mr Rudd, said that the government believe that ‘climate change represents one of the greatest moral, economic and environmental challenges of our age’,

(ii) on 6 February 2008, the Minister for Finance and Deregulation, Mr Tanner, announced funding cuts to climate-related programs, including $3 million from the Commonwealth Scientific and Industrial Research Organisation’s Research Vessel Southern Surveyor, $6 million from the Biodiversity Hotspots program and $42 million from the Renewable Remote Power Generation program, and

(iii) in 2007, the Institute for Sustainable Futures at the University of Technology in Sydney calculated that perverse subsidies supporting fossil fuel industries amounted to between $6.4 billion and $7.2 billion in the 2005-06 financial year; and

(b) calls on the Government to phase out perverse subsidies to the fossil fuel industry and to reverse its decision to cut funding to research into climate change science and renewable energy programs.

Question put.
The Senate divided. [10.22 am]

(The President—Senator the Hon. Alan Ferguson)

Ayes...........  8
Noes...........  52
Majority........  44

AYES
Allison, L.F.  Bartlett, A.J.J.
Brown, B.J.  Milne, C.
Murray, A.J.M.  Nettle, K.
Siewert, R. *  Stott Despoja, N.

NOES
Adams, J.  Bernardi, C.
Birmingham, S.  Bishop, T.M.
Boswell, R.L.D.  Boyce, S.
Brandis, G.H.  Chapman, H.G.P.
Campbell, G.  Conroy, S.M.
Cormann, M.H.P.  Crossin, P.M.
Eggleston, A.  Ellison, C.M.
Ferguson, A.B.  Fielding, S.
Fierravanti-Wells, C.  Fifield, M.P.
Fisher, M.I.  Forshaw, M.G.
Hogg, J.J.  Humphries, G.
Hurley, A.  Kemp, C.R.
Kirk, L.  Ludwig, J.W.
Lundy, K.A.  Macdonald, I.
Macdonald, J.A.L.  Marshall, G.
Mason, B.J.  McEwen, A.
McCauran, J.J.  McLucas, J.E.
Minchin, N.H.  Moore, C.
Nash, F.  O’Brien, K.W.K. *
Parry, S.  Patterson, K.C.
Payne, M.A.  Ray, R.F.
Ronaldson, M.  Scullion, N.G.
Stephens, U.  Troeth, J.M.
Trood, R.B.  Watson, J.O.W.
Webber, R.  Wortley, D.

* denotes teller

Question negatived.

RENEWABLE ENERGY LEGISLATION AMENDMENT (RENEWABLE POWER PERCENTAGE) BILL 2008

First Reading

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.26 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the Renewable Energy (Electricity) Regulations 2001 to set renewable power percentages for the period commencing 1 January 2008 and ending 31 December 2020.

Question agreed to.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.26 am)—I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.27 am)—I move:

That this bill be now read a second time.

I seek leave to table the explanatory memorandum and have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The purpose of this bill is to amend the Renewable Energy (Electricity) Regulations 2001 and specifically to expand the interim targets from 2008. The expanded targets are in line with the Government’s election policy. However the administrative process and timeframe announced in December 2007 means that the targets will not be expanded until 2010, resulting in the renewable energy industry stalling and the capacity and continuity of the renewable energy industry are at risk.

Expanding the Mandatory Renewable Energy Target (MRET) from 2008 will create certainty
and a stable investment environment for the ongoing development of renewable energy industry.

An Emissions Trading Scheme (ETS) alone will neither deliver the level of emissions cuts that Australia has committed to nor support renewable energy industry development. It is essential that additional and complementary policies are progressed. In order to deliver the least cost path to emission reduction from the energy sector, a combination of aggressive energy efficiency, a transition and higher contribution from renewable energy and strategic use of fossil fuels are required. Therefore MRET is key and critical policy.

Since 2001, MRET has been the main driver of renewable energy investment in Australia, requiring electricity retailers and other large buyers of electricity to collectively source an additional 9,500 gigawatt hours (GWh) of electricity from renewable sources by 2010.

With the ALP winning the 2007 election the Renewable Energy industry has an expectation that there will be a significant expansion of MRET. The ALP election policy stated that at least 20% of electricity is to be generated from renewable sources by 2020. Based on current electricity demand projections this is equivalent to 60,000 GWh. The assumption is that 5% of renewable energy was pre-existing to the MRET scheme and therefore to meet the 20% proportion an MRET target of 15% in 2020 or 45,000 GWh is required.

ALP’s election policy included a number of key qualifications. These included bringing the Victorian and New South Wales state schemes into a single national scheme and only renewable energy will count towards the target with eligibility criteria to remain the same as MRET.

The Howard Government’s 2004 decision to cap MRET, in response to the Tambling Review, has stalled investment and growth of renewable energy generation in Australia. As a consequence the MRET market is limited to those projects currently operating.

In the Council of Australian Governments’ Meeting on 20 December 2007 it was agreed that a plan for achieving the national expanded MRET would be developed by 2009. With an interim report to be submitted to COAG by September 2008 together with final MRET design and proposals for a streamlined set of complementary policies across jurisdictions. The implication of this statement is that an extended target would not be amended until 2009 and with a 2010 expanded target for which the electricity retailers must comply by 14 February 2011.

Without an expansion in the target there is an insufficient investment driver to maintain an ongoing and sustainable renewable energy industry. A stop-start investment environment has the affect of stalling the renewable energy industry and the ongoing industry viability with flow on affects of regional development, employment and skills.

Recent International Energy Agency research shows that stable policies are necessary to ensure the investment certainty needed to support this industry development.

The renewable energy industry advises that new projects of around 800 to 900 MW per annum are required to support the development of a sustainable manufacturing industry in renewable energy.

The direct investment in Australian-based manufacturers and service companies will be more than $1 billion, with flow-on stimulus of more than $2 billion throughout the economy. More than 3,300 jobs will be created in the construction of these projects with flow-on jobs of 7,500 due to expenditure associated with these 3,300 jobs, providing a total employment stimulus of over 10,000 jobs. (BCSE, 2004).

A University of New South Wales study demonstrated there are more jobs per installed capacity unit by investment in renewable electricity projects than for conventional power plants – up to 6.6 times greater on average. In addition, over 80 per cent of these jobs and investment are in regional areas.

Since commencing operation in 2001, MRET has been so successful, that the renewable energy industry cost effectively met the 2010 target 4 years early. The MRET scheme has been fully subscribed since 2006 and has overshot the original 2008 target by an estimated 7,000 GWh.

This Bill proposes the 2008 interim target be increased to 7,300 GWh which is equivalent to a 3.22% Renewable Energy Power Percentage. Given the current surplus generation, only an
additional 300 GWh would need to be generated in the 2008 calendar year. This is well within the capacity of the renewable energy industry to deliver.

It is estimated that there are more than 1,500 MW, with a value of around $1.5 billion of renewable generation projects having received planning approval or at advanced development stage. Without adopting the MRET targets outlined in this bill these projects will be delayed.

Failure to expand the target from 2008 would not only result in economic and employment loss, it will also result in increased greenhouse emissions.

Total electricity consumption in Australia is estimated to grow almost 35% from 2008 to 2020 under a business as usual scenario – that is assuming current policies and market conditions. Demand is growing over 6,000 GWh per annum and will grow to over 300,000 GWh and require an additional 75,000 GWh electricity generation by 2020.

Without expanding MRET from 2008, increased energy demand will be met from fossil fuel generated electricity (coal or gas) and at the expense of renewable energy projects.

Without the 2008 expansion, greenhouse emissions from electricity generation sector will increase to over 60 million tonnes by 2010 and further entrenching and increasing Australia’s greenhouse position. It will certainly mean that Australia will fail to meet our Kyoto target by 2012.

Following the proposed targets contained in this bill will deliver additional greenhouse emissions abatement of 30 million tonnes above business as usual by 2010.

Any economic analysis recognises the avoided greenhouse emissions have a significant economic value. The Kyoto Protocol, which binds participating countries including Australia to emissions limits, has led to the creation of an international carbon market. The European emissions trading market is valuing one tonne of carbon dioxide (the primary greenhouse gas) for delivery in 2008, between $30 to $50 per tonne.

Therefore by bringing the target forward to 2008 would avoid over 30 million tonnes of greenhouse emissions annually with a market value of over $1,200 million per annum (based on an average price of $40 per tonne).

Renewable energy technology costs are reducing as installed capacity increases globally. Already Australian developed technologies are being built under licence in China to supply the demand created by the Chinese renewable energy target. Global cost curves for wind show that installed costs drop 6 per cent with every doubling in capacity. Similarly, cost curves for solar photovoltaic modules show a drop of 5% with each doubling of capacity while global installations are growing at over 30% per annum.

Australia is well positioned to support an export market to New Zealand and South East Asia. In particular, opportunities in the Asia-Pacific regions are emerging as a result of the Clean Development Mechanism of the Kyoto Protocol.

Additional demand through the MRET scheme by expanding the MRET target from 2008 will result in a robust local market and will see cost reductions, economies of scale, expansion of local manufacturing and service provision. Australia will be better positioned to build on export opportunities and participate in the global technology supply chain.

In order to maintain investment momentum for the renewable energy industry the bill proposes the interim targets are brought forward and expanded from 2008.

Senator ALLISON—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SOLAR ENERGY TECHNOLOGY

Senator ALLISON (Victoria—Leader of the Australian Democrats) (10.27 am)—I move:

That the Senate—

(a) notes that:

(i) in December 2007 Ausra Inc. announced that it will build a manufacturing plant in Nevada for solar thermal power systems,

(ii) Ausra’s innovations in mirror systems have brought the price of solar power
down to the level of gas-fired power and is expected soon to be price competitive with coal-fired power, and
(iii) the plant will produce 700 MW a year in solar thermal power systems for the American Southwest;

(b) congratulates the founder of Ausra, world-renowned, Dr David Mills, for this development and for his longstanding solar technology innovation at the University of Sydney, including:
(i) the evacuated tube solar water heater technology that is now in use in 60 per cent of these units worldwide,
(ii) the Compact Linear Fresnel Reflector for use in solar thermal energy,
(iii) photovoltaic systems, and
(iv) a solar steriliser design which won a World Health Organization award in 2002;

(c) regrets that the economic benefits of this important innovation in renewable, clean, base load power have been lost to Australia; and

(d) urges the Government to:
(i) recognise that Australia, like Nevada and California, has excellent sources of solar energy from which to generate solar thermal base load power, and
(ii) provide the necessary incentives for the technology to also be established in Australia.

Question put.
The Senate divided. [10.32 am]
(The President—Senator the Hon. Alan Ferguson)

AYES
Allison, L.F.
Brown, B.J.
Milne, C.
Nettle, K.
Stott Despoja, N.

NOES
Adams, J.
Bernardi, C.
Bishop, T.M.
Boyce, S.
Brown, C.L.
Chapman, H.G.P.
Conroy, S.M.
Crossin, P.M.
Ellison, C.M.
Fierravanti-Wells, C.
Fisher, M.J.
Heffernan, W.
Humphries, G.
Kemp, C.R.
Ludwig, J.W.
Macdonald, I.
Marshall, G.
McEwen, A.
McLucas, J.E.
Moore, C.
O’Brien, K.W.K.
Patterson, K.C.
Ray, R.F.
Scullion, N.G.
Troeth, J.M.
Watson, J.O.W.

AYES
Bartlett, A.J.J. *
Fielding, S.
Murray, A.J.M.
Siewert, R.

* denotes teller

MYANMAR

Senator STOTT DESPOJA (South Australia) (10.35 am)—I move:
That the Senate—
(a) notes that:
(i) the military junta in control of Myanmar, the State Peace and Development Council, has announced its intention to hold a constitutional referendum in May 2008, in advance of national elections by 2010,
(ii) the drafting of guidelines for the new constitution has not involved represen-
tatives of the National League for Democracy (NLD) or minority ethnic groups and comes at a time when many pro-democracy activists are in prison, and

(iii) a clause in the draft constitutional guidelines guarantees the military 25 per cent of the seats in the country’s parliament;

(b) expresses concern that this process will merely entrench military rule under the guise of democracy;

(c) welcomes the Australian Government’s long-term advocacy for pro-democracy and ethnic minority groups in Myanmar; and

(d) urges the Government to:

(i) consider additional measures to pressure the military junta to adopt democratic reforms, and

(ii) lobby India, China and the Association of Southeast Asian Nations to:

(A) call for the release of NLD leader Daw Aung San Suu Kyi and other political prisoners, and

(B) acknowledge the ‘roadmap to democracy’ as deeply flawed and pressure the junta to adopt a dialogue with pro-democracy and ethnic minority representatives for a genuinely inclusive constitutional drafting process.

Question agreed to.

WHALING

Senator SIEWERT (Western Australia) (10.36 am)—I move:

That the Senate—

(a) notes the evidence provided to the Government by its ship, the *Oceanic Viking*, of whales being slaughtered in Australia’s Antarctic Territorial waters;

(b) expresses deep concern at the continued killing of these whales in Australian waters; and

(c) urges the Government to take immediate action to ensure an end to the slaughter of the whale population, including through the commencement of legal action.

Question agreed to.

MARRIAGE (RELATIONSHIPS EQUALITY) AMENDMENT BILL 2008

First Reading

Senator NETTLE (New South Wales) (10.36 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the Marriage Act 1961 to create marriage equality for all relationships regardless of sexual orientation or gender identity, and for related purposes.

Question agreed to.

Senator NETTLE (New South Wales) (10.36 am)—I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator NETTLE (New South Wales) (10.37 am)—I move:

That this bill be now read a second time.

I table the explanatory memorandum and seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

*The speech read as follows—*

The Marriage (Relationships Equality) Amendment Bill 2008 aims to remove from the Marriage Act 1961 discrimination on the basis of sexual orientation and gender identity.

The bill reverses the Marriage Amendment Act 2004 which discriminates on the basis of sexual orientation and gender identity by preventing marriage of same-sex couples, and excluding recognition of same-sex marriages entered into under the laws of another country.

The Australian Greens believe that discrimination such as that espoused by the Marriage Amend-
ment Act 2004 must be overturned because freedom of sexual orientation and gender identity are fundamental human rights, and that acceptance and celebration of diversity are essential for genuine social justice and equality.

The Marriage (Relationships Equality) Amendment Bill 2008 changes the definition of marriage in the Marriage Act 1961. It removes the use of gender specific terms such as ‘man and woman’ and substitutes:

“marriage means the union of two persons, regardless of their sexual orientation or gender identity, voluntarily entered into for life.”

Similarly the bill substitutes references in the Marriage Act 1961 to the gender specific ‘wife’ (or husband) and ‘man and woman’ with the neutral terms of ‘spouse’, or ‘two people’. The Bill also repeals s88EA of the Marriage Act 1961 which specifically excludes recognition of same-sex unions as marriages in Australia.

The principle of full relationships equality is highly valued by the Australian Greens. All Australians should immediately gain the legal right to marry, to publicly proclaim and celebrate their love and commitment, and ensure full legal and social recognition of their relationship.

For many years now and especially since the time of the Marriage Amendment Bill 2004 Greens offices across the country have received continual emails, letters and phone calls from people who are angry about this issue.

We received one from a mother in New South Wales who wrote:

As the mother of a gay son, I am finally doing something that I should have done a long, long time ago. That is to speak up on behalf of my son and his partner and all gay people regarding their basic human rights and their human dignity … To everyone who wants to deny gay people their basic human rights and dignity— to these people I offer this challenge. Have the compassion and the humanity to sit quietly for a while and search your own heart and soul to see how you would feel if you, yes you, had been unfortunate (or perhaps fortunate) enough to be born as one of those ‘different’ people and try to truly understand how it would feel to have to face the obstacles that society will undoubtedly impose upon you … Why deny the status of legal and accepted marriage relationship to gay and lesbian couples who are just as worthy of this same happiness as heterosexuals? Their love for each other is real, just as real as the love between a heterosexual couple and some of them may feel the need for a marriage union, as do many heterosexual couples.

Another email, from a couple in South Australia, said:

We are a same-sex couple and have been in a relationship since January 1995. On the 24th of February 1996 we had a commitment ceremony in front of all our friends, I wore the white fairy-tale wedding dress that I had always dreamt of, and after we celebrated with our friends with dinner and honey moon. Sounds relatively common doesn’t it? But apparently our situation seems to embroil some politicians to the point of making a public point that we as a couple do not deserve the respect and right to celebrate and confirm our relationship in the eyes of the law. We cannot understand why, as tax paying citizens, who [have] always [taken] our right to vote VERY seriously, we are being treated like second rate citizens. We contribute a great amount to our society through employment, and I volunteer not only in the Gay and Lesbian community but also in the great community by running our local playgroup, chairperson on a kindy governing council, and now a member of the local school governing council.

So why don’t we have the same rights? Isn’t it about time we get out of the ignorance of what the minority, (yes believe it or not), believe is the abomination of same sex couples and how we are going to ruin the core of our society!! Don’t you feel that if we were going to do that we would [have] done it a long time ago!!

Our point today is to let you see very briefly that we are just a regular family, bringing up children hoping for the best, renovating our home, and sharing our lives with those close to us. We live in a democratic society where equality is fought for virulently, we wish that you think about your situation and think what it would be like to be told that your relationship (as much as you believed in it and worked at it) doesn’t count. You must tick the single box on any government paperwork, you can assume that your partner will
not be automatically the person called if you have no next of kin assigned at a hospital, family will not accept your commitment ceremony papers because “the law does not agree”.

We live in a society that takes the laws of the country VERY seriously, and when something has been accepted by the government of the day we are more prone to allowing that to enter our conscience and often adapt and accept.

These are quotes from people who have had to endure years of successive governments trying to undermine the rights of lesbian, gay, bisexual, transgender and intersex people.

The report by the Human Rights and Equal Opportunity Commission Same Sex: Same Entitlements identified discrimination against same-sex couples in 58 Commonwealth laws.

The Rudd government went to the election promising to act on the recommendations of this report and for that I commend them. But we still have no timeline.

How long will we have to wait before all Australians can enjoy relationship equality? Enough excuses. Australians want full equality for all – now.

The new government went to the election promising to act and remove all discrimination against same-sex couples – but not when it comes to marriage.

The Attorney General, Robert McClelland has attacked the ACT government’s Civil Partnerships Bill on the 6th of February this year stating that “the ceremonial aspects of the ACT model were inappropriate”. In other words, same-sex couples can not celebrate their love and commitment in public, they must do it in the closet.

The Rudd government must put the homophobic Howard era behind us. Denial of relationship equality must not be used as a tool to pander to homophobic and fundamentalist interests. The new Rudd government can do this by supporting this bill and ending all discrimination against same-sex couples.

Enough excuses. Australians want full equality for all – now.

I commend this bill to the Senate.

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**Senator NETTLE**—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

**GAZA**

**Senator NETTLE** (New South Wales) (10.37 am)—I move:

That the Senate—

(a) notes the comments of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East on 29 January 2008 that the blockade of Gaza has incarcerated 1.5 million Palestinians, reduced to barely subsistence levels their supplies of food, medicine, fuel and other necessities and has generated fear, fury and distress amongst the Palestinians, through air strikes, incursions, assassinations and other military action that regularly takes civilian lives; and

(b) calls on the Australian Government to make representations to the Israeli Government to immediately lift the blockade of Gaza.

**Senator LUDWIG** (Queensland—Minister for Human Services) (10.38 am)—by leave—We oppose the motion as it stands because it is one-sided and does not recognise the complexities of the situation which has arisen as a result of the Hamas takeover of Gaza last year. We call on all sides in the conflict to make every effort to end violence affecting civilian populations in both the Palestinian territories and Israel. It is important that both sides remain focused on peace negotiations launched at Annapolis which offered the only viable hope for a peaceful and just solution to the conflict. The Australian government is seriously concerned at the humanitarian situation in Gaza. The humanitarian crisis is in no-one’s interest. Note that we have doubled our aid to the Palestinian territories to $45 million for 2008. Israel’s policies towards Gaza are a result of continued rocket attacks launched from Gaza. Australia is committed to a two-stage solution to
the Israeli-Palestinian conflict which recognises both Israel’s right to exist in peace and security and the legitimate aspirations of the Palestinian people for a state of their own.

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

The Senate divided. [10.43 am]

(The President—Senator the Hon. Alan Ferguson)

Ayes…………… 8
Noes…………… 54
Majority……… 46

AYES
Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Milne, C.
Murray, A.J.M. Nettle, K.
Siewert, R. * Stott Despoja, N.

NOES
Adams, J. Barnett, G.
Bernardi, C. Birmingham, S.
Bishop, T.M. Boswell, R.L.D.
Boyce, S. Brandis, G.H.
Brown, C.L. Campbell, G.
Chapman, H.G.P. Colbeck, R.
Conroy, S.M. Cormann, M.H.P.
Crossin, P.M. Eggleston, A.
Ellison, C.M. Ferguson, A.B.
Fielding, S. Fierravanti-Wells, C.
Fifield, M.P. Fisher, M.J.
Forshaw, M.G. Heffernan, W.
Hogg, J.J. Humphries, G.
Hurley, A. Kemp, C.R.
Kirk, L. Ludwig, J.W.
Lundy, K.A. Macdonald, I.
Macdonald, J.A.L. Marshall, G.
Mason, B.J. McEwen, A.
McGauran, J.J. McGauvon, J.J.
Minchin, N.H. McLucas, J.E.
Nash, F. O’Brien, K.W.K. *
Parry, S. Patterson, K.C.
Payne, M.A. Ray, R.F.
Ronaldson, M. Scullion, N.G.
Stephens, U. Troeth, J.M.

Question negatived.

BUSINESS

Consideration of Legislation

Senator BARTLETT (Queensland) (10.46 am)—I move:
That the Senate—
(1) That so much of standing orders be sus- pended as would prevent this resolution having effect.
(2) That the following bills be restored to the Notice Paper and that consideration of each bill resume at the stage reached in the 41st Parliament:

  Cluster Munitions (Prohibition) Bill 2006
  Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001 [2004]
  Constitution Alteration (Electors’ Initiative, Fixed Term Parliaments and Qualification of Members) 2000 [2004]
  Electoral (Greater Fairness of Electoral Processes) Amendment Bill 2007
  Electoral Amendment (Political Honesty) Bill 2003 [2004]
  Euthanasia Laws (Repeal) Bill 2004
  Genetic Privacy and Non-discrimination Bill 1998 [2004]
  Ministers of State (Post-Retirement Employment Restrictions) Bill 2002 [2004]
  National Market Driven Energy Efficiency Target Bill 2007
  Parliamentary Charter of Rights and Freedoms Bill 2001 [2005]
  Patents Amendment Bill 1996 [2004]
  Peace and Non-Violence Commission Bill 2007
  Privacy (Data Security Breach Notification) Bill 2007
COMMITTEES

Agricultural and Related Industries
Committee

State Government Financial Management
Committee

Housing Affordability in Australia
Committee

Establishment

Senator Ellison (Western Australia) (10.46 am)—After discussions with government, and on behalf of Senator Heffernan, I seek leave for motion No. 9 and motions Nos 21 and 22, standing in my name, to be dealt with together. As I understand it, formality will be denied. This is rather an unusual step but it will save the Senate’s time if we embark on this path. I seek leave to have those three deal with together so that the matter may then proceed.

Senator Ludwig (Queensland—Minister for Human Services) (10.47 am)—by leave—The government thinks that it is in the interests of time. The three motions are in fact on the same issue and can be dealt with together. We would normally deny formality and then go into a suspension to have the debate. We oppose the establishment of the select committees. In the interests of time it is far more convenient for the Senate to deal with the substantive debate now with those matters being dealt with together. It is not an unusual practice. I think the practice has been done before, although I am sure that the Clerk will correct me if I am wrong about that. But in this instance the most sensible way is to proceed into the substantive debate so we can put our view about the select committees.

Leave granted.

Senator Ellison (Western Australia) (10.48 am)—At the request of Senator Heffernan, I move:

(1) That a select committee, to be known as the Select Committee on Agricultural and Related Industries be appointed to initially inquire into and report by 16 June 2008, on the following matter:

The pricing and supply arrangements in the Australian and global chemical and fertiliser markets, the implications for Australian farmers of world chemical and fertiliser supply and pricing arrangements, monopolistic and cartel behaviour and related matters.

(2) That the committee consist of 6 senators, 2 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate, and 1 nominated by minority groups and independent senators.

(3) That the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy.
(4) That the committee elect an Opposition member as chair.

(5) That the committee elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee, and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

(6) That, in the event of an equally divided vote, the chair, or deputy chair when acting as chair, shall have a casting vote.

(7) That the quorum of the committee be 4 members.

(8) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any subcommittee any of the matters which the committee is empowered to examine.

(9) That the quorum of a subcommittee be 2 members.

(10) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and interim recommendations.

(11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(12) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

(1) That a select committee, to be known as the Select Committee on State Government Financial Management be established to inquire into and report upon:

Commonwealth and state and territory fiscal relations and state and territory government financial management, including:

(a) Commonwealth funding to the states and territories – historic, current and projected;

(b) the cash and fiscal budgetary positions of state and territory governments – historic, current and projected;

(c) the level of debt of state/territory government businesses and utilities – historic, current and projected;

(d) the level of borrowing by state/territory governments – historic, current and projected;

(e) an examination of state/territory net government debt and its projected level – historic, current and projected;

(f) the reasons for any government debt including an analysis of the level and efficiency of revenue and spending;

(g) the level of investment in infrastructure and state-owned utilities by state and territory governments;

(h) the effect of dividends paid by state-owned utilities on their ability to invest;

(i) present and future ownership structures of current and former state-owned utilities and the impact of ownership on investment capacity; and

(j) the effect of investment by state-owned utilities on Australia’s capacity constraints.

(2) That the committee present its final report on or before 16 June 2008.

(3) That the committee consist of 6 senators, as follows:

(a) 2 to be nominated by the Leader of the Government in the Senate;

(b) 3 to be nominated by the Leader of the Opposition in the Senate; and

(c) 1 to be nominated by minority groups or independents.
(4) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.

(5) That the committee elect as chair one of the members nominated by the Leader of the Opposition in the Senate.

(6) That the quorum of the committee be 3 members.

(7) That the chair of the committee may, from time to time, appoint another member of the committee to be the deputy chair of the committee, and that the member so appointed act as chair of the committee at any time when there is no chair or the chair is not present, at a meeting of the committee.

(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider, and that the quorum of a subcommittee be 2 members.

(10) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken and such interim recommendations as it may deem fit.

(11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(12) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

(1) That a select committee, to be known as the Select Committee on Housing Affordability in Australia be established to inquire into and report upon:

The barriers to home ownership in Australia, including:

(a) the taxes and levies imposed by state and territory governments;
(b) the rate of release of new land by state and territory governments;
(c) proposed assistance for first home owners by state, territory and the Commonwealth governments and their effectiveness in the absence of increased supply;
(d) the role of all levels of government in facilitating affordable home ownership;
(e) the effect on the market of government intervention in the housing sector including planning and industrial relations laws;
(f) the role of financial institutions in home lending; and
(g) the contribution of home ownership to retirement incomes.

(2) That the committee present its final report on or before 16 June 2008.

(3) That the committee consist of 6 senators, as follows:

(a) 2 to be nominated by the Leader of the Government in the Senate;
(b) 3 to be nominated by the Leader of the Opposition in the Senate; and
(c) 1 to be nominated by minority groups or independents.

(4) That the committee may proceed to the dispatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.
(5) That the committee elect as chair one of the members nominated by the Leader of the Opposition in the Senate.

(6) That the quorum of the committee be 3 members.

(7) That the chair of the committee may, from time to time, appoint another member of the committee to be the deputy chair of the committee, and that the member so appointed act as chair of the committee at any time when there is no chair or the chair is not present, at a meeting of the committee.

(8) That, in the event of an equality of voting, the chair, or the deputy chair when acting as chair, have a casting vote.

(9) That the committee have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider, and that the quorum of a subcommittee be 2 members.

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(11) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

(12) That the committee be empowered to print from day to day such papers and evidence as may be ordered by it, and a daily Hansard be published of such proceedings as take place in public.

I am obliged to the Senate. These motions cover a range of very important issues in Australia today. We are dealing with issues which affect regional Australia with the cost of fertiliser and associated agricultural products. That is something which might not be keenly felt in the city, but it is keenly felt in regional Australia. Similarly, we have the select committee on housing affordability. Housing affordability was a huge issue in the recent election and one which continues to be a matter of great concern to many Australians. It is no secret that the price of housing in this country has risen and that there is a lack of availability of housing for average Australians. It is essential, therefore, that we have a select committee to deal with this issue rather than simply referring it to a legislative standing committee, which would otherwise be the case. In fact, as for the fertiliser referral that I have mentioned, the Senate standing legislation committees have a great deal of work and, these being substantial issues, it would certainly burden those committees and reduce their ability to give adequate scrutiny to legislation brought into this chamber.

The third select committee deals with state government financial management. This is an extremely important issue for the economy of this country. We have state governments around this country racking up debt and affecting this nation’s economy. No matter what good policies there may be at a federal level, we have state governments which are running up debt and mismanaging their finances to such an extent that this requires particular scrutiny from this chamber.

Select committees are set up by the Senate from time to time to deal with issues of the day and, especially since we have reduced the number of Senate committees—we have done away with reference committees—it is important that those legislative standing committees be given the time and resources to deal with legislation which is brought in. It is also important that we have available select committees to deal with other impor-
tangible issues. If people oppose the establishment of these select committees, they are also opposing the very fact that these are very important issues. They will not get the adequate scrutiny from a legislative standing committee because of the other tasks that those committees have. It is normal for us to have select committees in the Senate. On average we have had up to four——

Senator Robert Ray—How many did you have the last time? Have many did you have?

Senator Ellison—Senator Ray has asked how many. Through you, Mr Acting Deputy President, I ask Senator Ray how many he sought to set up. We have had select committees in the past and I remember being a member on one of them. I remember the one on media ownership—it was 12 years ago, I think—which shone a light on a very important issue. But that was 12 years ago. Today we are talking about housing affordability, which affects average Australians. We are also talking about the mismanagement of state government finances, which affects the economy of this country, and we are talking about agricultural and related industries, such as fertiliser, and the cost therein to our farmers. People in this chamber might not feel this impact, but out there in regional Australia it is being sorely felt. We have to give these issues just attention and that can be done via a Senate select committee.

The make-up of these committees is in accordance with general practice—that is, we would have three opposition senators, two government senators and one from the minor parties, and an opposition senator as the chair. That is in accordance with practice and with convention. There is nothing untoward in that.

This is an important exercising of the role of the Senate to scrutinise such issues. I note that during the last election campaign the government made much of this and tried to capitalise on the fact that the previous government was ‘abusing’ the Senate process and not providing sufficient scrutiny, and here they are today saying that they do not want Senate select committees looking into such things as housing affordability, which is of such importance to average Australians. I appreciate the government might not acknowledge the importance of these issues, but out there in the community they are regarded as important. The financial status of the state governments around this country is of vital importance to those people who have to pay higher taxes via stamp duty and other associated costs. Average working Australians feel that impost acutely. In regional Australia, they want this inquiry into agricultural and related industries.

I commend to the Senate the setting up of these select committees and the particular issues that will be subject to scrutiny. They are vital to Australia and we should get on with the business of what the Senate is supposed to be doing—that is, providing scrutiny and attention to those things in the community that average Australians regard as important.

I have circulated proposed amendments to general business motion No. 21, dealing with state government financial management, and to motion No. 22, dealing with housing affordability. I seek leave to move those amendments.

Leave granted.

Senator Ellison—I move:

After paragraph (3), insert:

(3A) (a) On the nominations of the Leader of the Government in the Senate, the Leader of the Opposition in the Senate and minority groups and independent senators, participating members may be appointed to the committee.
(b) Participating members may participate in hearings of evidence and deliberations of the committee, and have all the rights of members of the committee, but may not vote on any questions before the committee.

(c) A participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.

This is a matter of procedure and the make-up of the committee and accommodates the minority groups and Independent senators in this chamber. I understand that Senator Fielding was keen that this be included. We are very keen to accommodate Senator Fielding’s request.

Senator ROBERT RAY (Victoria) (10.56 am)—How amusing is it to hear Senator Ellison talk about the need for scrutiny by the Senate when he comes off a track record of three years—when the opposition had the numbers in this place—of always avoiding scrutiny. A classic example was seen yesterday during question time when the opposition got six questions and the government got three. That is not a privilege they extended to us the moment they got the numbers in this chamber; it is the one they took back for themselves.

I happen to agree, by the way, with the breakdown of questions in this place, not on the basis of proportionality or on where the power lies in this place but on the basis of the necessity for scrutiny. Of course the opposition should get the first question and every alternate one, but that is not something they ceded to the Labor Party when it was in opposition. They always mistreated the Labor Party in opposition and the minor parties when it came to scrutiny. If Senator Ellison is so keen on scrutiny, why did we not have any returns to order acceded to when they were in government and had the numbers in this chamber? It did not matter which document Labor Party or minority senators requested, it was refused without proper reason. They come in here and talk about scrutiny. Yes, they want to scrutinise when it was they who avoided it at every possible opportunity in the past. What double standards and hypocrisy. It will not be the road back to government for those in opposition now to simply change all their views and principles because they have just walked to the other side of the chamber. It does not gel.

I want to go through a little of the history of select committees. Senator Ellison today outlined a case for three inquiries. I am not going to challenge him on the substantive nature of those inquiries. What I am going to challenge him on is who does the inquiries. When they were last in opposition, in 1995, they had seven select committees going in this chamber, in spite of all the other committees. Every time some narrow pressure group came along, they would not answer them or give them a policy alternative. They said, ‘We'll set up a select committee to look at that,’ so that they did not actually have to respond.

To have seven committees was putting an enormous financial burden on Senate finances. We must have been mugs after the election—and we lost—because we sat down with the government and discussed a rational outcome for select committees. We agreed on having a maximum of four select committees at any one time. Indeed, that is the deal the Senate Standing Committee on Appropriations and Staffing and President Reid struck with Finance, and that is what the current Senate is funded for for select committees. Yet, from 1996 through to 2005, before the Liberal Party and the National Party got a majority in this place, we averaged two right throughout that period. We were not just setting up select committees out of political cowardice; we set up rational ones. As a re-
sult, Senate finances have prospered ever since.

But let us have a look at the last parliament. How many select committees did we have? In the last parliament we had one. Every time we put up a proposal for a select committee it got smashed by the government majority of the time. That is what happened. And here we are two days into the sitting and, all on the one day, the coalition are demanding that three committees be set up. Every one of those inquiries could be done by one of the legislative committees. Remember: this is a mob that collapsed all the committees into eight, saying, ‘We don’t need 16 committees; we need eight.’ ‘This is an economic rationalistic proposal,’ they told us. This was not about them jumping and grabbing every chair and every payment for every chair, we were told, this was a matter of principle. Yet, two days into this sitting, all those principles have gone out the window, and here they are setting up three more committees. As I said, we had only one select committee in the last parliament for over three years; we are now getting three after two days here. The duplication is obvious. I have no dispute with the subject matter that Senator Heffernan and his colleagues want to look into in terms of agriculture. Of course an existing committee can do it, and of course an existing committee can look into housing affordability or into state finances and the way they operate there. This is just a way of creating jobs for people.

Just look at the way the committees are so balanced. The coalition get three members on it and the chair and the casting vote. You might as well not have anyone else—they basically grab the lot—and all three are exactly the same. At least back in the 1990s when we set up a select committee the chairs and membership rotated around, but not in this case—everyone is exactly the same. Each one has a special clause in it, and that is clause (11), which talks about staffing et cetera and that it will be empowered to appoint persons with specialist knowledge for the purpose of the committee, with the approval of the President. That is not an unusual clause, but essentially we will be keeping a very close eye on this particular one. You are not going to use this as another way of supplementing opposition staff. If you do appoint experts, let them do their job and not just supplement Liberal senators and shadow ministers in this chamber. I am sure the President will make sure that that is not the case.

Partly this is about snouts in the trough. Partly this is about giving some opposition members committee chairmanships, just as it was three years ago when you reorganised all the committees and grabbed control for yourselves. I know the full history of this; I was involved in the 1994 negotiations, when after years of frustration in opposition you said that the committees should be shared amongst the whole of the Senate—and so it was done. But the moment you got the numbers, your attitude was, ‘No more shares here; we’ll take the lot back,’ and a whole range of arguments were invented at the time that this was economically more rational and that it concentrated the efforts on these committees. But possibly the mistake you made here was to entrench these matters in standing orders. So then you lost the election, you front up here and—oops—you do not have any more chairs of committees. We even read in the newspapers that the Leader of the Liberal Party, Dr Nelson, has bottled up the great prizes of deputy chairs of committees and is doling them out as some sort of patronage, which borders on the pathetic. It is absolutely pathetic for someone like Dr Nelson, who was once in government with all the patronage they then had, to be reduced down to doling out deputy chairs of committees as a way of shoring up his shaky leader-
ship. Why not let the Liberal Party party room determine who its deputy chairs will be. By the way, who will determine these three chairs? Will it be the Senate party room or will it be Dr Nelson? Will it be another three positions of patronage for Dr Nelson to hand out? What the opposition are doing here today is quintessential hypocrisy at its worst.

There is a case over time for select committees—we would not have left them in standing orders if there were not—but they do pre-date this current committee system and so the necessity for select committees is far less today than it once was. But it is absolute greed to shove them up on the first day. It is duplication and a waste of resources, and I think this is just the thin end of the wedge. You are going to see more select committees set up over the next year. You shake your head, but are you going to guarantee there are not going to be more set up in the next few weeks or few months? By the way, Senator Heffernan, if you are to chair one of these, why don’t you actually apply yourself and chair it. Don’t get up and wander around the room, intimidating people; actually apply yourself for once in your life. I know that life is less relevant now—and your mentor, the former member for Bennelong, has gone—but see if you can retrieve your career through this and actually do something positive for once in your life, instead of going around the building and smearing everyone you can find. Surprise me and prove me wrong. Make this select committee, when you get control of it, a decent, honourable committee. That is your challenge; we will see if you are up to the mark. I am not going to bet my life savings on it, though, I have to tell you, Mr Acting Deputy President.

In summary, the move to set up three select committees in one day reflects the opposition’s desire to capture three chairs—to put their snouts in the trough. It is nothing more than that; that is what it is about. Any one of these inquiries could have been done by a current standing committee. I remind you that, when you controlled the government benches and the numbers, there was only one select committee in three years, and there were no returns to order and no scrutiny. Every matter that we wanted referred to a committee was knocked off. There were unrealistic timetables for reporting. So by all means come out and say you have got the numbers and you will do what you like. I will accept that, but as for the hypocrisy of Senator Ellison and everyone else saying, ‘This is a matter of Senate scrutiny’: nonsense it is! Nonsense it is a matter of Senate scrutiny. It is a ruthless exercise in the numbers to line your own pockets.

Senator BARTLETT (Queensland) (11.08 am)—As I have said once already this morning, it is a competition for hypocrisy. We have certainly got a lot of it here with regard to this motion before us, as Senator Ray, as always backed by his knowledge of history, has pointed out. I am not going to join in that: having railed against the lack of scrutiny of the previous government and their using their numbers to prevent it, I am not then going to vote against an opportunity to put scrutiny on the new government. Nonetheless, it is impossible not to make the point, as Senator Ray did, that over the last 2½ years, since the coalition had control of the Senate, not a single select committee was established. The last one was the Senate Select Committee on Mental Health—which, I might say, did an extremely good, non-partisan job—set up in March 2005 before the coalition got full control of the Senate. As I said, it did a good job, which makes it all the more inexcusable that there was no support provided for any attempts to set up select committees after that.
Of course, there were not a lot of motions put forward to establish select committees, so in that sense I suppose the coalition might try the furphy that there was only a few actually proposed: ‘You didn’t try.’ But the reason why people did not try is that they knew it would not succeed. We could not even get references up to the existing standing committees half the time, let alone set up select committees. It is worth looking at the history of this.

I would genuinely urge all senators here to look at the history of this. One of the issues that I think is very real, and that will become more real after July, is that in July we will have about 14 new senators coming in. We had 16 new senators coming in after the last election, so there are 16 people here already who know nothing other than the coalition having control of the Senate. We will have another 14 coming in. That is nearly half the Senate who will have no recollection and no corporate memory of the long history and tradition behind the Senate committee processes and why it often works so well.

I would recommend people look at the history. Senator Ray has touched on it a bit. It is outlined in Odgers in great detail. If you look at appendix 9 of Odgers, it lists all of the Senate select committees that have been set up since 1984—including, for example, one into agricultural and veterinary chemicals, which has some overlap with the one Senator Heffernan is trying to put forward now. Perhaps more relevantly to the point before us, appendix 8 of Odgers lists the number of select committees that were in place in the Senate each year since, I think, 1977. Perhaps it is not surprising but it is nonetheless interesting to read that the last time there were zero select committees in existence was back in the 1970s, which just happened to be when the coalition had control of the Senate and prevented any select committees being set up then. It was not until 1980, with the arrival of the Democrats and balance of power role, that select committees started to be established again.

Since that time we have had the standing committees put in place. They were permanent standing committees that looked at policy issues and often carried and examined the sort of references that are before us today and that are proposed for these select committees. Even at that time, as Senator Ray pointed out, select committees continued to operate. If you look through that list, in 1984, for example, which was the first full year of the new Labor government, six select committees were in place, although not all of them at the one time. The next year there were six. The next year there were four. The next year there were five, then five, then four, then four, then five, then six, then five, and then six until in the final year of the Labor government in 1995, as Senator Ray pointed out, there were nine separate select committees put in place. As Senator Ray also pointed out, that then reduced in most years to no more than four—again, not all at the one time. As he said, there were an average of two. It went up to six in 2004 and dropping down again in 2005, until we hit the end of 2005 when the coalition got control of the Senate and it went to zero.

It simply cannot pass without us emphasising the extraordinary gall here. I know you need a fair bit of gall in this place, and perhaps I have never had enough and that is part of my problem. It shows an overpowering level of gall to be able to come in on the first day, after not allowing any select committees for three years, and then try and make an argument based on principle that we need to have three, particularly at a time when most of the standing committees have nothing before them. So you would be giving them something to do. I am not saying they are not all about to work on putting in place
references, and I am sure they will get busy fairly soon. But you cannot even use the normal argument that the existing standing committees are all too busy, because they are not.

Having said that, I am not opposing the arguments that have been put forward for the specific inquiries here. As a person who, probably more than anyone else in this chamber, has argued repeatedly over many years for the need for a much greater focus to be put on the crisis in housing affordability, I would be hypocritical myself to then argue against setting up a committee precisely to focus on that. So I actually welcome that one in particular, because of my own personal longstanding interest in it. I have had less interest in fertiliser, I must say, but I am sure there is an argument there—I am not trying to belittle that. As I have repeatedly said in this place, in past years, it has been a real problem that there has not been adequate opportunity for the Senate to really put the heat on the government of the day.

So I welcome the fact that the new government will have scrutiny put on it from day one. It is still an open question of how the Senate committees will perform now that they have Labor government chairs and a Labor government majority, and that is not casting any aspersions on chairs. As an example of their dedication to the cause, I see that we have two new Senate committee chairs in the chamber here. I congratulate them both on their appointments. I think the fact that you are here listening to this debate shows how committed you are to an effective committee process, so I am sure you will both do well in that role. But the jury is still out on how the new government will use its numbers on the Senate standing committees. Will they use them fairly and reasonably or will they use them for partisan political purposes? I am still reasonably hopeful in that regard. To some extent I am sure it will come down to the individual chairs.

But there is no reason for the Senate not to immediately put the pressure on the new government and apply scrutiny, including by setting up select committees not controlled by the government of the day to examine matters more forensically. Even if the standing committees do not have a lot of other work before them, there can still be a benefit in having a committee set up that does nothing else but that one job—because there is the issue of the loss of continuity on standing committees when you have three or four different inquiries before you and different people shifting onto or off the committee depending on the issue. So having a committee where the people on it all know they are there for one task—that is, to focus on this one issue—can be valuable regardless of whether the relevant standing committee is busy or not. So I am not arguing against the substantive value of putting in place select committees on these issues, but it is impossible not to join with Senator Ray, at least in the main, in expressing astonishment at the level of hypocrisy from the coalition in suddenly turning around and making the argument for putting the scrutiny on the government of the day when every single person now sitting on the opposition benches voted time and time again to prevent that happening. Every one of you individually could have voted on many occasions to apply even just a tiny bit of extra scrutiny on the government of the day. If that had occurred in a few cases—not least in the Work Choices arena—then perhaps things might have been different in terms of the general election result.

I do not join with Senator Ray in his assertions about this being about lining people's pockets. I think that is a little bit harsh, frankly. I have no knowledge of Dr Nelson's leadership shakiness or otherwise, and I am
not particularly interested. I do not believe this is particularly about lining pockets. But the hypocrisy is nonetheless undeniable and cannot pass without remark. Part of the reason it needs to be remarked on is that we do need to shift back to what the Senate is about. I guess, at least with regard to that, in setting up these committees there is the opportunity for the Senate to get back to doing its job: that is, not only scrutinising that government of the day—it is not just about using their numbers in the Senate to put the blowtorch on the government of the day, although that must be part of it—but also using the Senate’s role as a chamber independent of the government of the day to examine issues in a non-partisan way. That means not looking solely for opportunities to put the heat on the government but rather looking for opportunities to get better ideas out into the public arena, to get a more informed public debate and a more informed parliamentary debate, and ideally to get better policy proposals across the board and better legislation to improve things for the Australian people.

I would make the point again that the more we can depoliticise and ‘departisanise’—if that is a word—the Senate the better it will be for the Australian community. We can spend all our time in here scoring points left, right and centre—we have spent most of the morning doing it. I would remind the Senate of the complete lack of interest from the press gallery in anything that happens in this chamber, either today or yesterday. There was so little interest in the Senate’s role in the stolen generations apology that they were having morning tea while we were still having the debate here. That shows how little interest not only the House of Representatives but also the press gallery has in the Senate. If it has happened in the Reps, then it has happened. Whatever happens here, the interest is minimal. So, frankly, 99 per cent of the points we think we are scoring fall on stony ground, waste everybody’s time, make everybody more and more irritable, and do nothing for what we are supposed to be doing here—which is to achieve better results for the Australian community. So, having said that the jury is out on how well or otherwise Labor will use its numbers on the standing committee, the jury will also be out on how these select committees will perform. Obviously they will get through—the coalition has the numbers even without the Democrats’ support, which we will provide. I say that not so much from the point of view of what it means for the Democrats—which is obviously not very much given what is happening on 1 July from the Democrats’ point of view—but from the point of view of the public’s respect for the political process, and particularly for the Senate.

The Senate has a real opportunity, particularly come July, to re-establish some credibility not just for itself but also for the parliamentary process and the political process. I would suggest that it would be to the benefit of all of us, particularly those of you who will be continuing on here, if I might give some gratuitous advice, if the Senate could really rise above more frequently. I do not expect the press gallery to care because they rarely have—but I think people in the wider committee do notice, particularly those who do engage with the political process and the policy process. There is a real anticipation amongst those people, minority though they may be, who actually engage with the public debate and policy debate on its merits rather than on its point-scoring and talking points aspects, looking forward to the Senate starting to operate effectively again—not just in putting pressure on the government of the day but also in providing an opportunity to get ideas out there and considered more fully. That opportunity now presents itself once again. I hope these select committees
will operate in a way that will enable that to happen.

I must admit that I particularly have my doubts about the committee on state government financial management. I hope I am proven wrong but I find it hard to see that one being used for anything other than an exercise in state government bashing. I will be pleased if you prove me wrong. They may well deserve it, but they are not the only people who deserve it. Ending the blame game might be a bit of political rhetoric from the new Prime Minister, although I am sure there is some genuineness in there. Whether it is genuine or not from the Prime Minister, I have no doubt there is a real desire, a huge desire, amongst the Australian community to end the blame game, and that includes the blame game and finger-pointing occurring across the parliamentary chambers here. So if that committee can actually do its job effectively rather than just turning into a ‘beat up state governments’ exercise then that would be good. I will suspend my disbelief on that one. Nonetheless I think the broader points have been made. I will not oppose putting forward any of the select committees. I do hope that this is an actual new dawn in proper and genuine scrutiny, but it is hard to look past some of the extraordinary gall shown here today—even for politicians I think there should be some limit on the level of two-facedness in the positions we put forward.

Senator RONALDSON (Victoria) (11.22 am)—I can only assume from Senator Bartlett’s comments about the gallery that he does not intend pursuing a post-parliamentary career in journalism, but his points are nevertheless well made in relation to the observation of what occurred yesterday. It is a fascinating debate today because what was wrong is apparently now right. Senator Ray trotted out today to raise these matters. I actually thought it was probably the worst speech I have ever heard Senator Ray make. I have a lot of respect for Senator Ray, but that was the worst speech he has made in this chamber, because he was trying to justify the unjustifiable. He said that the substance of these matters was significant. So, if it is significant, there can surely be only two reasons for him to not support the select committees: one is political and the other is utter churlishness. I will go to the latter first. This is not about select committees; this is about the government this morning being knocked off in relation to an inquiry by the Senate on industrial relations legislation. This was a very childish and churlish act this morning in relation to that legislation and you stand condemned for it. You failed the very first test of transparency and you failed abysmally. It was the very first test of your complaints about the workings of the Senate being taken over by the executive and you failed. On the second day of sitting in this place you failed your own test, imposed over the last three years.

Senator Ray cannot have it both ways. He said that there is now no need for those select committees because of the change of structure to the committees, but those changes occurred three years ago. He then complained about select committees being knocked off in the last term. He cannot actually have it both ways. Either the select committees are important or they are not. You cannot rewrite history and say, ‘Well, now they are not quite as important as they were, because of the changes to the standing orders.’ Those standing orders were changed three years ago. He was complaining about select committees being knocked off in the last term. He cannot actually have it both ways. Either the select committees are important or they are not. You cannot rewrite history and say, ‘Well, now they are not quite as important as they were, because of the changes to the standing orders.’ Those standing orders were changed three years ago. He was complaining about select committees being, in his words, knocked off in the last term. So he is trying to have it both ways and he cannot do so, despite his endeavours.

Let us look at the substance of those committees. My colleagues will remember that, in the 12 months leading up to the last
election, housing affordability was a matter that was apparently absolutely fundamental to the Australian Labor Party. I will not talk about the agriculture select committee proposal because Senator Heffernan will do that; I will confine my comments to the other two. For 12 months, all we heard about was the issue of housing affordability. At the very first test of this by the Australian Labor Party, they are refusing to have a bipartisan committee—not an opposition committee but a bipartisan committee—look at the issue of housing affordability.

Senator Marshall interjecting—

Senator RONALDSON—Anyone listening to this today will say, ‘Why, when presented with the opportunity to actually get the men and women of the Senate to look into this, are you trying to knock it off?’ What gross hypocrisy. How dare you come into this place and talk about housing affordability!

Senator Marshall—It’s a bit late to care now—it really is.

Senator RONALDSON—Quite frankly, the very silly interjections from Senator Marshall will not change the dynamics of this. You have failed your first test in relation to your complaints. We saw crocodile tears over the last 12 months in relation to housing affordability. Your hypocrisy is breathtaking.

Senator Marshall—You did nothing about housing affordability—nothing.

Senator RONALDSON—We did nothing—is that right? So is this committee going to do something or not?

The ACTING DEPUTY PRESIDENT (Senator Watson)—Senator Ronaldson, address your remarks through the chair.

Senator RONALDSON—Through you, Mr Acting Deputy President, you cannot have it both ways: it is either an issue or it is not. I cannot believe that the Greens would not support this select committee, because they have also been talking about housing affordability. If they sit in here and vote against this, as they did in the test before in relation to industrial relations, then it only proves again that—through you, Mr Acting Deputy President—you are one and the same: the Australian Greens and the Australian Labor Party are one and the same. Through you, Mr Acting Deputy President to Senator Siewert, until you have the guts to cut yourselves away from the Australian Labor Party and start putting in place the sorts of processes you have been complaining about in this place, then you are also completely and utterly hypocritical. You are hypocrites.

I want to turn to the state governments. I think Senator Bartlett was absolutely right when he said that there may well be matters that need to be looked at in relation to the state governments. Well, they are absolutely.

The ACTING DEPUTY PRESIDENT—Order! You cannot address a senator as a hypocrite. It is unparliamentary.

Senator RONALDSON—I was referring to the senator’s party, but I will withdraw it if she believes I was addressing it to her. I actually hold her in high regard. It was her party that I was referring to, and they are gross hypocrites. The Australian Greens are grossly hypocritical in relation to these matters.

I now return to the issue of state government financial matters. The Manager of Opposition Business in the Senate has quite rightly, in my view, asked for the establishment of a select committee to look into state government financial management. If Prime Minister Rudd—who I think called himself a fiscal conservative during the campaign and beforehand—is serious about this and if he is a fiscal conservative, how can Mr Rudd
stand back and watch what has happened with the state governments around his country, who are spending like drunken sailors? The last reports I saw showed that in the out years there will be some $80 billion of state government debt—in the next three or four years. Is Mr Rudd going to impose on the states the same fiscal restraints that he is apparently going to impose on himself—we will see if that occurs—or will he let the states go off as they will?

The only reason that he is not prepared to let this Senate—a bipartisan committee—look at the state governments’ financial management is that they are all Labor. I can tell you now, if there were coalition governments around the country the government would be jumping over the chairs to support this. You would have to beat them back with a stick. But as soon as the pressure is turned back onto the government in relation to their state Labor mates, what do they do? When this Senate and a bipartisan committee had the opportunity to look at the sort of fiscal rectitude that they have been talking about, they roll over. They stand condemned for that. This is just a churlish and childish payback for our decision this morning to insist on the Senate looking appropriately at the industrial relations laws. You said, before the federal election, that it was the most significant issue. As the Manager of Opposition Business said today, it is a significant issue. But what do you do when asked by the Senate to have a proper and full inquiry in relation to this matter that you believe is so important? You try to cut it off for your own cheap political purposes. This openness and transparency which we heard about for 12 months before the last election is a complete and utter farce. The farcical response of Senator Carr yesterday to a question put to him is an indication that you will do and say everything that is required to maintain the position you have found yourselves in at the moment.

Why haven’t you got a level of support and trust for this Senate to allow it to look at housing affordability? You cannot talk about the people around Australia who have very significant housing affordability issues—renters, those with mortgages and those who desire to build the accommodation that is required to make up for a deficit of some, I think, 40,000 houses a year to address this situation—when you are not prepared to let the Senate look at that.

The Australian Greens stand up here and say they are not prepared to let the Senate look at that. You cannot have it both ways: you cannot cry crocodile tears when you go on television and then, when asked to form part of an inquiry, not do so.

Senator Siewert interjecting—

Senator RONALDSON—So you are going to vote with us! Are you going to vote with us or not?

The ACTING DEPUTY PRESIDENT (Senator Murray)—Order, Senator Ronaldson! Please address your remarks through the chair.

Senator RONALDSON—Sorry, Mr Acting Deputy President. I am fascinated as to whether the Australian Greens are going to support us in relation to these issues. I suspect, from the lack of response from Senator Siewert, that they are not going to do so. I thought Senator Bartlett was absolutely right: the particularly cheap shot of Senator Ray’s in relation to remuneration for committee chairs was an appalling reflection on his Senate colleagues.

I know that my colleagues Senator Hefernan, Senator Joyce and others are passionate about this select committee, and I will confine my remarks. But I will say that we are not going to tolerate the sort of hypocrisy
that we have seen today. We are not going to tolerate the childish churlishness that we have seen. When the government did not get its way it started attacking the integrity of this Senate to hold the executive to account. We will not tolerate it. If this is the start of the battle then I can assure the Australian Labor Party that it is game on.

Senator SIEWERT (Western Australia) (11.34 am)—I feel as if I am in the twilight zone—truly! It is as if the last 2½ years did not happen. This morning I went into my concerns about the coalition having amnesia. They have forgotten how they opposed virtually every committee that we tried to get up last year. Maybe Senator Ronaldson was not here in the chamber when we had numerous discussions about housing affordability, when we were trying to push the then government into having an inquiry into housing affordability. All of a sudden they have a road to Damascus experience, over the last couple of months, in relation to housing affordability. Well, the public of Australia know exactly what is going on. It is only because they are in opposition that the coalition has a role in scrutiny.

As I have said just recently, I am gobsmacked. They talk about other parties having hypocrisy! The hypocrisy of them coming in here and, all of a sudden, deciding that the Senate does have a role is simply astounding. I think most Australians are probably feeling as if they are in the twilight zone at the moment if they are listening to the arguments we have had this morning about the role of the Senate. However, I am not going to take too much time in expounding on my astonishment because it is boundless.

The issues that are being raised here to be inquired into by select committees are very important issues. The fertiliser issue is very important. I am passionate about agriculture and passionate about this issue, but I would have preferred to see it referred to the Senate Standing Committee on Rural and Regional Affairs and Transport. That is the committee it belongs with. That is the most appropriate committee, so I am a little frustrated that the opposition wants to set up a select committee.

I would also like to add that we need to consider the issue of peak oil when we are considering the issues around fertiliser because the two are intimately linked. The impact of restricted oil supplies is necessarily linked to the issues around fertiliser.

I have touched lightly on the issue of housing affordability. The Greens, the Democrats and the previous opposition, the ALP, tried numerous times in this place to raise the issue of housing affordability. So we do think it is important that we inquire into these issues. We are just astounded that all of a sudden the opposition have decided that they need select committees to inquire into these issues. So the Greens will not be opposing this motion, because we will not oppose motions that in fact lead to better scrutiny by the Senate. We are deeply concerned about the way the opposition have gone about doing this, trying to put these committees in place. We believe that they should be using the existing standing committees rather than setting up select committees. But, as I said, we will not be opposing it.

We will, however, seek to divide the opposition’s amendment, because we do not support opposition amendment (3A)(c):

A participating member shall be taken to be a member of the committee for the purpose of forming a quorum of the committee if a majority of members of the committee is not present.
Under the existing quorum rules, my understanding is that we need a member who has been nominated by both the Leader of the Opposition and the leader of the government. We are very concerned that participating members might be used to form a quorum and we do not believe that is an appropriate process. We will be seeking to divide the amendment so that amendments (3A)(a) and (3A)(b) are put and then (3A)(c) is put separately. So I am giving notice that that is our intended approach to that amendment.

**The ACTING DEPUTY PRESIDENT (Senator Murray)**—Just to advise you, Senator Siewert, that item (c) is now part of the standing orders of the Senate. You are entitled, of course, to divide the question, and I will put that question when we come to the conclusion of the debate.

**Senator Ludwig** (Queensland—Minister for Human Services) (11.39 am)—I am gobsmacked by what I have heard today, absolutely gobsmacked. Let us put it into context: if it looks like a duck, walks like a duck, it is a duck. This is about money, money, money. It is about Senator Heffernan.

**Senator Heffernan**—Don’t insult me with that!

**Senator Ludwig**—It is about money. It is about 11 per cent. It is about ensuring that they can line their pockets, because if they were serious about this—

**Senator Heffernan interjecting**—

**The ACTING DEPUTY PRESIDENT**—Senator Ludwig, as you are aware, you are entitled to make general remarks, but I think it would be wrong to imply a particular senator has a particular motive.

**Senator Ludwig**—It was not about implying anything; it was about the facts of the matter. If you are the chair of a select committee, you receive 11 per cent. Those are the facts of the matter. And we have the establishment of three select committees being proposed today—three.

Since July 2005, no select committees have been established. Why that date? Because from that date the Liberals had control of the Senate. They did not want scrutiny. They did not allow select committees to go forward. In the past the usual process was that, if you wanted inquiries into matters, individual senators would take them to the standing committees and say, ‘We want an inquiry into x, y or z,’ and it would go to one of the standing committees. That is what standing committees are there for: they are deliberately set up to inquire widely into matters. We had reference committees and legislation committees, but the Liberals combined them into one. So those committees are there. But the Liberals did not go through that process. There was no attempt to put these matters to one of the standing committees to be inquired into—no attempt. What we see is a straight-out, sit-down attempt to establish three select committees in one day. So I stand by what I said: if it looks like a duck then it can only be a duck.

Now we have Senator Ellison from the Liberals getting up and putting his hand on his heart and saying this is about scrutiny. If it was about scrutiny, why not use the standing committees? No argument. But have they suddenly turned over a new leaf? That is what I thought they had accepted, that they had understood that they were arrogant and out of touch—prior to the election they were in fact completely arrogant and completely out of touch. But what do we have now? The Liberals again being arrogant and out of touch by trying to set up three select committees in one day in this place, to ensure that they can continue to have their will imposed on this Senate rather than taking these matters to the standing committees that are designed to inquire into such matters;
that is what they are for. Next I will hear Senator Ellison talk about throwing light into dark corners. I am sure I will hear that from him eventually in respect of these committees.

These matters—housing affordability, and agricultural and related industries—for which the opposition is trying today to establish select committees to inquire into, may be important matters. I am not here to judge how important they are. But those matters should be referred to standing committees, for those standing committees to do their work. There should at least be an attempt by the Liberals to do that. But we do not have that. We have them walking into the Senate today to try to establish select committees—three extra committees, with the resources that go with them.

As for the Liberals’ record, I can recall standing on the other side of the chamber proposing a reference to a standing committee and getting knocked back, and proposing references to select committees of matters that were considered to be important and getting knocked back. There have been no select committees since July 2005. That is their record that they want to stand on—arrogant and out of touch. And they are continuing it. They certainly have not learnt their lesson when they were in government. If you look at the way that the Liberals ran this chamber when they had control of the Senate, they ensured that, even if we were able to inquire into legislation, it was confined to one day, a weekend in one instance and less than a week in others. They ensured that proper scrutiny was not undertaken in this place. We now have statements from the Liberals to say: ‘We are about scrutiny; we want to ensure that we can inquire into things. We are about ensuring that we can “throw light into dark corners”’. But is that the truth? Is that the real argument that they are progressing today when only a very short while ago they demonstrated clearly by their actions that they did not subscribe to that view? Their view was entirely different from that. Have they changed? I do not think so. That leaves me with the only conclusion I can draw from their actions today: that they are going to pursue setting up three select committees—for only one reason. And I leave that for the chamber to decide.

Senator HEFFERNAN (New South Wales) (11.46 am)—This is an insult to rural Australia. I want to speak just about the rural matters. To say that this is about money is an insult. You do not come here if you are about money. I would like to put this to bed. I will not refer to the generous speech that Senator Ray made, because it is too insulting. You would only come here for the money if you were a bloody crook, in my view. You do not
come here for the money. You come here to do good for your country.

I want to put paid to the idea that this could have gone off to the Senate Standing Committee on Rural and Regional Affairs and Transport and to tell why. Three weeks ago, I did an interview with the ABC up here because Australian farmers are being ripped off by a world cartel in fertilisers and chemicals. It is a bloody insult to Australia’s farmers, who have to cop it.

The ACTING DEPUTY PRESIDENT (Senator Murray)—Senator Heffernan!

Senator HEFFERNAN—I withdraw that; I will tone it down. In the interview for the ABC’s Country Hour, I said that we should have a reference to the rural, regional and transport committee. After a week, when the ABC did not run the interview, I rang up the girl in the ABC and asked: ‘How come you didn’t run it?’ I was told that they had had editorial direction from Melbourne that they are not allowed run stories about opposition propositions until they get a response from the government. I rang the editorial directors in Melbourne, and they used all these weasel words about why they could not run the story. I asked, publicly, for this to be referred to the rural and regional affairs committee. So what happened? The ABC rang up Chris Bowen. I have spoken to Chris, and he said: ‘No, we won’t let it go to the rural, regional and transport committee. We’ll send it off to the ACCC and tack it on to the end of the food inquiry.’ The government is entitled to do that—just as we are entitled to say that it should go to the rural, regional and transport committee. That is your doing, not our doing. You put the argument that this could have gone off there—but you knocked that back. You cannot eat your own weasel words—you knocked it back.

This is not about damaging the government. This committee is about protecting our farmers. This is about assisting the government. Let me tell you another fact that you probably do not know. There is only one person in the government who has lived in the bush and has had to make a living in the bush, and that is the new member for Leichhardt.

Yesterday was a great day for Australia. Democracy is a great thing. The election changed the government. You face the reality for rural Australia that the government has changed. So what do you do? You think, ‘We’ve got to make sure that the government does not mess up rural Australia.’ That is my attitude. I was pleased to see that Penny Wong, given that the government had changed—

The ACTING DEPUTY PRESIDENT—She is Senator Wong, please.

Senator HEFFERNAN—Sorry, I mean Senator Wong. I was pleased that she was given the portfolio, because she is a high intellectual driver. We are pleased in the bush. We want a high intellectual driver running it. I was pleased that Tony Burke was given the job—even though I was disappointed for Senator O’Brien—because he is a high intellectual driver, has a clean sheet of paper and is a good listener. So I have not been going around blowing raspberries; I have been giving cheerio calls. I actually think this is about assisting the government in good decision making. This is about protecting rural Australia. It is very disappointing for a farmer to rock up to a fertiliser agent—who is intimidated by the monopoly supplier—when there is a shed full of superphosphate there, which back in November was worth a worth about $780 a tonne, and be told by the agent, ‘Mate, I can’t quote you a price or give you a delivery.’ And that super is sitting in the shed. We have been had! The price has now gone up $400 a tonne in the meantime, and now you can have some!
The argument being put to the agents by the fertiliser monopoly supplier is: 'Tell them the price of wheat has gone up, and that justifies the price of super going up.' That is what this is about. It is about these sorts of issues. There are serious issues in the meat market at the present time.

We are not here to pull the government to pieces on the issues of rural Australia; we are here to protect rural Australia. I implore the government to understand that this is not about money. This is not about resources. This is about a voice for rural Australia in this place. That is our job. I came here to represent the concerns of the bush. You can ring me at three o'clock in the morning if you have a problem. I do not mind—I will do something about it. With those few words, I want to put to bed the idea that somehow the government did not take the view. It is on the transcript of the ABC. They said they would take it to the ACCC. I do not mind if it goes to the ACCC, but I want to give farmers the opportunity to come in here and tell their story, because they have been had.

Senator JOYCE (Queensland) (11.52 am)—With this new government, it is very important that we get back to a respect of the Senate and that the Senate move to where it should be, which is a position based more on the American system than that of the House of Lords. The first thing that we should do—because people should know this—is understand what a Senate select committee is about. Odgers states:

Select committees are an extremely versatile inquiry vehicle. Because they examine single issues, select committees permit a concentration of focus and effort on those issues.

What could be more concentrated than an inquiry into the pricing and supply of diammonium phosphate? That would have to be a very focused and ad hoc issue. And so such a committee would be appropriate in dealing with this issue, which Senator Heffernan has rightly brought up. This is a disease through a number of sectors in the economy. There is evidence of cartels being manipulative and extracting unreasonable premiums from the Australian consumer and, at this point, unreasonable premiums from the farmer. When diammonium phosphate was $120 a tonne, I remember thinking that that was dear. Last year, we were purchasing it for about $750 a tonne. This year, it is $1,350 a tonne and heading north. There is one reason for that: there is a monopoly. This monopoly is extracting an unreasonable premium from the Australian citizen and the Australian farmer. This issue definitely warrants a Senate select committee to look into it. I believe the information that will come from such an inquiry can overlay into so many other areas of trade practices issues and trade practices laws and how this nation is run.

The belief that the government have put today that such an inquiry is not appropriate and that they are not happy with it seems to be in stark contrast to their rhetoric about the extremism of the government when they were in opposition. If that were the case then and if they truly believe it, then we should revert this place to what it should be—that is, an independent chamber that does its business on behalf of the Australian people, that does not work solely on the direction of the executive that exists in the other place. We should be doing that.

Further, I propose that the chairs of the standing committees be elected by the will of the Senate. If the will of the Senate is that a certain chair should be a member of the opposition then it should be a member of the opposition, or if it is a member of the government then it should be a member of the government. It should be based on talent and not so much by appointment. That is something I think we should move towards. I have heard some people say, ‘That’s not what
happens in the House of Lords in England.’ It may not be what happens in the House of Lords in England but it is certainly more a reflection of what should be happening in the Senate in Australia, which is based primarily on the Senate in the United States.

The reintroduction of the primacy of the Senate brings about what we really need in our Commonwealth, which is the capacity to protect states rights, and this house has the ability to do that. This Senate should have the ability to appoint select committees to deal with those so-called ad hoc issues that arise from time to time. If the Senate requires three committees, then it is three; if it is four, then it is four. If it is five or more, then that should be the will of the majority of the Senate. If it is the will of the majority of the Senate that innumerable select committees are wanted, then that is its right. Once you say, ‘We don’t want that because of tradition and because of what is coming as an instruction from the other place,’ then you straightforwardly away step away from the belief in the independence and primacy of the Senate. That is a dangerous proposition because it means that we then become a house that works under instruction. A house that works under instruction is pointless.

Unfortunately, I live with the situation of a unicameral parliament in Queensland, where we do not have the protection of an upper house. We do not have the protection that comes from someone having the capacity to raise an issue and pursue it. I heard that one of the select committees was established to hear the Lindeberg grievances. There should be the capacity for a committee to pursue certain ad hoc issues and to bring some sense of solace, some sense of inquiry and some sense that you do not have to go to the other place and get the majority of the numbers in the executive down there to pursue a case here in the Senate.

This is not brought about by the opposition. If these select committees get up, they will be brought about by the will of the majority of the Senate. That is the key issue here. So if it is the will of the majority of the Senate today that the vote should go forward, there will be select committees that will have the capacity to deal with ad hoc issues, including housing affordability, state government financial matters and rural issues, especially the cartel arrangement in diammonium phosphate which is financially stripping down those who are coming off the back of one of the worst droughts in the history of our nation. I believe that is a just and proper position for us to pursue.

The ACTING DEPUTY PRESIDENT (Senator Murray)—There being no further speakers, I shall divide the question on Senator Ellison’s amendment to general business notices of motion Nos 21 and 22 as follows. The first question is that paragraphs (a) and (b) amending motions Nos 21 and 22 be agreed to.

Question agreed to.

The ACTING DEPUTY PRESIDENT—The next question is that paragraph (c) be agreed to.

Question agreed to.

The ACTING DEPUTY PRESIDENT—The question is that general business notice of motion No. 9 and general business notices of motions Nos 21 and 22, as amended, be agreed to.

The Senate divided. [12.02 pm]

(The President—Senator the Hon. Alan Ferguson)

Ayes............ 44
Noes............ 24
Majority........ 20
AYES

Adams, J.*
Allison, L.F.

Barnett, G.
Bartlett, A.J.J.

Bernardi, C.
Birmingham, S.

Boswell, R.L.D.
Boyce, S.

Brandis, G.H.
Brown, B.J.

Chapman, H.G.P.
Colbeck, R.

Coonan, H.L.
Cormann, M.H.P.

Eggleston, A.
Ellison, C.M.

Ferguson, A.B.
Fielding, S.

Fierravanti-Wells, C.
Fifield, M.P.

Fisher, M.J.
Heffernan, W.

Humphries, G.
Joyce, B.

Kemp, C.R.
Macdonald, I.

Macdonald, J.A.L.
Mason, B.J.

McGauran, J.J.
Milne, C.

Minchin, N.H.
Murray, A.J.M.

Nash, F.
Nettle, K.

Parry, S.
Patterson, K.C.

Payne, M.A.
Ronaldson, M.

Scullion, N.G.
Siewert, R.

Stott Despoja, N.
Troeth, J.M.

Trood, R.B.
Watson, J.O.W.

NOES

Brown, C.L.
Campbell, G.

Conroy, S.M.
Crossin, P.M.

Evans, C.V.
Faulkner, J.P.

Forsyth, M.G.
Hurley, A.

Kirk, L.
Ludwig, J.W.

Lundy, K.A.
Marshall, G.

McEwen, A.
McLucas, J.E.

Moore, C.
O’Brien, K.W.K.

Polley, H.
Ray, R.F.

Sherry, N.J.
Stephens, U.

Sterle, G.
Webber, R. *

Wong, P.
Wortley, D.

* denotes teller

Question agreed to.

Community Affairs Committee

Foreign Affairs, Defence and Trade Committee

Reports

Senator MOORE (Queensland) (12.06 pm)—On behalf of the Senate Standing Committee on Community Affairs and the Senate Standing Committee on Foreign Affairs, Defence and Trade, I present reports on matters referred to these committees during the previous parliament.

Ordered that the reports be adopted.

AGED CARE AMENDMENT (2008 MEASURES No. 1) BILL 2008

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 1) 2007-2008

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 2) 2007-2008

First Reading

Bills received from the House of Representatives.

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (12.08 pm)—I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have one of the bills listed separately on the Notice Paper. I move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (12.09 pm)—I move:

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

Leave granted.

*The speeches read as follows—*

**AGED CARE AMENDMENT (2008 MEASURES NO. 1) BILL 2008**

I am very pleased today to introduce the Aged Care Amendment (2008 Measures No.1) Bill 2008.

This Bill implements the changes to the *Aged Care Act 1997* accommodation subsidies and resident accommodation fees that were announced in the 2007 Federal Budget.

The Bill amends the Aged Care Act to simplify the fees and charges paid by residents as well as the accommodation supplements paid by the Government for residents who cannot fully meet their own accommodation costs.

Higher levels of accommodation payments will be phased in to support the provision of quality accommodation.

All care recipients, regardless of whether they are pensioners or self-funded retirees will potentially be eligible for the new government accommodation supplement. The eligibility of the care recipient for the accommodation supplement will depend on the person’s assets. Unlike under the current arrangements, new self-funded retiree residents with few assets will be eligible for Government assistance.

The Bill also amends provisions governing to income tested fees. Currently, self-funded retirees pay higher income-tested fees because nearly all of their income is counted under the income test. However, pension income is currently not counted under the income test. This results in self-funded retirees paying more than part-pensioners of similar means. The Bill creates a new income test that treats all people in the same way and all income the same.

There are three important safeguards that will ensure that residents are protected and that the changes do not adversely affect existing residents.

- First, a resident’s accommodation charge will continue to be determined based on assessable assets at the time of entry to care and remain fixed until they are discharged;
- Second, the Government will continue to place a cap on accommodation charges; and
- Third, residents with unrealisable assets will continue to be able to apply for hardship assistance if they cannot afford to pay their charges.

The changes also

- broaden eligibility for community care grants for providers of Community Aged Care Packages and extend eligibility to Extended Aged Care at Home providers;
- extend the operation of aged care legislation to the Territory of Christmas Island and the Territory of Cocos (Keeling) Islands;
- and make technical amendments to improve consistency and clarity in the Aged Care Act.

Subject to the passage of the bill through Parliament, it is proposed that the new arrangements will take effect from 20 March 2008. In addition to the amendments required to the Act, further detail will be outlined in amendments to the Aged Care Principles as well as in other delegated legislation. These changes align with the implementation of the Aged Care Funding Instrument, which determines the level of funding for care based on the assessed needs of care recipients.

As we have previously indicated, the Government is committed to review the implementation of the Aged Care Funding Instrument, including the extent to which it achieves its stated purpose, 18 months after implementation. We have also committed to review the current aged care planning ratios to take better account of demographic changes and changing patterns of use of aged care services.
Year Economic and Fiscal Outlook and Pre-Election Economic and Fiscal Outlook 2007 documents and agreements reached during the election. I shall introduce Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) shortly.

The measures provided for in Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) include additional Exceptional Circumstances drought funding for farmers and farm-dependent small businesses and emergency assistance to the horse industry as a result of the equine influenza outbreak.

These Bills require immediate passage as the administered appropriations provided to the Department of Agriculture, Fisheries and Forestry have been exhausted. At the current rate of expenditure, the Department will run out of appropriations by the end of February 2008.

Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) requests additional funding of $506.9 million for the Department of Agriculture, Fisheries and Forestry to meet increased expenses during the 2007-08 financial year. Of this money a total of $251.2 million is provided to cover the new and expanded drought relief assistance and $255.7 million is provided for financial aid to the horse industry as a result of the equine influenza outbreak.

The drought and equine influenza measures were announced by the previous government in September and October 2007. The equine influenza measures were extended by the Government earlier this month. The measures were a response to the increasing severity of the drought and to assist those suffering financial hardship as a result of the equine influenza outbreak that occurred in August last year.

Funding for the measures was not included in the May 2007 Budget as the decisions on the assistance were only announced in September and October 2007. The Department of Agriculture, Fisheries and Forestry has been meeting all payments from its existing appropriations, but is now in urgent need of additional funding to be able to continue delivering assistance.

I commend the bill to the Senate.

APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 2) 2007-2008

Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) 2007-2008 requests additional funding for the Department of Agriculture, Fisheries and Forestry to make payments to the States, Territories and local government authorities during the 2007-08 financial year in respect of drought relief assistance and to reimburse them for costs associated with the national response to the eradication of equine influenza. While States, the Northern Territory and Australian Capital Territory are being reimbursed for the cost of the national response to equine influenza, these costs will be recovered from the horse industry consistent with the provisions of the Emergency Animal Disease Response Agreement. Recovery from the horse industry will be addressed in separate legislation.

The total appropriation sought in this bill is $545.1 million, comprising:

- $440.1 million to support primary producers in regions that have been declared eligible for Exceptional Circumstances assistance;
- $7.8 million to support small businesses with up to 100 employees that are dependent on business from farmers in regions that have been declared eligible for Exceptional Circumstances assistance; and
- $97.2 million to reimburse the States, the Northern Territory and Australian Capital Territory for costs associated with the national response to eradicating equine influenza. Most of this funding - $86.4 million - will be recovered from the horse industry.

This appropriation bill, and the urgency with which we are treating it, demonstrates the Government’s commitment to assisting those communities affected by drought and to the eradication of equine influenza.

I commend the bill to the Senate.

Ordered that the resumption of debate be made an order of the day for a later hour.

Ordered that the Aged Care Amendment (2008 Measures No. 1) Bill 2008 be listed on
the Notice Paper as a separate order of the day.

COMMITTEES

Education, Employment and Workplace Relations Committee

Reference

Senator ELLISON (Western Australia) (12.10 pm)—At the request of Senator Abetz, I move:

That, upon its introduction into the House of Representatives, the provisions of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 be referred to the Education, Employment and Workplace Relations Committee for inquiry and report by 28 April 2008, with particular reference to:

(a) economic and social impacts from the abolition of individual statutory agreements;
(b) impact on employment;
(c) potential for a wages breakout and increased inflationary pressures;
(d) potential for increased industrial dispute;
(e) impact on sectors heavily reliant on individual statutory agreements; and
(f) impact on productivity.

This is a reference to the Senate Standing Committee on Education, Employment and Workplace Relations of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. It is an extremely important bill and one which needs adequate time for scrutiny. We have had a good deal of debate today about the necessity of scrutiny by the Senate and the use of legislative standing committees, and this is what this motion does. We have had those ad hoc issues referred to select committees. This is a bill going to a Senate legislation standing committee—and quite rightly so. But the issue at hand is the length of time of scrutiny for this committee. The reporting date in the motion is 28 April. That gives the Senate committee adequate time over the break to travel Australia and to engage those people who have an interest in this area, which is vital to all Australians and, indeed, was one of the major issues in the last election.

The government proposed an earlier reporting date around mid-March. Of course, in between, we have estimates committees sitting and other sitting weeks. It is the view of the coalition that more time is needed for such an important bill. This is something which needs to be considered carefully and, as indicated in the terms of reference—which, whilst general, also refer to some specific areas—is vital to this country and, of course, the scrutiny that goes with it is essential. Many Australians have concerns, one way or another, about this legislation. As I said, it was a major issue in the last election. It is therefore imperative that we have that time within which to report. And might I say that the government’s proposal would have seen this come back in the second sitting week in March, as I recall, and it would have left just three days—just three days—to pass what is a very important bill before that lengthy break in April. So the government was giving us a short period for scrutiny by the committee and an even shorter time for debate in the Senate. Previously we made an offer to the government to bring the date forward and also have an extra sitting week, but the government has rejected that. So we have reverted to the original notice of motion which has a reporting date of 28 April and which will provide adequate time for debate in the May and June sitting weeks in the Senate. I commend this motion to the Senate.

Senator WONG (South Australia—Minister for Climate Change and Water) (12.13 pm)—I rise to speak to this motion and indicate I have an amendment. I will move that now and then speak to both the amendment and the motion at the same time. I move:
I think it is very important that we are very clear in this chamber and also externally about precisely what is occurring here. We have an opposition who are ideologically committed to Work Choices, an issue that played extremely large in last year’s election, and who are desperately trying to push out the date on which AWAs are abolished in this country. That is simply what it is: the opposition are refusing to accept the decision of the Australian people at the last election and are desperately clinging on to this Work Choices totemic issue to which they are so bound. They cannot think any other way.

This is an opposition whose position is that they want to continue the unfair Australian workplace agreements which we know have continued over the period of the Howard government, since they were introduced, to strip away wages and conditions from workers, particularly disadvantaged workers. So I place the opposition on notice: the Australian people will know that, for every day that you delay the passage of this bill through putting in place an unduly lengthy Senate inquiry, every AWA that is put in place where a young worker or any worker is asked to strip away conditions they would otherwise have received under Labor’s fairer industrial relations policy will be on your heads. This is after an election where no-one could say that anyone in Australia did not understand the difference between the parties. It is extraordinary, isn’t it, really, when you consider the high profile, the centrality of the issue of industrial relations at the election on 24 November? There is a lot of discussion in this chamber at various times about mandates. From memory, I have had the lecture—and I am sure the crossbenchers have at various times—from the previous government about their mandates. That is an issue that gets debated.

But let us be very clear about this. I do not think there was anybody in this country who paid any attention to the last election campaign who would not have considered industrial relations to have been the key issue, the issue that was most front and centre for the longest period, the issue that was most clearly debated, the issue where there were detailed and clear differences between the parties. This was an issue where Labor clearly have a very detailed mandate. The Australian people knew exactly what we were going to do on industrial relations. And they know exactly what you were doing, and they will know in coming weeks if your motion succeeds—because, as you know, you still have the numbers in this chamber—what you are doing by pushing out this reporting date. They will also know that any Australian workplace agreement that is put in place between when this bill should have been dealt with by the Senate and when you are proposing to deal with it is on your heads.

There are a number of particular issues that Senator Minchin mentioned in his earlier contribution to discussion on the Selection of Bills Committee about scrutiny. Firstly, on the issue of scrutiny, people may recall, as I said, that industrial relations was a central issue in the last election campaign. People may recall that Labor put out not only one but two policies in relation to industrial rela-
tions. We put out our Forward with Fairness policy and then we put out a very detailed implementation plan. It was far more detailed than anything we ever got from the former Howard government at the election prior to them introducing these extreme workplace laws that Labor are trying to remove through this legislation. I do not remember the former member for Bennelong ever coming out in the 2004 election and saying, ‘By the way, I am going to put in place contracts which allow you to have conditions stripped away without any no disadvantage test or without any reference to awards, which allow young workers to be exploited.’ I do not remember that being an issue that you campaigned on.

In contrast, we put out our policy in, I believe, April of last year, but I could be corrected on that date. Then we put out a very detailed implementation plan. The bill that is the subject of the referral that we are discussing is true to the implementation plan and the policies that we put out for scrutiny and upon which we were elected. This opposition in this chamber is trying to stop the abolition of Australian workplace agreements. You want the bill pushed out. You want more time for more AWAs. You do not want to abolish them because you still believe, despite the fact that you lost the election, that these are good things.

In terms of the time frame—and we have had some discussion about that and I think Senator Siewert has also made this point—we can look at some of the time frames around the legislation introduced by the previous government when it announced it was going to change the law to introduce a fairness test, and the scrutiny that this chamber was allowed to give that legislation. The former government’s Workplace Relations Amendment (A Stronger Safety Net) Bill 2007 was introduced in the House on 28 May and passed on 30 May and the Senate committee commenced its inquiries as soon as the bill was introduced in the House. The bill was introduced in the Senate on 13 June. The Senate committee report was tabled on 14 June and the bill passed on 20 June. So, when you were in government, for your safety net bill there were fewer than four weeks between its introduction into the House and its passage by the Senate, including the Senate committee inquiry.

The Australian people gave us a very clear mandate to implement this legislation. They understood very clearly what Labor’s policy was on these issues. We put out publicly our policy and our implementation plan. What those opposite are arguing for is a time frame far longer for consideration of this bill than they demanded of themselves in government. It is interesting, isn’t it? The shoe is on the other foot now. They are on the other side of the chamber now, but when the opposition were in government and retained control of this chamber they were very happy to rush things through and to have short inquiries to suit their political purposes. They are now arguing for longer debate and longer consideration of this bill, which very clearly implements the policies that we articulated in detail prior to the election. If you want to talk in terms of a mandate, we have far more of a mandate for this legislation—given the detail, the discussion and the political focus on this issue prior to the election—than you ever had, when you were the government, for the safety net bill, as I have outlined.

Isn’t it amazing how things change when you cross over? There is only one explanation, and it is the one I started with: this is an opposition that cannot bear the fact that this legislation will remove Australian workplace agreements. I should not say that this is an opposition that cannot bear that fact. I think that is the position of most of the opposition, but we have had a fair bit of toing and froing on their side, with some people suggesting
they should fold on this issue and others suggesting they should not—not because those who want to allow passage of this legislation have had a change of heart or have a different philosophical view; they just recognise the politics of this. Anybody who campaigned during this election—and I assume other senators also campaigned—knows that this was front and centre. For Senator Webb, who I know worked very hard in WA, it was a front and centre issue—as it was across the country. No-one could say that they did not understand that Kevin Rudd and Labor were standing for the abolition of AWAs.

So let us understand what is happening. The opposition is saying: ‘We don’t want to abolish AWAs. We don’t care that this was an issue in the election campaign. We don’t care that we lost the election. We don’t care that the government has got a mandate. We don’t care that the Australian people elected a government that was committed to doing this. We want to delay this as long as possible.’ Let us understand that that is what the motion will do. It will push this out to 28 April and we all know, given the sitting schedule, what that will mean.

The government is absolutely determined to press on with our amendments to these unfair laws. We absolutely will keep faith with the commitment we gave to the Australian people to remove Australian workplace agreements. We absolutely will keep faith with the policies and plans that we put forward and, in this area, the transitional arrangements that we articulated. We will push forward on that and Australians will know, if those on the other side continue to stonewall, who is responsible for the continuation of Australian workplace agreements in this country.

There was some discussion in the earlier debate about sitting hours. I want to make it very clear what the government’s position is. I have moved an amendment that requires a reporting date of 17 March. If that is passed, we will ensure that the bill is passed as expeditiously as possible. I flag to the chamber and to the Manager of Opposition Business in the Senate that, if additional sitting hours or days are required in order to pass this bill, the government will put those in place. We are committed to the passage of this legislation. So the challenge to the opposition is this: are you going to accept the fact that Australian workplace agreements are clearly something that the Australian people have rejected, or are you going to try to use the Senate processes to delay as long as possible the dismantling of these laws, which were soundly rejected at the most recent election?

I want to make it clear also that not only is this a bill in which this government is meeting its clear election commitments to the Australian people; it is a bill which is a product of genuine consultation. This may not be something those opposite understand. Not only was this bill put to the Australian people, who overwhelmingly endorsed it in effect at the last election, but the policy and detail of this bill went to the National Workplace Relations Consultative Council and its subcommittee on industrial relations. So this is a bill that has been worked on by experts from employer and employee organisations sitting around a table and, as a result of that consultation process, I understand the bill has been improved. We have also held consultations with state workplace relations ministers.

Because there has been a lot of discussion about scrutiny from the other side, I again want to make it clear that the government is not opposed to proper scrutiny of the bill. However, the government wants to ensure that this opposition does not unduly delay or
frustrate the will of the Australian people being implemented into law. I again remind the chamber that the last time this parliament dealt with a piece of industrial relations legislation we dealt with the so-called fairness test. Again, I remind the chamber that that legislation, with all its complexity and uncertainty—and we saw some of that after its implementation—was processed within four sitting weeks, including a Senate inquiry. The then government, the current opposition, then believed that four sitting weeks was an appropriate length of time, inclusive of a Senate inquiry, for parliamentary scrutiny of a piece of industrial relations legislation which had not been put to the Australian people and which was announced—let us remember this—before it had even been drafted.

To those who might recall, send your minds back to May last year, I think it was. The government actually announced what it was going to do before it had the legislation ready. So we had this very strange situation where employers and employees were told something publicly that was in effect not enacted, nor was the legislation or the clarity around it introduced into the parliament.

I again remind those opposite that we announced our policy intentions in our Forward with Fairness policy in April last year—that is 10 months ago—and we provided the implementation details of our policy, to which I have already referred, in August last year. That was some three months before the election. It is our very strong view on this side of the chamber that, if four weeks was good enough for the consideration of the previous government’s so-called fairness test legislation, inclusive of a Senate inquiry, it is certainly good enough for the processing of this Labor government’s clear and simple transitional legislation.

This is a challenge for the opposition. Are they actually going to accept the will of the Australian people? Are they going to fairly and properly deal with this legislation or are they going to frustrate its passage? Those watching can only draw one conclusion from the delay that the opposition are proposing, and that is this: that you have not changed. The opposition have not changed. This is the same Liberal Party and National Party that were dedicated to deregulating the industrial relations system such that workers become substantially disadvantaged. This is the same coalition that supported the extreme Work Choices laws, the laws which we know are the most extreme this country has ever seen. This is the same coalition that supported and championed the Australian workplace agreements that we know stripped away the wages and conditions of Australian workers.

So what is happening in this chamber today is that the opposition are refusing to allow the abolition of Australian workplace agreements. That is what the opposition are doing. They are refusing to allow the expeditious passage of a piece of legislation which the Australian people voted for, because the Australian people voted for the dismantling of Work Choices. They knew exactly what the Labor Party’s position was on this, and they knew exactly what yours was as well. One thing we can take out of this debate is this: the opposition have not changed. We will remove Work Choices. We will abolish Australian workplace agreements. The other thing that is clear from this debate is that you have not changed. The opposition have not changed. You are still supporting the extreme Work Choices laws, which have meant a stripping away of wages and conditions amongst Australian workers.

Senator BARTLETT (Queensland) (12.33 pm)—Much of what Senator Wong has said I and the Democrats agree with. As I have pointed out a couple of times already in
the chamber today, there can be no question-
ing the breath-taking hypocrisy of the argu-
ments being put forward by the coalition. 
Across the board, people expect some degree 
of malleability, shall we say, in the cogency 
of the arguments that politicians put forward, 
but I think they do like to see at least some 
degree of consistency and intellectual hon-
esty. It is impossible not to draw attention to 
the extraordinary hypocrisy in the assertions 
being made by the coalition today, in con-
trast to the arguments they made just about 
workplace relations laws, let alone every-
thing else, over the last three years.

Frankly, I would be much more comfort-
able with what the coalition is putting for-
ward on this—and I would suggest they 
might consider adopting this approach in 
regard to other legislation and inquiries, be-
cause I am sure we will keep seeing the same 
thing—if they could stand up and say, ‘Look, 
we accept that we overdid it; we accept that 
we were wrong.’ I am not here to give politi-
cal advice, particularly given my own lack of 
political success at the last election, but I 
think it would send a message to stand up 
and say, ‘We accept that we got it wrong in 
the way we handled the Senate in the last 
few years and we are turning over a new 
leaf.’ Then you could much more credibly 
argue the positions you are now making 
about the need for greater scrutiny, rather 
than just asserting carte blanche that this is 
right in principle with no reference to your 
own record and statements over the last few 
years.

Indeed, I know at the declaration of the 
Senate poll after the last election, for ex-
ample, Senator Ian Macdonald from the Queens-
land Liberals—he was the first elected in 
Queensland—made the point that he thought 
the previous coalition government did have 
some arrogance creeping into it. I think you 
could make that comment publicly a few 
more times and it might actually benefit the 
credibility of your arguments, whether you 
are putting them here or in the community. 
But the arguments you put forward are your 
business, I guess.

The other point that needs to be made is 
that it is one thing to draw attention to the 
double standards of the position the coalition 
is now arguing, but the Senate still has to 
make its decisions on the basis of what is 
best, of the issue on its merits. We have to 
examine the legislation and the proposal be-
fore us and decide what is best for the Aus-
tralian community. Senator Wong again 
rightly referred to the apparent shift in views 
of a number of members of the coalition in 
regard to Work Choices being based upon 
their recognising the politics of this, and that 
seems to be quite clear.

Up to a point, there is nothing wrong with 
that because you are recognising that you 
might have got it wrong in the past. That 
would be good, if that statement were to ac-
company things. I would suggest, particu-
larly in regard to the decisions the Senate 
makes, that making decisions, particularly 
about what becomes law and what does not, 
just on the basis of what is the best politics 
rather than what is the best policy and the 
best law is not good. It might be good for 
people’s election chances, but it is not good 
for the Australian people. We need to do bet-
ter at making decisions predominantly based 
on the best policy rather than the best poli-
tics.

I am not being too starry eyed here. We 
have all taken into account the politics of the 
decision, but the day that that becomes the 
primary driver of our decisions is the day 
that the Australian public loses out. That is 
something we are all guilty of. I could cer-
tainly point to, but I shall not, examples in 
regard to past decisions of some in the De-
mocrats being motivated more by politics
than policy and that not leading to the best outcomes.

We are not debating, per se, the merits of the legislation that the government has put forward, but the proposal, in effect, for when the committee examining it will report. That is basically what we are arguing about. There is no disagreement about the committee it will go to; there is no general disagreement about the terms of reference. It is about the reporting date. We have already had that debate to some extent and both Senator Murray and I put on record that we thought that the time frame of 17 March was, while short, at the edges of what is acceptable in regard to a minimum time frame and something that we could wear. That is the reason that we voted the way we did in the earlier debate on this, but we certainly do not believe that it is problematic to have a somewhat longer time frame. I think the suggestion that was made earlier that, if it is not passed in March, it will not be passed till June ignores the fact that we actually have a sitting week in May.

I will now foreshadow, as part of my comments, the amendment that I have circulated to amend the substantive motion here to express the view that it would better enable full consideration of the committee’s report if the Senate were to sit an extra four days prior to the week beginning 12 May, prior to budget week. That is consistent with the comments I made earlier today and, I might say, yesterday about the Democrats’ view that there needs to be more sitting days across the board, to consider not just this one issue but issues across the board.

The point needs to be made repeatedly that this year we have a record low in the number of sitting days that have been scheduled in a non-election year. Indeed, it is extremely low even for an election year. I made that point yesterday. The Senate could have decided yesterday, when it adopted its sitting days for the year, to add some extra days on. It did not choose to do so and indeed nobody else even spoke to issue other than me. I am pleased to see, perhaps a day late, that today at least the coalition is now joining the Democrats in expressing dissatisfaction at the low number of sitting days.

I believe quite strongly that, if the majority of the Senate believes that there are too few sitting days, the Senate should schedule some extra days. That is within the power of the Senate. I understand—I will be corrected if I am wrong; I do not want to put words in the mouths of the coalition senators—that the coalition does not want to set a precedent of the Senate actually doing that. It is a convention that the government of the day, even if it does not have the numbers in the Senate, determines what the Senate sitting days are. Ideally, it does so with consultation, but at the end of the day the government of the day should decide. There is no doubt that it would set a precedent if the Senate said: ‘Well, that’s nice but the majority of us disagree. We will set and schedule more sitting days.’ That would set a precedent. I think it would be a good precedent to set because it would send the very strong signal to whoever is in government that the Senate is independent of the government and will choose for itself the order of its business, how many days it sits and what it is going to do. This is not in any way to capriciously frustrate the government but to ensure that the Senate is less driven by the political imperatives of the government of the day and more driven by a comprehensive examination of what is best overall. I think it would be a good precedent to set for the Senate to move its own motions to add extra sitting days should it so wish.

I understand the coalition does not want to do that. Certainly, I never got support in previous years when I have moved such motions, so the amendment that I foreshadow simply expresses a view that we would bene-
fit from extra sitting days. I hope at least that would be accepted and recognised as a signal to the new government that we could do with some extra sitting days.

Whilst the substantive motion before us is about the reporting date, in effect, of the committee inquiry into this legislation, I do want to make a few points about the issue of mandate regarding the legislation and the broader issue of Work Choices and AWAs. The issue of mandate is one that is repeatedly put forward by all sides selectively to suit whatever they want to do and it is an extremely hollow theory, frankly. It has some very loose value. Certainly, it is worth noting the decisions of the Australian electorate in regard to how they voted. We note that because that is what ends up being reflected in the number of people in this place and the other place and who is in government. But to claim an automatic imprimatur for rubber-stamping any piece of legislation on the basis of an election result, even on an issue that was pivotal to the election, as I agree Work Choices was, is really stretching the idea of a mandate to the boundaries of intellectual honesty.

If you want a solid mandate, an incontrovertible mandate, on a specific issue then you put it to a referendum or a plebiscite and ask people. There is no other way you can credibly say that the Australian people support this specific issue. You can quote every opinion poll you like. I think the interchangeableness of the terms ‘AWA’ and ‘Work Choices’ that is being employed by the Labor government demonstrates that. I understand why they are doing that. It is good politics to do that. There is some accuracy in it, but there is some inaccuracy in it because AWAs and Work Choices are not synonymous. The particular type of AWAs that were adopted in the Work Choices legislation were unacceptable and extreme. I believe they were strongly opposed by the Australian government, they were certainly categorically opposed by the Democrats and we remain categorically opposed to Work Choices AWAs.

But AWAs in a different form, with a very strong safety net via the no disadvantage test, have been in place since 1996—heavily amended by the Senate and the Democrats in particular. Of course, the government that put them in place was re-elected in 1998, 2001 and 2004, with those AWAs as part of our workplace laws. It was only when it removed that no disadvantage test, bastardising, in my view, the intent behind AWAs, and removed a lot of the protections that were there—they were not perfect protections, but they certainly were reasonably good protections that could have been strengthened further—that it ran into political problems and, I might say, a lot of Australians ran into personal problems, having been subjected to them. But it is not synonymous: getting rid of Work Choices does not necessarily mean scrapping AWAs.

That does not mean we cannot do so, and Labor is in effect replacing one type of individual statutory agreement with another, interim, individual statutory agreement—that is all very good, and you have different labels and everybody can use them to sell their own messages. That is fine, and I am not expressing a view one way or another about the policy intent; I am simply saying that the mandate argument only goes so far. Getting rid of Work Choices, I think, is widely supported. Whether or not you can use that to say that therefore the Senate should rubberstamp everything the government puts forward as long as the government says, ‘This is getting rid of Work Choices,’ is another matter.

A lot of people wanted to get rid of Work Choices; I do not think there is much doubt about that. Whether there is widespread
agreement about what they want to replace it with is very much more in doubt, I think. The vast majority of Australians have an opinion about whether they are for or against Work Choices; there is far less certainty and clarity about what they see as desirable to take its place. In one sense you could say that, if you were ripping up Work Choices, all you would be doing, if you simply repealed the Work Choices law that was passed, would be going back to the pre-Work Choices laws. That is not what Labor is doing—and I am not saying they should do that; I do not believe they should. I am simply saying it is not as simple as just saying you can claim an automatic mandate. It is intellectually dishonest to say so, even though it may be intelligent politics.

Returning to the issue before us—the committee enquiry—the Democrats have already stated that we think 31 days or so to inquire and report is a short amount of time but not inappropriately short for a bill such as this, which is not massively complex. Having said that, we do not think it would be harmful for the time frame to be somewhat longer, as the coalition is proposing, particularly if the Senate put in place extra sitting days, as we believe should occur. As yet I have not read the bill in question, but my understanding is that it has a start-up date past the end of May anyway. So whether it is passed in May or passed in March—if it does get passed, which is a big ‘if’, I might say—my understanding is it will still not come into effect till later down the track. So it will not affect in any way the number of people who are put on AWAs or not put on AWAs.

There are very valid points to be made by the Labor government in pointing to the hypocrisy of the coalition, but I think their argument with regard to the mandate and the suggestion of expeditious rubber-stamping is somewhat thinner. As we move through the process of actually debating the legislation, I do think that point needs to be made more continually. The Labor Party have won the argument on Work Choices, and they were right. On the issue of Work Choices they were joined by the Democrats, the Greens and pretty much everybody except some within the Liberals. They won the argument and they won the election. They have got government, and I would think there is little doubt that that was probably the key factor in the election—not the only factor but the pivotal one. So you won your political argument and you won your election.

We are now dealing with what becomes the law. I am not naive enough to suggest that people should now put aside all political arguments and political point-scoring opportunities, but let us not allow that to dominate the decision the Senate finally makes. Let the Senate make its final decision on the basis of the merits of the legislation that is put forward and the evidence that is put forward in the Senate committee process. Score your points based on that; do not predetermine your position based on continuing the argument from the last election.

Frankly, I do not actually expect that to happen. I think that is a plea that will be widely ignored by all sides. But nonetheless I make it because I do think that would benefit the Australian public and our economy. We are all feverishly scrambling to emphasise economic responsibility and the importance of making sure our economy does not go south and more Australians do not get hurt by some difficult economic times ahead. So let us keep that in mind and match that rhetoric with reality when it comes to considering this and all other legislation.

In case it was not picked up the first time around, I foreshadow the amendment I have circulated to the motion. In effect, we already voted on that. As I said, the Democrats believe 17 March is an adequate minimum
time frame, but we do not believe that the sky will come crashing down if that time frame is longer.

The ACTING DEPUTY PRESIDENT (Senator Watson)—As a matter of procedure, Senator Bartlett, I suggest you move your foreshadowed amendment to the motion after we vote on Senator Wong’s amendment.

Senator SIEWERT (Western Australia) (12.51 pm)—I am going to show considerable restraint and not get stuck in once again about the former abuse of the committee process as I have already done that twice today and I do not want to bore everybody to tears. At this time I would like to discuss some of the proposed committee terms of reference. The Greens, of course, do believe it is important that this legislation be referred to committee. We believe it should have been done through the selection of bills process and supported the government’s referral to the Selection of Bills Committee, with the reporting date of 17 March. It is interesting to note too that, because the government was not proposing to put any restraints on what the committee could review, any issue would then have been open for a review through that process.

We believe the terms of reference that the opposition are proposing reflect their particular ideology around AWAs and individual statutory agreements in many of the particular points—particularly, terms of reference (c) and (d), which refer to the ‘potential for a wages breakout and increased inflationary pressures’ and the ‘potential for increased industrial disputation’. We believe these terms of reference are pre-empting a particular point of view of the impact of the changes to the legislation and, basically, running the opposition’s political point of view. They are not listening to the fact that the Australian people have said very definitely: ‘We don’t want AWAs. We don’t want them.’ The coali-
tion continue with their particular point of view. They also seem to be a bit confused about AWAs. On the one hand, when it suits them, they reckon AWAs are increasing wages. On the other hand, when it suits them, they reckon getting rid of AWAs is going to lead to a wages breakout. So it is a bit fascinating. If you look at the terms of reference, they have changed the way they refer to AWAs. They are now adopting the term ‘individual statutory agreements’ rather than naming them what they are—AWAs. This is fascinating but it is an acknowledge-
ment of the fact that they realise that AWAs are poisonous and that they know the community hates them. As Senator Wong rightly pointed out, you had to have been fast asleep during the election if you did not work out that a key part of the election was about AWAs and Work Choices.

I also take on board Senator Bartlett’s comments about a mandate. I agree with his comments in that I think the government does have a mandate to change the legislation, to get rid of AWAs and to get rid of Work Choices. But it does not give them the mandate to then just put any legislation in without letting this Senate carry out its proper work of review and scrutiny. With regard to the issue of mandates, the Howard government never went to the electorate with Work Choices; it only brought it in when it realised it had gained control of the Senate at the 2004 election. So, while the Howard government had no mandate for that legisla-
tion, the Rudd government was very strongly elected on the basis of industrial relations legislation. However, the Greens do not believe that the Rudd government’s proposed changes, as put forward during the election, went far enough. We will be using the Senate process to review this legislation and to make sure it is delivering much better industrial relations and the much promised industrial relations reform.
It is clear that AWAs fall into two categories: those used to lower wages and those used de-unionise a workplace. It is important that the committee understand the impact of AWAs on workers and what the transitional bill will mean for those workers. We believe there is a critical role to be played to look at this legislation to make sure it is doing what it is purporting to be doing. It is also interesting to note that the opposition do not seem to care about the impact AWAs have had on workers in terms of lowering wages. It is concerned about a wages breakout but it does not seem to be concerned about the impact AWAs have had on lost wages or about the reduction of conditions through these instruments.

The Greens strongly support this legislation being referred to the committee. We have made that abundantly clear ad infinitum in this place over the years. We will be supporting Senator Wong’s proposed amendment for 17 March. If it is unsuccessful, I am persuaded by Senator Bartlett’s arguments about the extra days of sitting. We Greens want to see, in particular, the awful blot of this legislation gone and the awful blot of AWAs in Australia removed. That is why we are putting the effort in to make sure we get across this legislation very quickly so that we are able to look at its impacts and ensure that it is delivering what it is promising to deliver. Let us get on with it. Let us refer this to the committee. As I said, we are not happy with these terms of reference. We would prefer to use the wider Selection of Bills Committee process. But let’s refer it to the committee on 17 March.

Senator MARSHALL (Victoria) (12.57 pm)—I rise to speak in this debate, which is very similar to the debate that took place this morning on another motion about the same matter. Unfortunately, I did not get an opportunity to speak then, as the time allowed for that debate was expiring. I want to talk about some of the furphies that have been introduced into this debate over this motion and in relation to the same issues that were raised earlier this morning and try to deal with them, because, quite frankly, I took exception to many of the comments and allegations made about the motives of the government in this matter. This morning Senator Murray referred to this government as a lazy government with respect to trying to have a shorter—than what he would like— inquiry into this legislation. I take exception to those comments and reject them.

Let us just go through the facts about what the government has actually been doing. An enormous amount of work and consultation has been undertaken by this government to get this legislation right, right back from when it was developed as a policy position. We announced our policy intentions about this matter in April 2007 and we provided detailed implementation strategies of the policy in August 2007. These policies have been in the public realm for almost a year.

Since taking government, we have also been involved in a comprehensive consultative process with unions, employers and other experts about the development of our policy position into the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. That has taken place at many levels. There was certainly significant consultation with the National Workplace Relations Consultative Council and its sub-committee, the Committee of Industrial Legislation. That involved experts from employer and employee organisations sitting around the table and developing the policy into a bill through consultation. The bill was then subject to discussion at the Workplace Relations Ministerial Council, and the council debated the bill and the effects of the bill and ultimately endorsed the Rudd Labor government’s policy directions and our intention to go forward with the bill. There was...
enormous consultation. With the greatest of respect—through you, Mr Acting Deputy President Watson—Senator Murray knows how difficult that consultation can be. So an enormous amount of hard work has been done by this government to get this bill balanced, fair and right.

I do not suggest for one second that that sort of consultation should replace Senate scrutiny. I am not suggesting that at all. But whenever we talk about referring bills to committees, we need to also look at what is required, the work of the committee, and whether the committee can actually do its job in a particular time frame. Mr Acting Deputy President Watson, you are the new deputy chair of the committee that is going to look at this reference. The Senate Standing Committee on Education, Employment and Workplace Relations was established yesterday, and we have absolutely no work before us. So it is really a question of whether the committee can do the work required by this chamber—or what the government thinks the committee can actually do in terms of scrutinising this bill—in the appropriate time. There should not be any arbitrary minimum time for scrutiny. It really depends upon the size of the bill, its impact and the amount of time it has been in the public domain.

Contrast that consultation process with that of the Work Choices legislation itself. Had anyone seen it? No. It was developed in secret with some employer-friendly lawyers over a long period of time. There was very little consultation. We did not have any idea what was in it. There was never any policy position put out from the government. They certainly did not go to an election with any detailed policy or implementation plans. They put it in this place and effectively gave us a single day of hearings when we had to jam through all the people who wanted to make substantial submissions. It was really an obstructed Senate process as far as I was concerned, and we had a very short time to do it.

Senator Ellison made some reference this morning to the size of the bill. He said that it was some 100 pages in length. Let me remind the Senate that the Work Choices legislation was some 800 pages in length. And, after the truncated Senate scrutiny process, when we got to the day when the bill was going to be debated in the chamber, we had another 100 pages of amendments put on the table, none of which would have substantially changed the legislation.

We do not say that we do not want to have Senate scrutiny. In fact we say we do want to have Senate scrutiny. But what we also want to do is to make sure that the bill is passed in a reasonable time frame to put an end to AWAs. That was clearly what we went to the election with. We said we would end AWAs and that is what we will do. We have worked with unions, employers and academics to develop a bill resulting from our public policy position that was front and centre going into the election. I acknowledge that Senator Ellison acknowledged that this morning. He said that industrial relations were front and centre in the election—absolutely. There were no secrets about what our policy was, and we have gone through a comprehensive, consultative process right up until now.

Now that we are at the point where we have done that, we have a bill that in today’s press was described by Heather Ridout, Chief Executive of the Australian Industry Group, as being ‘balanced and fair’. I make the point that people from employer organisations can say that because of the work that was done by this government in developing this consultative process. Again, I make the point: that does not mean we do not need a proper Senate scrutiny process; we do. That is what we support. But the committee can clearly do this work in the time that has been
allocated by the government. We have no other work before us. We have been in the position many times when we have had to work very hard, and I object to some of the statements that were made this morning by Senator Ellison, when he said: ‘Let’s do the hard work. What this government is scared of is doing the hard work.’ We want to do the hard work on our committee. We can do that hard work and carry out a proper scrutiny process—hear from everyone who wants to be heard and go wherever we need to go to hear from those people. But a lot of that work has already been done, as I outlined earlier in my contribution.

I reject the argument that this is the result of a government wanting to ram this legislation through. We want to do no such thing. But, because we have engaged in such a comprehensive consultative process and clearly made our policy position public over the last 12 months, clearly put it before the Australian people at the federal election and clearly got endorsement from them to do what we want to do, we want to get on and do it. The committee can do it in that time frame and the Senate should allow us to do that.

We had many furphies introduced into the debate about the sitting calendar. Quite frankly, the motion before us is not about the sitting calendar of the Senate. That is an important issue, but that is a different debate. It has been introduced into this debate simply as a red herring. The question before us is whether the committee can perform a proper scrutiny of this legislation in the time that the government would like, and the answer to that is yes. The opposition’s argument is not for the Senate to play a new-found, active scrutiny role. I have rarely seen that in the time I have been here, which is nearly six years. They are simply using that argument to frustrate this government’s legislative agenda, something that we have an absolute, clear and unambiguous mandate from the Australian people to introduce. Let me put some of those arguments to bed. As I said, if you want to have a debate about the Senate sitting calendar, let us have that debate at some point in time. But let us not confuse that argument with the process of referring a bill to a committee, because the committee is going to do its work outside of parliamentary sitting times anyway.

We have had to suffer some of the most ridiculous arguments about hypocrisy, as if our wanting to pursue our legislative agenda and give an appropriate level of time for Senate scrutiny, allowing the Senate committee to do its work, was somehow taking the reverse position of what we argued when we were in opposition. We are not saying that we want to simply ram the bill through. We are not doing what the previous government did on the Telstra bill. We are not doing what they did on numerous other bills, such as the Employment and Workplace Relations Legislation Amendment (Welfare to Work and Vocational Rehabilitation Services) Bill 2006. To put the record straight on that, the previous government opened up and awarded tenders for that process before they even introduced the bill, completely bypassing any Senate scrutiny process. They had a token inquiry at the end, but it was after it was all done and dusted because of their abuse of their numbers in the Senate.

Their arguments are just not true. We want to have, and will have, a proper scrutiny process. But the difference is we can do it in the time we say because of the enormous consultation with stakeholders that has already taken place, because of the public nature of our policy implementation position and the development of that into the bill.

The opposition do not seem to have understood the result of the election. The only choice Work Choices ever gave any worker
was ‘take it or leave it’. The instrument which delivered that choice was the AWA. We were absolutely clear about wanting to remove that instrument. That is what the Australian people voted for in the previous election. We want to do that. The previous government want to frustrate us in doing that. They know that thousands and thousands of AWAs are still being made unfairly and that people are still losing conditions and pay, but they are still ideologically attached to AWAs.

We have heard all sorts of comments. I actually heard the Leader of the Opposition, Dr Brendan Nelson, say that he is going to ensure that we deliver on our election promises. He is going to ensure that! Let us make no mistake: one of our election promises was the introduction of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 and the abolition of AWAs. That was one of our election promises, but what do we see from coalition senators? We simply see an attempt to frustrate that promise and to push the introduction of the bill out past the parliamentary sittings so that it cannot be passed for many months. So AWAs will continue in operation and the previous government will delay our election promises and implementing the mandate that we received.

I reject the arguments that have been put forward by the opposition. As I said, I also take exception to and reject the arguments put by Senator Murray in respect of how we got to this point. We support proper Senate scrutiny. We have always done so. The previous government cannot make that claim. Like Senator Siewert, I do not need to go into all the numerous examples. We have talked about them over the last couple of years. There are many examples of where the previous government used the Senate numbers to avoid any form of Senate scrutiny. They are trying to run the line that that is what we are doing when clearly we are not. You could not have a more transparent process than the one the new government have undertaken. This is simply a way to frustrate this government implementing its legislative agenda.

Let me say again very clearly that, as chair of the committee that this bill will be referred to, in my view, the committee is able to conduct a proper, thorough Senate scrutiny process of this legislation within the time frame outlined in Senator Wong’s amendment. It has no other work to do at this point in time. We are able to do it. In fact, we proved that we were able to do it many times in the past, even when the previous government set us much more unrealistic expectations than the time frame that we are suggesting at the moment. We have the ability to do this. The Senate has the ability to do this. The integrity of the Senate will be protected through this process. This argument can be for no reason other than that the former government is seeking to frustrate the introduction of this bill for debate in the Senate chamber.

Question put:
That the amendment (Senator Wong’s) be agreed to.

The Senate divided. [1.18 pm]
(The President—Senator the Hon. Alan Ferguson)

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Senator BARTLETT (Queensland) (1.20 pm)—As foreshadowed, I move:
At the end of the motion, add:
(2) the Senate expresses the view that it would better enable full consideration of the committee’s report if the Senate were to sit for an extra 4 days prior to the week beginning 12 May 2008.

Question agreed to.
Original question, as amended, agreed to.

AGED CARE AMENDMENT (2008 MEASURES No. 1) BILL 2008
Second Reading
Debate resumed.

Senator STEPHENS (New South Wales—Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion) (1.21 pm)—I am very pleased today to address the Aged Care Amendment (2008 Measures No. 1) Bill 2008. This bill implements the changes to the Aged Care Act 1997 accommodation subsidies and resident accommodation fees that were announced in the 2007 federal budget. The bill amends the Aged Care Act to simplify the fees and charges paid by residents, as well as the accommodation supplements paid by the government for residents who cannot fully meet their own accommodation costs. A higher level of accommodation payments will be phased in to support the provision of quality accommodation. All care recipients, regardless of whether they are pensioners or self-funded retirees, will potentially be eligible for the new government accommodation supplement. The eligibility of the care recipient for the accommodation supplement will depend on the person’s assets. Unlike under the current arrangements, new self-funded retiree residents with few assets will also be eligible for government assistance.
The bill also amends provisions governing income tested fees. Currently, self-funded retirees pay higher income tested fees because nearly all of their income is counted under the income test. However, pension income is currently not counted under the income test. This results in self-funded retirees paying more than part-pensioners of similar means. The bill creates a new income test that treats all people in the same way and treats all income the same.

There are three important safeguards that will ensure that residents are protected and that the changes do not adversely affect existing residents: first, a residence accommodation charge will continue to be determined based on assessable assets at the time of entry to care and remain fixed until they are discharged; second, the government will continue to place a cap on accommodation charges; third, residents with unrealisable assets will continue to be able to apply for hardship assistance if they cannot afford to pay their charges.

The changes also broaden eligibility for community care grants for providers of community aged-care packages and extend eligibility to extended aged-care at-home providers, extend the operation of aged-care legislation to the territory of Christmas Island and the territory of Cocos (Keeling) Islands and makes technical amendments to improve consistency and clarity in the Aged Care Act. Subject to the passage of the bill through parliament, it is proposed that the new arrangements will take effect from 20 March 2008.

In addition to the amendments required to the act, further detail will be outlined in amendments to the aged-care principles as well as in other delegated legislation. These changes align with the implementation of the Aged Care Funding Instrument, which determines the level of funding for care based on the assessed needs of care recipients. As we have previously indicated, the government is committed to review the implementation of the Aged Care Funding Instrument, including the extent to which it achieves its stated purpose, 18 months after implementation. We have also committed to review the current aged-care planning ratios to take better account of demographic changes and changing patterns of use of aged-care services. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

Third Reading

Bill passed through its remaining stages without amendment or debate.

QUESTIONS WITHOUT NOTICE:
ADDITIONAL ANSWERS

Economy

Senator WONG (South Australia—Minister for Climate Change and Water) (1.26 pm)—by leave—I wish to clarify an answer I gave at question time yesterday in response to a question asked by Senator Ian Macdonald. Yesterday in Senate question time, I gave an answer based on departmental advice relating to the Asia-Pacific Network for Energy Technology, which is within the portfolio of Resources, Energy and Tourism. On the basis of advice I have now received from my department, I wish to clarify my answer so there is no ambiguity. I am now advised that the Department of Resources, Energy and Tourism will consider further resourcing of and the use of existing resources for this program in due course.
APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 1) 2007-2008
APPROPRIATION (DROUGHT AND EQUINE INFLUENZA ASSISTANCE) BILL (No. 2) 2007-2008
Second Reading
Debate resumed.

Senator STEPHENS (New South Wales—Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion) (1.27 pm)—The Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) 2007-2008 and the Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) 2007-2008 will deliver urgent funding to cover new and expanded assistance measures for the drought and the outbreak of equine influenza that were announced last year. The measures include additional exceptional circumstances funding for farmers and farm-dependent small businesses and the emergency assistance package and eradication program for the horse flu outbreak. These bills require immediate passage as the administered appropriations provided to the Department of Agriculture, Fisheries and Forestry have actually been exhausted. At the current rate of expenditure, the department will run out of appropriations by the end of February 2008.

The Appropriation (Drought and Equine Influenza Assistance) Bill (No. 1) requests additional funding for the department to meet increased expenses during the 2007-08 financial year. This money will cover the new and expanded drought relief assistance and provide financial aid to the horse industry as a result of the equine flu outbreak. The Appropriation (Drought and Equine Influenza Assistance) Bill (No. 2) seeks additional funding for the department to make payments to the states, territories and local government authorities for drought relief. It will also allow the department to reimburse the states and territories for costs associated with the national response to eradicating equine influenza. The majority of the costs of this response, while being reimbursed to states and territories at this stage, will be recovered from the horse industry through the national emergency animal disease response agreement, so cost recovery will be addressed in separate legislation.

The drought and equine influenza measures were announced by the previous government in September and October 2007. The equine influenza measures were extended by the government earlier this month. The measures are a response to the increasing severity of the drought and also provide immediate financial relief for the equine influenza outbreak that occurred in August last year.

The previous government’s measures were published in the media and in previous government documents and they now need to be substantially supported by additional appropriation. So these appropriation bills and the urgency with which we are treating them demonstrate the government’s commitment to assisting those communities affected by drought and to eradicating equine influenza. I commend the bills to the Senate. Question agreed to.

Third Reading
Bills passed through their remaining stages without amendment or debate.

APOLOGY TO AUSTRALIA’S INDIGENOUS PEOPLES
Debate resumed from 13 February, on motion by Senator Ludwig:

That the Senate take note of the National Apology to the Stolen Generations.
Senator WORTLEY (South Australia) (1.31 pm)—I rise today to support completely the apology to Australia’s Indigenous people. In doing so I acknowledge and honour the traditional owners of all the lands across our vast continent of Australia. I had the opportunity to address this issue in an earlier speech yesterday so on this occasion I will be brief. Our children are precious. I cannot find the words that could adequately describe the feelings of those mothers and fathers who had their children taken, often whisked away, and placed in locations unknown to them, or the feelings of the children whose mothers and fathers were lost to them, some for years, some for decades, some forever. Out of sight does not equate to out of mind and the Aboriginal people I have met and spoken with throughout my life, those of the stolen generations and those whose family members—mothers and fathers, brothers and sisters, and partners—were of the stolen generations, have a depth of sadness in their eyes. It becomes immediately apparent that the years have not dimmed their memory nor lessened the hurt.

As the Prime Minister said yesterday, there comes a time in the history of nations when their peoples must become fully reconciled to their past if they are to go forward with confidence to embrace their future. We have taken too long to apologise for the treatment of our Indigenous people, those of the stolen generations and others who have suffered and continue to suffer inequality and disadvantage. Families of the stolen generations were torn apart, subjected to indignity, humiliation and unimaginable sadness, loss and grief, and that is why we say sorry. As the Bringing them home report commissioned by the Keating Labor government and handed down in 1997 cites:

For victims of gross human rights violations, establishing the truth about the past is a critically important measure of reparation ...

The report also says:

For many victims and their families, an accurate and truthful description of past policies and practices and of their consequences is the first requirement of justice and the first step towards healing wounds ... Also essential is an acknowledgment of responsibility ... The truth has now been acknowledged in the first week of the 42nd Parliament of Australia. Past actions and present consequences have been recognised. An apology has been delivered. The Prime Minister has said sorry on behalf of the government and the parliament for the hurt caused to members of the stolen generations and other Aboriginal and Torres Strait Islander people. This simple and symbolic act brought unbridled tears from many who thought they would not bear witness to it in their lifetime.

Today as a nation we are now ready to advance reconciliation with our Indigenous peoples. Now we find ourselves at a place from which to start building better relationships between Indigenous and non-Indigenous Australians, a better future. Together we can begin the journey to establish mutual respect, from which we can work towards achieving other meaningful goals. Now we must move forward, Indigenous and non-Indigenous people, in learning from the mistakes of the past and ensuring that they are never repeated.

As I have already said, there is much to be done across the Australian community to bring about reconciliation between Indigenous and non-Indigenous Australians. Through consultation and collaboration with Indigenous people and communities the government will seek to build a relationship based on respect. We must translate our words of apology into actions via meaningful and effective policy, legislation and law. The government will continue developing and implementing a range of initiatives to help close the gap between Indigenous and non-
Indigenous Australians in the area of health outcomes and educational achievements. As a nation we need to recognise the true and full value of Indigenous culture. As a government we pledge to address this and other examples of oversight and neglect of our Indigenous Australians.

Senator BARNETT (Tasmania) (1.37 pm)—I stand today to support the motion that has been passed overwhelmingly through this parliament, in the Senate and in the House of Representatives. Yesterday was a historic day and I support saying sorry and apologising for past injustices. It provides an opportunity for a new beginning. The preamble to the motion stated:

That today we honour the Indigenous peoples of this land, the oldest continuing cultures in human history.

We reflect on their past mistreatment.

We reflect in particular on the mistreatment of those who were Stolen Generations—this blemished chapter in our nation’s history.

The time has now come for the nation to turn a new page in Australia’s history by righting the wrongs of the past and so moving forward with confidence to the future.

It is true that the passing of this motion has been received with great relief by many, and I hope it provides healing and reconciliation. I hope it provides an opportunity for better outcomes and future possibilities so that Indigenous and non-Indigenous Australians can achieve their full potential. We can anticipate, as I have indicated, a new beginning.

Why do I support the motion? Why is it wrong? What was wrong? In particular, I refer to one of the paragraphs of the motion which said:

We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

The fact is that both levels of government, state and federal, had laws and policies in place which were based on race; they were discriminatory. It is my view that the vast majority of the very well-intentioned church and mission organisations were exactly that: they had good intentions; they were well-motivated; they were there to provide support, care and compassion to those Indigenous children. But the fact is that the laws of this land were wrong. They were based on race and it is appropriate to say sorry and apologise for that past injustice. I want to make it clear that it is my view that in no way do I wish to attribute guilt to this generation for the injustices of the past, but it is appropriate for the government and this parliament to say sorry and apologise for that past injustice.

The motion read:

We the Parliament of Australia respectfully request that this apology be received in the spirit in which it is offered as part of the healing of the nation.

An apology is doubly powerful if it is both given and received with sincerity. Forgiveness is far more meaningful if it is actually accepted with a heart of thankfulness. Reconciliation requires two to tango so that healing can take place; it is a two-way street. I hope with all of my heart that it can be accepted with sincerity by our Indigenous communities, the leaders of our Indigenous communities and those affected in particular.

In Tasmania, on 13 August 1997, the state parliament passed a motion which was of the following accord. It was moved by the Premier at the time, Tony Rundle. It said:

That this Parliament, on behalf of all Tasmanians, expresses its deep and sincere regrets at the hurt and distress caused by past policies under which Aboriginal children were removed from their families and homes, apologises to the Aboriginal people for those past actions and reaffirms its
support for reconciliation between all Australians ...

I commend former Premier Rundle and the Tasmanian parliament for that motion. I support it wholeheartedly. Former Premier Rundle quoted some concerns that were expressed by former Tasmanian Aboriginal elder Mrs Ida West. Premier Rundle quoted two examples of a boy who was removed from Cape Barren Island in 1959 at the age of 12 who remembers:

I had no knowledge I was going to be taken, I was not even able to see my grandmother and I had just the clothes I had on my back, such as they were. I never saw mum again.

Mr Rundle went on to say:

... his two brothers and two sisters were not able to be all together again until 1995. Families were kept apart physically and emotionally. A Tasmanian woman removed from her family as a baby recalled that:

I was not allowed to go to the same school where my natural siblings were. I was told not to contact my natural family because they were not any good.

The motion was wholeheartedly supported by the Tasmanian parliament. I want to acknowledge the support at the time of Premier Jim Bacon, and in particular I want to acknowledge the leadership shown by former Premier Ray Groom, who officially stated in December 1993 that Tasmania would work to give full and proper recognition of Tasmania's Aboriginal people and their heritage and culture. Of course, former Premier Bacon was responsible for transferring Oyster Bay and the Wybalena property to the Aboriginal community in Tasmania.

I would like to ask: what about this new beginning, this new joint commission to fight disadvantage in Indigenous communities, particularly with respect to housing? That is a welcome development. But Paul Kelly referred to it very well in the Australian today, where he said:...

... the apology imposes obligations on today’s Australians. Its spirit is dishonoured if the current generation cannot devise new and better policies to lift the conditions of indigenous peoples.

That is a very wise statement indeed.

In today’s Examiner the editorial is worth noting. It says:

Yet, as much as yesterday’s speech by Mr Rudd was a huge landmark for Australia, we need to move beyond that symbolic landmark. The apology may help heal wounds, but it will not end the very real problems that remain for Aboriginal and Torres Strait Islanders.

So there is clearly a lot more to do.

I would like to add a further apology, and that is an apology to the current generation of Indigenous children. We have breached a duty of care as federal, state and local governments—and the community all around Australia—to provide a safe and secure environment in which Indigenous children can live, grow, be nurtured and prosper. There was a recent case in Queensland with Judge Bradley, where nine boys and men repeatedly raped a 10-year-old girl in the community of Aurukun. It was so horrific to hear of that case but, sadly, it is not alone. The Little children are sacred report that was released last year contains damning evidence that the current generation of Indigenous children in this country deserve an apology because we are incapable at this time of providing a safe and secure environment for them to be nurtured, to grow and to reach their potential as human beings.

That is why I am a very strong supporter of, and thank, Mal Brough for his leadership and that is why I am a strong supporter of the Howard government’s Northern Territory intervention legislation. It saddens me greatly that the Rudd Labor government is moving down the track of dismantling that intervention measure and, in particular,
bringing back the permit system, providing
no-go zones—little enclaves—where chil-
dren will not be safe. I wonder about this and
I ask this question: by going down that track,
now knowing that there is evidence on the
table that children are being abused, particu-
larly sexually abused, is our government in
breach of the International Convention on
the Rights of the Child? I do not know but I
certainly think it is worth considering
whether that is the case.

It was disappointing that the Prime Minis-
ter was not able to disclose the wording of
the motion in advance of the debate. I think
it was a churlish act but nevertheless I thank
Dr Brendan Nelson for his leadership in sup-
porting it overwhelmingly and the leadership
that he has shown the coalition. I support the
motion.

Senator STEPHENS (New South
Wales—Parliamentary Secretary for Social
Inclusion and the Voluntary Sector and Par-
liamentary Secretary Assisting the Prime
Minister for Social Inclusion) (1.47 pm)—It
gives me great joy and pleasure to contribute
to the debate on the apology to the stolen
generations because yesterday, as we all
know—we all heard—Australia turned a new
page in its history. Australians, both Indige-
nous and non-Indigenous, embraced a new
era of forgiveness and inclusion. The Prime
Minister’s articulation of such a sensitive
apology to the stolen generations because yesterday, as we all
know—we all heard—Australia turned a new
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When they went to mix in white society, they found they were not accepted [because] they were Aboriginal. When they went and mixed with Aborigines, some found they couldn’t identify with them either, because they had too much white ways in them.

So that they were neither black nor white. They were simply a lost generation of children. I know I was one of them.

Those stories of the enduring impacts and the sense of isolation and dispossession make up much of the evidence that we have heard and they have been reiterated over the last few days by the people who are most intimately connected to the stolen generations or are members of the stolen generations. They really bring the significance of this vote and this national apology home to us all.

The history of removing Aboriginal children from their homes is one of great complexity. We have had some arguments about that in the chamber as well. I noted Cape York Indigenous leader Noel Pearson’s comments in Monday’s Australian newspaper. I think he captured the complexity of the debate. He wrote:

People were stolen, people were rescued; people were brought in chains, people were brought in by their parents; mixed-blood children were in danger from their tribal step-fathers, while others were loved and treated as their own; people were in danger from whites, and people were protected by whites.

The motivations and actions of those whites involved in this history—government and missions—ranged from cruel to caring, malign to loving, well-intentioned to evil.

And so, to my mind, we have to look at the forced removal of Indigenous children in terms of its lasting overall cultural impact. I know many of my colleagues here in the chamber know that I spent some of my happiest years working in the Northern Territory and saw firsthand, in school and in special education there, just how damaging government policy can be when it fails to recognise Indigenous culture. It was an extraordinary time living there. I have the fondest memories of times, for example, when my children would play with the Aboriginal children who visited the hospital and the outpatients clinic there and of the times when we all pitched in when there was an outbreak of chickenpox and the children’s ward was overflowing with young mothers and their babies. We all just pitched in and helped out with those little ones, and that was a great time. It really brought home to me the abject poverty in which people live but also the cultural richness of their communities and the extent to which those children are loved and cherished.

So, when we in this Rudd Labor government talk about a new beginning, we talk about social inclusion, which is something that is very close to my heart. We know that one of the biggest and first commitments that this government is going to make is to transform the living conditions and the opportunities of Indigenous people in contemporary Australia. We need to do this because, as the healing process continues, we have to start to address the disadvantage that is engulfing Indigenous Australians. It is disadvantage that spans generations.

The Indigenous people, who have been marginalised since European settlement, continue to endure living standards, life expectancy, employment rates and school completion rates that are so far below those of non- Indigenous Australians. As we enter our 17th year of economic growth, with the lowest unemployment rates in 30 years, we still have an Indigenous population that are suffering entrenched disadvantage and that extraordinary 17-year life expectancy gap—an unacceptable life expectancy gap. We have to close that, and I am so proud that Kevin Rudd as the Prime Minister has said, ‘We are going to do it.’ He has set it down as the task for all of us, in government and in opposi-
tion, to do. We are going to say that these realities can no longer be swept under the carpet. We have a commitment that there is going to be the substantial spending needed to create a future that is full of hope, safety and equality of opportunity, health and well-being for Indigenous Australians.

The idea is that we have a bipartisan approach to Indigenous issues through the establishment of a war cabinet. How heartening it is that Dr Nelson has graciously agreed to co-chair that. This is just new ground for Australia. It is new ground for Australia in terms of public policy, and it is certainly new ground for Australia in terms of politics. It is a wonderful commitment—it is a fantastic commitment—that we are going to set ourselves the challenge, and we are going to meet the challenge, of halving the gap in mortality rates between Indigenous and non-Indigenous children under the age of five. What a profoundly important thing we have to start with. During that time we are going to do the same thing: we are going to halve that gap in reading, writing and numeracy through a package that focuses on early childhood development and early intervention.

We are going to revisit the recommendations of the Bringing them home report, particularly the need to provide counselling and health services and, of course, to continue to support tracing lost families and lost children and reuniting them—and how important and significant an effort that is. We have given a commitment to ensure that those services can be provided to the stolen generations. We are going to work to have every Indigenous four-year-old in every remote Aboriginal community enrolled in preschool or an early childhood education centre. Then we are going to set some targets that we are going to be held to as a government: to build future educational opportunities for Indigenous children; to provide primary and preventative health care; to begin reducing the obscene infant mortality rates in remote Aboriginal communities. That is what it is all about: a social inclusion agenda. (Time expired)

Senator EGGLESTON (Western Australia) (1.57 pm)—The apology motion carried in both houses of the federal parliament yesterday closes a chapter on the past. But it has to be acknowledged that in some sections of our Indigenous population there are still many problems to be overcome before all of our Indigenous people are able to enjoy the benefits that living in contemporary Australia should bring them.

I believe that we as a nation need to acknowledge the reality of Indigenous poverty and disadvantage in our society. As members of the Commonwealth parliament, we need to pledge to do all we can to ensure that all of these contemporary problems are corrected. It really is a disgrace that in modern Australia there is a segment of our population with much lower life expectancy and higher infant mortality and morbidity rates, often living in substandard housing and needing better health services and improved access not only to basic education to ensure that literacy standards are met but also, more importantly, to job skill education so that our Indigenous people are equipped with the skills to enable them to find worthwhile jobs in our community.

However, in this atmosphere of apology I believe that we should acknowledge that much progress has been made in ensuring a better quality of life for Indigenous Australians. Our record as a nation is far from being all bad, as some would have it. According to the report Overcoming Indigenous disadvantage: key indicators 2007, published by the Steering Committee for the Review of Government Service Provision, encouraging progress has been achieved in improving the lives of our Indigenous people.
Debate interrupted.

QUESTIONS WITHOUT NOTICE

Automotive Industry

Senator RONALDSON (2.00 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. I refer to the minister’s answer yesterday when he asserted that it was ‘incorrect’ that Labor mate Steve Bracks was to be appointed to head an inquiry into the automotive industries. In light of the minister’s own confirmation today that Mr Bracks will indeed head this inquiry, can the minister now confirm that he misled the Senate? As such, will he now apologise to the Senate?

Senator CARR—Yesterday, I indicated to the Senate that—and I will quote directly so that the senator who has asked this question might be clearer in his knowledge—’We are about to announce the details of the review. We are about to announce the personnel associated with that review.’ It is quite clear that I did exactly that. This morning I announced the review. I announced the detail of the personnel of the review. I announced the terms of reference of the review. The review will be headed by Steve Bracks—a man of integrity and one of the most successful premiers and champions of fresh thinking that this country has seen in a very long while.

Senator Ronaldson—Mr President, I rise on a point of order. We are not interested in a defence of former Premier Bracks. Yesterday Senator Carr—in response to Senator Abetz, who put it to Senator Carr that Mr Bracks was to be appointed to head this inquiry—said that Senator Abetz was incorrect. Today Senator Carr is being asked a very serious question as to whether, in saying that, he was misleading the Senate. The question is not about Mr Bracks; the question is about whether Senator Carr misled the Senate yesterday, and I ask you to get him to answer the question.

Senator Chris Evans—Mr President, on the point of order: I rise to point out that there was no point of order at all. It was an attempt to get an early supplementary question in.

The PRESIDENT—I have ruled on it.

Senator CARR—Mr Bracks was the first Premier to appoint a minister for innovation, in 2002. We are lucky to get someone with the national and international experience of Steve Bracks. We are lucky he has agreed to take time out from his important work in East Timor. This is a global industry. I am sorry if the senators opposite seem to be unaware of the significance of the automotive industry to the Australian people, to the Australian economy and to the Australian society. They seem to be concerned about one person’s job. I am concerned about the 60,000 Australians’ jobs that are on the line here. I am concerned that the opposition seem to have learnt so little about the significance of this industry. I am very concerned that Mr Bracks is being attacked in this way. Mr Bracks has worked tirelessly to attract foreign investment to Victoria. He is the sort of person that the opposition cannot stand, because he is the sort of person that can sort the wheat from the chaff.

Senator Minchin—Mr President, I rise on a point of order, relating to relevance to the question asked. Yesterday Senator Carr—in response to Senator Abetz, who put it to Senator Carr that Mr Bracks was to be appointed to head this inquiry—said that Senator Abetz was incorrect. Today Senator Carr is being asked a very serious question as to whether, in saying that, he was misleading the Senate. The question is not about Mr Bracks; the question is about whether Senator Carr misled the Senate yesterday, and I ask you to get him to answer the question.

Senator Chris Evans—Mr President, on the point of order: the opposition are looking to flout the standing orders. Neither Senator Ronaldson nor Senator Minchin has made a
point of order. Senator Carr was directly asked by Senator Ronaldson a question about the review he announced today and the personnel. He is answering that question. His answer is completely relevant. I would ask you to call to order senators when they stand when they have no point of order—other than to try to repeat the question or the supplementary question they are about to ask.

Senator Ronaldson—Mr President, on the point of order: the question I asked Senator Carr was quite clear. He came into this house yesterday and denied that Premier Bracks was going to be appointed to this inquiry. He misled the Senate and he should apologise.

The President—Senator Ronaldson, I will not allow you to debate a point of order. When Senator Minchin raised the first point of order, he initially said that he was raising a point of order on relevance. Senator Carr, I draw your attention to the question and ask you to proceed.

Senator Carr—I was indicating that Steve Bracks is the sort of person that can sort the wheat from the chaff—unlike the opposition in this chamber. Quite contrary to the nonsense that was floated in this chamber yesterday by the shadow minister, Mr Bracks will be paid at the standard Remuneration Tribunal rate of no more than $572 a day. That is considerably less than the $2,750 a day that his predecessors were paid, such as Terence Cole, who ran the Royal Commission into the Building and Construction Industry. This opposition know a lot about inflation, because they have caused this country a great deal of pain as a result of their policy. In terms of the inflationary effect, if we compare what the prices were seven years ago to what they are today, they would see a situation—

The President—Order! Senator Carr, you are straying a long way from the original question. While I will allow a lot of latitude in answering the question, I ask you to remain relevant.

Senator Carr—I am just making the point that Terence Cole was paid $2,750 a day. In today’s dollars that is $3,280 a day. We are very fortunate that we are able to secure the services of Mr Bracks. We are very fortunate that we now have a government that does not work on the assumption that we can allow manufacturing to go onto automatic pilot. We are concerned to ensure the sustainability of this industry that 60,000 Australians rely upon. Our commitment is to ensure the sustainability of this industry. It is so unfortunate that the opposition has failed so dismally to understand these basic facts.

Senator Ronaldson—Mr President, I ask a supplementary question. I am just wondering whether former Premier Bracks was sorting the wheat from the chaff when he opposed the minister’s preselection. Why did the minister overrule his department’s advice to appoint the respected Productivity Commission to undertake this inquiry? Was it in fact demanded by the ACTU as part of its election funding payback?

Senator Carr—The government indicated that it would establish a wide-ranging review. It was an election promise. It has been a longstanding commitment to ensure a thorough review, and it is a commitment that we have made on numerous occasions. There was no secret about our policy, and there was no secret about our commitment to this industry. The industry has welcomed the government’s response, which stands in such sharp contrast to the position of the opposition. They are essentially prepared to allow this industry to fade out of existence, because they failed to address the fundamental challenges that this society and this economy are dealing with. The Mitsubishi pullout just last week shows us why this review is
needed. We did not start thinking about this last week—unlike the opposition. We have been considering these issues very carefully for a great deal of time.

Economy

Senator GEORGE CAMPBELL (2.08 pm)—My question is to the Minister representing the Minister for Finance and Deregulation, Senator Sherry. In light of the serious inflation problem inherited from the former Liberal government, can the minister inform the Senate of what necessary action the government is taking to put maximum downward pressure on inflation and interest rates?

Senator SHERRY—Thank you, Senator Campbell, for raising what is a very, very important issue—the Labor government’s fight against inflation. At the present time there are a number of significant economic challenges from inflationary pressures, domestic capacity constraints and global economic uncertainty. At the present time the underlying inflation rate is running at approximately 3.6 per cent. The Reserve Bank independently determines interest rates and its band for inflation is between two and three per cent. So the current underlying inflation rate of approximately 3.6 per cent is clearly outside that band. It is the legacy that we have been left by the former Liberal government. What we have now is a level of inflation that is the highest rate in 16 years. And higher inflation puts upward pressure on interest rates. That is why this Labor government is determined to tackle this issue. Higher inflation and higher interest rates eat into family budgets; they hurt Australian working families.

The Treasurer, the leader of the government—the Prime Minister, Mr Kevin Rudd—and Lindsay Tanner in particular have put forward a vigorous program of fiscal restraint. At the same time that inflation was escalating, the 2007-08 Mid-Year Economic and Fiscal Outlook indicated that real government expenditure was increasing at a rate of about 4.5 per cent. That high rate of real spending is not sustainable, and the new Labor government, having already committed to re-establishing fiscal discipline, has identified savings of some $10 billion over the forward estimates. The Labor government is committed to being fiscally conservative. We reiterated that over and over again before the election. That was a promise made: this will be a fiscally conservative Labor government.

In addition to the $10 billion in savings that I have referred to, we are reordering expenditure priorities in order to reduce the inflationary pressures that we currently face. The government aims to deliver a budget surplus of at least 1.5 per cent of gross domestic product in 2008-09. Contrast that with the former Liberal government: their outcome was estimated to be at one per cent of GDP. We are aiming to deliver a budget surplus of 1.5 per cent of GDP in 2008-09. We intend to go about this with a rigorous and disciplined process. We will be identifying a range of savings to reach that 1.5 per cent target. It is critical to bring inflation under control, and significant fiscal restraint is an important element in bringing inflation under control.

Already the finance minister has identified some $642 million in savings. He announced those last week. There will be additional savings announced on budget night. I reiterate that one of the essential elements is to tackle the legacy of higher inflation, which we have been left by the Liberal government, at a 16-year high. We are determined to tackle this because higher inflation means higher interest rates and that hurts Australian working families. We are determined to tackle this issue by being fiscally conservative, unlike the opposition former government.
Economy

Senator FISHER (2.13 pm)—My question is to the Minister representing the Minister for Employment and Workplace Relations, Senator Wong. Has the government sought advice on the inflationary impact of its proposed workplace relations legislation?

Senator WONG—It is interesting, isn’t it, that those on this side of the chamber are very clear about the importance of the fight against inflation both in terms of what we have been doing since we were elected to government and what we indicated prior to the election in our approach to ensuring that our workplace relations changes did not in any way add to inflation? As Senator Sherry previously indicated, the government is determined to fight inflation. We are clear that one of the planks on which we will do that is fiscal restraint. That may be something that those opposite seem to no longer understand now that they are in opposition, but we regard that as important. We have a five-point plan to fight inflation, which includes setting a fiscal target surplus of 1.5 per of GDP.

We will also tackle the supply-side constraints which for so long were not the subject of attention of the former government. We will also address inflationary pressures through a fair and balanced workplace relations system as we outlined we would before the election. I want to emphasise what we stated: our system would be based on bargaining at the enterprise level, with productivity gains as the incentive for wage increases. I want to emphasise what the Deputy Prime Minister has said and what the Prime Minister said prior to the election, which was made very clear to the Australian people. We will not be returning to a system of centralised wage fixation. Under our system, a wage outcome in one enterprise or one sector will not flow automatically into another.

Unlike those opposite, we do not believe in addressing inflation by simply suppressing the wages of the worst paid workers in Australia, which was the effect of the extreme Work Choices laws which this opposition passed in government and which, as we see today in the Senate chamber, the opposition are determined to keep in place for as long as possible.

Senator Fisher—I rise on a point of order, Mr President. My question was not about Work Choices. My question was about Labor’s plans for the future and whether the government have sought advice on the inflationary impact of their workplace relations legislation. It was not about their motherhood policy statements; it was about whether they sought advice—

The PRESIDENT—I have heard enough, Senator Fisher; resume your seat. I have listened carefully to Senator Wong’s answer, and I believe that she is being relevant to the question that was asked.

Senator WONG—If the senator opposite did not understand what I was saying, I will say it again. We will have a fair and balanced workplace relations system based on bargaining at the enterprise level, with productivity gains as the basis for wage increases. That is the incentive for wage increases. We are not returning to a system of centralised wage fixation or of industry-wide strikes or pattern agreements across an industry. That was very clearly the approach we outlined prior to the election. We are attempting, despite the fact that the opposition does not like it, to implement our policies through the introduction and passage of the transition legislation through this chamber. I look forward to the opposition’s support for a piece of legislation which will end the wage-stripping and condition-stripping Australian workplace agreements.
Senator FISHER—Mr President, I ask a supplementary question. Given that Senator Wong has outlined that part of the priorities of the government are economic management, given that Management 101 is that you cannot manage what you are not measuring and given that she has failed to answer the question, therefore I presume that the minister has not sought advice. My supplementary question is: can the minister guarantee that the inexperienced Labor government’s workplace relations legislation will not lead to a wages break-out and inflationary pressure?

Senator WONG—What I can guarantee is this: we will deliver on the commitment we made to the Australian people before the election to remove your unfair extreme Work Choices laws. I can guarantee that we will deliver on our commitment to ensure that productivity increases and productivity gains are the incentives for wage increases under our system. As I have said, under our system, a wage outcome in one enterprise or sector cannot automatically flow into another. This government understands the importance of government across the range of portfolios, including in industrial relations. We understand the importance of fighting inflation. That is why we put in place a range of savings measures and that is why we will put in place, as we committed, an industrial relations system in which productivity gains are the incentive for wage increases and in which wage bargaining occurs at the workplace.

East Timor

Senator CROSSIN (2.19 pm)—My question is to the Minister representing the Minister for Foreign Affairs, Senator Faulkner. Can the minister provide the Senate with details of the current situation in East Timor which resulted from the events of 11 February and the attack on the leadership of East Timor?

Senator FAULKNER—I thank Senator Crossin for the question. The Australian government, of course, deplores, as do all senators, the shocking incidents in East Timor on 11 February in which President Ramos-Horta was shot and wounded and Prime Minister Gusmao’s convoy was fired upon.

The President is currently in Royal Darwin Hospital’s National Critical Care and Trauma Response Centre, where he is being well cared for. The President’s condition remains serious but stable after he underwent further surgery yesterday to remove a final fragment of a bullet. A member of the East Timorese military was also seriously wounded in the gunfire in the vicinity of the President’s residence. The East Timorese government, with assistance from Australian officials, arranged for the soldier to be evacuated by CareFlight to Royal Darwin Hospital yesterday. The soldier has bullet fragments in his skull and injuries to his leg and elbow but is in a stable condition.

As the Prime Minister has said, Australia will stand resolutely in support of East Timor at this difficult time. I inform the Senate that investigations into those responsible for the attacks are proceeding. Warrants for the arrest of 13 of Reinado’s men have been issued by the Prosecutor-General. We hope that those identified can be detained as soon as possible in accordance with East Timorese law. The Senate would be aware that Australia will provide, at the request of the East Timorese government, a substantial and immediate reinforcement of troops and police under the auspices of the ISF. The Australian Army is deploying up to 200 soldiers and HMAS Perth is currently in the vicinity of Dili harbour. The AFP has deployed an additional 70 officers.
The security situation on the ground is currently assessed as stable but could deteriorate without warning. Last night the East Timorese parliament approved a 10-day extension of the state of siege under which all public gatherings and movement between 8 pm and 6 am are prohibited. The Department of Foreign Affairs and Trade updated the travel advice for East Timor on both 11 and 12 February to note that the President had been shot and to advise Australians to exercise extreme caution at this time, to avoid unnecessary local travel and to note that a state of siege had been declared. The overall level of advice remains the same—that is, it continues to advise Australians to reconsider their need to travel to East Timor because of this fragile security situation and the risk of violent civil unrest.

I can report, of course, that Mr Smith, the foreign minister, visited Darwin on Tuesday, where he was able to convey the government’s support directly to the family members of the President. He also discussed recent developments and Australian assistance with the foreign minister of East Timor, Mr de Costa, and is looking forward to making further close contact with Mr de Costa next week, when he will undertake an official bilateral visit program. Of course, the Prime Minister has announced that he will visit East Timor shortly. I can say in conclusion—and I am sure all senators would agree—that Australia remains ready to provide further assistance to East Timor if needed.

Cost of Living

Senator COONAN (2.24 pm)—My question is to the Minister representing the Treasurer, Senator Conroy. I refer to Labor’s repeated promises to reduce the cost of petrol and household groceries. Minister, when can working families expect to see reduced prices at the bowser and at the checkout?

Senator CONROY—I thank Senator Coonan for her question. On this side of the chamber we have a degree of optimism about the Australian economic future. As we have seen from today’s welcome unemployment statistics, we are coming into our 17th year of economic growth. But what senators should be aware of is that there are significant challenges on the horizon: the volatility of international markets and the threat of extended and elevated inflation. The biggest challenge facing this country is inflation.

The former government sat on its hands and ignored many, many Reserve Bank warnings—and I would like to go through them: on 7 February 2005, the RBA warned about upward pressure on inflation; on 2 March 2005, they raised rates; on 17 February 2006, the Governor warned again of upward pressure on inflation; on 3 May 2006, they raised rates; on 2 August 2006, they raised rates; on 4 August, the bank warned of an upward shift in inflation; on 18 August, they warned of further rate rises; and it goes on and on and on.

For the former government, which completely lost touch with the concerns of ordinary Australians, to come into this chamber and start crying about rising petrol prices, when the former government refused—

Honourable senators interjecting—

The PRESIDENT—Order! I cannot hear Senator Conroy’s response.

Senator CONROY—The former government ignored these concerns when the opposition, us at the time, called for a petrol prices commissioner. And what is one of the promises that we are moving very quickly to deliver on? It is to keep the petrol companies honest. We are going there; we are doing this.

Unlike those opposite, who have no regard for the ordinary concerns of working families in this country—none whatsoever:

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they would not give the ACCC a permanent reference; they would not give the ACCC the tools it needed to deal with petrol price exploitation—we have put in place mechanisms to deal with this issue. But let us be clear about this: for those on the opposite side to come into this chamber now and start crying crocodile tears when for 11½ years they would not give the ACCC the powers it needed, they should be ashamed of themselves.

Senator COONAN—Mr President, I ask a supplementary question. I ask again, because Senator Conroy had no idea how to deal with the question, which is very straightforward: on what date can the people of Australia expect to find lower prices at the supermarket checkout and lower prices at the petrol bowser?

Honourable senators interjecting—

The PRESIDENT—Order! I will not call the minister until the Senate comes to order.

Senator CONROY—Let us be clear: the ACCC’s report of its 2007 petrol inquiry found that the Australian petrol industry was relatively concentrated with significant barriers to the large-scale importing of petrol by independents. Why did it take 11½ years for the ACCC to be asked to do this? Because those opposite, when in government, completely ducked the issue. So what are the Rudd government’s policy initiatives in this area? We have given the ACCC the power to conduct formal petrol price monitoring and have it provide an annual report on price monitoring. For 11½ years we had nothing from those opposite when in government. We will appoint a petrol commissioner within the ACCC. For 11½ years we had nothing. (Time expired)

Latrobe Aquifer

Senator FIELDING (2.30 pm)—My question is to the Minister for Climate Change and Water, Senator Wong. Minister, Family First is very concerned that the Gippsland farmers are disadvantaged by falling water levels in the Latrobe aquifer, mainly due to offshore oil drilling and nearby coal-mining. The farmers have been pinning all their hopes on a report commissioned by the federal government to calculate a figure for compensation. Individual farmers have spent as much as $150,000 each in lowering their bores to survive and have been waiting for more than 10 years for action from the previous government. Minister, this report was promised for release by June last year. When will this report be finalised and when will the government compensate farmers for their losses?

Senator WONG—I thank Senator Fielding for this question. I was aware that he has been interested in this issue, and obviously there is some media commentary about his concerns about these issues. I have also had a discussion with Senator Fielding in which he raised these concerns with me.

I am advised that irrigators in the Gippsland region of Yarram are concerned about falling levels in the Latrobe aquifer. I am also advised that the CSIRO 2004 study into the aquifer’s falling water levels indicated that offshore oil and gas drilling and, to a minor extent, open-cut mining and irrigation practices have contributed to the lowering of the watertable. The government, together with the Victorian government, is funding further research into the falling groundwater levels in the Latrobe aquifer. This research will include a report on the socioeconomic impact on Yarram irrigators and the provision of information on assistance measures to address the impact on these irrigators. I am further advised that a report is due to be completed by the end of March this year. Senator Fielding referred to a commitment that the report be released in June last year and, for the completeness of the record, I indicate that that was a commitment by the
previous government. I am also advised by my department that there is a local stakeholder group providing input into this study. In relation to the compensation issue raised by Senator Fielding, the government will reserve judgement on the issue of compensation until the study is complete.

Senator FIELDING—Mr President, I ask a supplementary question. Minister, the key here is that farmers are concerned about the long-term viability of their farms if the Latrobe aquifer water levels keep falling. These farms are their livelihoods and their homes, and the community relies on them. Minister, will the government commit to fixing the problem of falling water levels in the Latrobe aquifer, given that the farmers feel they have no voice against the interests of the big oil and coal companies?

Senator WONG—As I indicated to Senator Fielding, there is a study underway. There is also, I am advised, a local stakeholder group providing input to this study. I do understand that there are sections of the community, particularly the irrigation industry, who are very concerned about this issue. As I said, we will consider the issue of compensation after we have received the report. As I previously indicated, the advice I have to date is that the study will be completed in March this year.

Investing in Our Schools Program

Senator MASON (2.34 pm)—My question is to the Minister representing the Minister for Education, Senator Carr. Will the minister advise the Senate whether the government intends to scrap the highly successful Investing in Our Schools Program, as announced by the Minister for Education, Ms Gillard?

Senator CARR—The Rudd Labor government is committed to investing in our schools’ infrastructure and will provide $2.1 billion over four years, which is nearly double the commitment of the Investing in Our Schools Program in terms of the capacity to rebuild Australian schools. The Rudd Labor government is committed to a more targeted approach to infrastructure funding through the Trade Training Centres in Schools Program and the Digital Education Revolution. It has announced $2.5 billion over 10 years to enable secondary schools across Australia to apply for funding of between $500,000 and $1.5 million for trade training centres. The government will also invest $1 billion through the National Secondary School Computer Fund to improve secondary school student access to world-class information.

The former government decided that there would be no further funding committed to the Investing in Our Schools Program. The former government had already made that decision. On 19 February 2007 the former Prime Minister issued a press release noting that 2007 would be the final round of funding. Not only did the Howard government announce that 2007 would be the final round of funding but the former education minister, now the Deputy Leader of the Liberal Party, cut the amount of funding government schools would be eligible for under this program from $150,000 to $100,000. She said that after the final round of funding for state schools there would be 6,894 schools with projects approved for funding, over 99 per cent of schools in the sector. Grants totalling $779.8 million were allocated as a result of these approvals and $26 million remained unallocated. This unallocated funding of $26.1 million was returned to consolidated revenue. Accordingly, this budgetary decision precedes the election of the Labor government. The department will be working with government and non-government schools to ensure projects funded under the IOSP are satisfactorily completed and the public reporting requirements are met.
Senator MASON—Mr President, I ask a supplementary question. Let me remind Senator Carr, Mr President, that the former government committed to reinvest in the Investing in Our Schools Program. Nonetheless, the minister has stated that the trade training centres and the education revolution are expressly targeted at students in secondary education. If so, how will the government compensate primary school students, who will now be missing out on much needed funding for new classrooms, shade structures, air conditioning and other amenities that were funded under the Investing in Our Schools Program?

Senator CARR—This is an irony. We had the previous government closing down this program and now we get asked by the current opposition: ‘What are we going to do about schools that are adversely affected by the previous government’s decision?’

I remind the Senate of a few basic facts in this regard. Initially, $700 million was provided to state government schools and $300 million was provided to non-government schools over the life of the program. The total amount of funding available to schools was increased by $181 million in 2007. These funds were targeted at schools that had received little or no funding. But, to give all state schools the opportunity to access the new funding, schools that had already received funding at or above $100,000 were not eligible. Furthermore, under the guidelines of the previous government, schools were required to give an appropriate recognition of assistance from the Australian government, which included the conducting of official—(Time expired)

Workplace Relations

Senator MARSHALL (2.39 pm)—My question is to the Minister representing the Minister for Employment and Workplace Relations, Senator Wong. Can the minister inform the Senate what impact Australian workplace agreements have had on hard-working Australians?

Senator WONG—Those opposite may not understand this, but Australians very clearly understand the impact that Australian workplace agreements had on working families. What we know is that in this place today the opposition sought an inquiry into the government’s transition to forward with fairness bill. The opposition sought to examine, amongst other things, the economic and social impacts from the abolition of individual statutory agreements. How ironic. Those on the other side had 11 years to obtain and analyse data on the effects of AWAs on Australian working families. But did they do so? No. What they did was stand in this place and trumpet how good AWAs were for working families, for women, for young people and for Australia.

In how many question times and in how many debates in this place did we on this side sit listening to you lecture us and the Australian people about how good Australian workplace agreements were for them? The Australian people gave their view on that opinion very clearly at the last election. We saw opposition senators, when in government, standing in this place saying that working families had never been better off, whilst at times voting for laws that stripped the safety net out from underneath them. Perhaps to add insult to injury, today we have seen the opposition still clinging on to Work Choices. They cannot bear to let it go. They want to keep in place these Australian workplace agreements that we know have stripped wages and conditions from vulnerable Australian workers. They cannot bear to let them go. Despite the fact that this was a clear difference between the parties in the election and despite the fact that, overwhelmingly, the Australian people did not support your extreme laws, you still want to
defer the abolition of AWAs because you cannot bear to let Work Choices go.

What do we know about AWAs? We know that, when the opposition was in government in May 2006, the Office of the Employment Advocate revealed that it had been reviewing AWAs to determine how many were stripping away what the former government deceptively and contemptuously called ‘protected award conditions’—conditions that, when in government, the opposition spent millions of dollars of taxpayers’ money on advertising to say were protected by law. That data showed that employees were losing their key conditions under AWAs at an astonishing rate. Of the agreements, 64 per cent cut annual leave loading, 63 per cent cut penalty rates, 52 per cent cut shiftwork loadings, 51 per cent cut overtime, 48 per cent cut monetary allowances and 46 per cent cut public holiday pay. In answer to the first part of your question, Senator Marshall, that is what we know. This opposition, when in government, knew about their extreme—(Time expired)

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 Morocco, led by His Excellency the Hon. Omar Hilale, Secretary-General of the Ministry of Foreign Affairs. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

Honourable senators—Hear, hear!

QUESTIONS WITHOUT NOTICE

Mobile Phone Services

Senator NASH (2.44 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. In the minister’s media release of 11 February titled ‘Minister discusses CDMA shutdown with stakeholders and Telstra’, he said:

If I am satisfied that the identified issues have been rectified, the network could be switched off by 28 April 2008.

Given the vital importance of this issue to rural and regional Australia, would the minister inform the Senate what those identified issues are and also what criteria he will use to determine whether those issues have been satisfactorily rectified?

Senator CONROY—I thank the senator for her question. She is someone who has genuinely followed these issues over a very long period of time. On 18 January this year I notified Telstra that at that point in time I was not in a position to declare equivalence between the Next G network and the CDMA network. My decision was based upon an ACMA report which found that, while the footprint of the coverage was equivalent, there were issues around, particularly, handsets. For that reason, I said, ‘We can’t proceed with your close-down on 28 January.’ My department had also conducted a shoppers survey—going around many Telstra stores and posing as customers to see what sort of advice was given to the customer about what the handsets were. After all of that, we sat down with Telstra and said, ‘We can’t do this and we expect you to address these issues.’ What we asked for, sought and received from Telstra was a number of commitments. Firstly, and most importantly, that there would be a 1800 number available for people having reception problems to contact and to have a discussion and that this would be advertised. That number is now being advertised nationally.

An opposition senator—What is it?

Senator CONROY—The number is 1800 888 888. Feel free to give them a ring any time you want. If there is a problem with the reception and you are not getting equivalent
coverage to what you previously received, you should use that number. If it turns out that you do not have the appropriate handset, then Telstra, at no charge—and this was insisted upon—will replace the handset with an appropriate one. That was the first thing we asked for—the advertising and the commitment to replace phones. We also sought commitments to the farming community on issues around telemetry—because this is critically important, as Senator Nash would understand—in that those who used telemetry to run equipment on their farm have the ability, since there was a shortage of equipment initially, to have their equipment replaced.

The local wireless loop provides vital services to regional and rural Australians, and there are equipment issues there again. Because of the deadline that Telstra sought, many people had yet to receive the equipment they needed to make the conversion from CDMA to Next G. We sought that, to ensure that the promises made by Telstra were delivered and that people had equivalent coverage. Those were the sorts of things about which we said to Telstra, ‘You must identify and rectify this before we give any consideration.’ Telstra came to us and said, ‘We believe we can achieve all of what you have asked for by 28 April.’ What we have said clearly and consistently is that, if Telstra do that, that would then be an appropriate date. But Telstra have to meet those challenges. So on Monday we convened a meeting with a whole range of interested stakeholders to talk about whether or not Telstra were meeting the objectives. (Time expired)

Senator NASH—Mr President, I ask a supplementary question. I take it from that that the minister says the identified issues are handsets and equipment. Wouldn’t it then be appropriate for ACMA to undertake similar testing of those handsets and equipment before you agree to a switch-off? Is ACMA going to be undertaking that testing to ensure equivalence? If not, why not?

Senator CONROY—Thank you for the supplementary question. I had not finished my answer so I appreciate the opportunity to finish it. The stakeholders we met with on Monday included the Australasian Fire Authorities Council, the Australian Federation of Disability Organisations, the Australian Local Government Association, the Australian Telecommunications User Group, the Australian Trucking Association, the Consumers’ Telecommunications Network—

Senator Nash—Mr President, on a point of order: my question very clearly went to whether or not ACMA was going to be conducting further testing to ensure equivalence.

The PRESIDENT—On the point of order: Senator Conroy, you indicated you were going to continue to answer the original question. There was a supplementary question asked, so I draw your attention to the supplementary question.

Senator CONROY—Thank you for that, Mr President. It also included the National Farmers Federation and the Rural Doctors Association. So we are apparently considering—and I am sure this will come up next week for a much lengthier discussion; I look forward to continuing this conversation next week when I will be able to confirm to you our exact rectification process. These are issues that are currently under consideration, because we want to work with stakeholders. (Time expired)

Indigenous Communities

Senator SIEWERT (2.50 pm)—My question is to Senator Evans, the Minister representing the Minister for Families, Housing, Community Services and Indigenous
Affairs. The Prime Minister’s historic statement of apology yesterday committed the nation to:

A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed.

Is the government aware that income quarantining in the Northern Territory is viewed by the community as going back to ration days and is causing huge hardships in the NT? Is the government aware that this includes people being unable to pay fines and possibly being sent to jail, that quarantined money is being given to people in the form of gift cards, that aged pensioners—including a lady who has worked for 48 years, has been retired for 10 years and has raised 10 kids—are being subjected to quarantining and that parents are unable to send food money to children who are away attending college? How does the government see ration cards as a new beginning? Isn’t the Northern Territory intervention an example of an old approach which is clearly failing? Will the government commit to an immediate review of the NT intervention?

Senator CHRIS EVANS—I thank Senator Siewert for that answer, and acknowledge that she has followed these issues—

Opposition senators—the question!

Senator CHRIS EVANS—Sorry—for the question. Well, if she has the answer too, that would be helpful. I acknowledge that the senator has been very much engaged with these issues and was very much involved in the debate when the legislation came through the chamber. As the Labor Party indicated then when we were in opposition—we are now in government—we support the Northern Territory emergency response. We will review it after 12 months to see what is working and what is not. That is not to say, of course, that some of the issues that the senator raises cannot be addressed more quickly if there are serious concerns or issues that emerge. I think the previous government did that; we will certainly do that. That is the sensible and appropriate response.

We are committed to the emergency response. We will have a formal review after 12 months. But we do think, and we made this clear in the debate when the legislation went through the chamber, that there was a need for quite radical measures in terms of welfare payments to deal with the cycle of alcohol and drug abuse and the impact that had on child abuse. We did support those measures because we thought we had to try something. We had to support an effort to try something to help break that cycle. As I said during the apology debate yesterday, I think there has been far too much ideological debate among politicians over Indigenous issues, and the people who have suffered from that have been the Indigenous people. We have to try to find a way forward to overcome the failure of successive governments in finding solutions to those very serious social problems that beset Indigenous communities. So we are keen to work with all members of parliament to tackle those issues.

You will note that the Prime Minister offered Mr Nelson the opportunity to join with him in a bipartisan approach to try to tackle some of those issues, starting with homelessness, which is, in my view, at the core of many of the problems. So many of the issues related to the health of children come from overcrowding in homes—trachoma and a range of health issues. I remember going to Wadeye and talking to one of the doctors. I asked, ‘What is the thing we can most do?’ I thought he would give me a health answer but he said, ‘Build more houses.’ He was not the solution, the problem—

Senator Patterson—we have a factory there.
Senator CHRIS EVANS—It was not working while I was there; hopefully, it is now. That is not criticism of anybody, but it was not working. The point he was making is that you have to start with the cause and not try to patch up afterwards. I think the great strength of the intervention is that it has attempted to break that cycle.

Senator Siewert, I do not have a response to the range of issues you raise. You got a lot of them into the question. You got a lot of them into the question. I am certainly sure that Minister Macklin, who has taken a very keen interest in this and has provided great leadership in this area, will be happy to respond to the detailed issues you have raised. I suspect that is probably best done by means of a briefing. But I want to make it very clear that we are committed to the Northern Territory intervention. We are committed to making it work and, if it is not working, to making adjustments. We have some differences of approach from the previous government but the fundamental commitment is there. We think we have to do some things that perhaps we would not have done a few years ago. We have to adopt a more radical approach in order to try to break that cycle that was destroying Indigenous communities.

Senator SIEWERT—I thank the minister for his answer and appreciate, as I take it, the offer of a briefing. I also note the minister’s answer in terms of breaking the cycle by a radical approach. Why then are no financial management services or training being offered to those who are currently being quarantined? Will people come out of this process with less money management skills than they had when they went into it, seeing the government is now managing their money? Is the government aware of the deep shame that members of the Northern Territory Aboriginal community are expressing very strongly, and how does that connect with the Prime Minister’s words just yesterday: A future where this Parliament resolves that the injustices of the past must never, never happen again.

Senator CHRIS EVANS—Thank you for the supplementary. First of all, I think it fits very well. What we have said, and what I said when I was the shadow spokesman in this area, is that you have to do the symbolic and the practical; one without the other does not take us anywhere. What we saw yesterday was a very important symbolic measure by the parliament. But what we also need are very practical reforms that have clear objectives, clear benchmarks and people accountable for meeting them. That is what we have not had in the past, and we need to make sure that those are there.

In terms of financial management services—I agree with you. I will make some inquiries. I know Noel Pearson, in his trials in the Queensland Cape York area, has put a big focus on financial management services. I saw some quite good progress being made there—not in relation to the trial but in terms of supporting Indigenous people with financial management services. It seems to me that it is the sort of thing that should be included in the response, and I am happy to take that up with the minister as well.

Air Security Officer Program

Senator BRANDIS (2.57 pm)—My question is directed to Senator Ludwig, the Minister representing the Attorney-General. Has the minister seen press reports that the Rudd government plans to cut back the number of sky marshals protecting Australian airline passengers? Will the government guarantee to the Australian people that the former government’s initiatives to protect Australia’s skies will be quarantined from budget cutbacks, and the number of sky marshals will not be reduced?

Senator LUDWIG—May I correct the senator on the other side—in fact it falls
within the Home Affairs portfolio, but I am sure I can add to it.

Senator Brandis—And that comes under the Attorney-General.

Senator Ludwig—Unfortunately, Senator Brandis was wrong about the Attorney-General’s portfolio, but I am able to assist him with the Home Affairs portfolio of Mr Debus. The Air Security Officer program is an important part of Australia’s aviation security regime, strengthening our ability to deter, prevent and respond to terrorism on aircraft. Various layers of security are in place in the aviation sector that complement the ASO role. The ASO deployments cover selected domestic and international flights. Clearly it is not announced as to when they will be on those domestic or international flights; it is part of their role to ensure the skies of Australia and that passengers travelling on international flights are safe on board those flights.

For reasons of security of course it is government policy not to provide specific operational details about aspects of the ASO program. I am sure the senator on the other side would understand that it is difficult to provide the specifics of that particularly as it relates to the programs that are in place. I can confirm that there have been changes, of course, in the number of ASOs on selected routine international flights. It is one of those things that you can do depending on how issues might arise and the operational requirements. I am advised that these changes are in line with recommendations from an operational risk assessment review conducted for the AFP and consistent with international best practice for the ASO program tactical operations. The deployment of ASOs on a flight is based on, as you would expect, the threat and risk assessment or the analysis that might be conducted to ensure that those areas are sufficiently covered.

I am further advised that the representatives of the Australian Federal Police Association and the air security officers personnel provided input into this review. The risk assessment has not led to a reduction in the number of international flights covered by the program. In respect of the question that went to budget issues, that is a matter, Senator, that we will have to wait for an answer on. Those are matters that he will be able to assess, but they are budget related and I will not entertain those matters any further.

Senator Brandis (3.01 pm)—Mr President, I ask a supplementary question. The minister will of course understand that no aspect of my question went to operational issues. Given the importance of the program, as the minister himself has acknowledged, why does he feel unable to give an assurance that the number of sky marshals will not be reduced? Why does he continue to hide behind the budget process excuse when he could perfectly well give an assurance that the numbers will not be reduced if that is indeed the government’s position?

Senator Ludwig—Clearly the senator was not listening when I answered his question. I can confirm that there have been changes in the number of air security officers on selected routine international flights. I went on to say that I am advised that those were in line with recommendations from an operational risk assessment review. Therefore when you look at the issue that he asked about you see that I have already answered that. I am happy to provide that again. In relation to the question of what may or may not be in the budget, that covers budget related matters; and I am positive the senator on the other side would understand and accept that.

Senator Chris Evans—Mr President, I ask that further questions be placed on the Notice Paper.
ANSWERS TO QUESTIONS

Senator IAN MACDONALD (Queensland) (3.03 pm)—by leave—Mr President, I would like to ask a question of you about ministers who have confused their answers in question time or given incorrect answers at question time and who then come in a day later to correct their errors and plead forgiveness. Do you have any power to make sure those answers, those clarifications, are actually tabled so that senators who are not in the chamber when the minister comes in are able to read them? I have tried to get from the minister’s office her apology, her correction of her confused answer yesterday, but her office just have not had the time to get back to me before question time. So I am just wondering whether you have any power, Mr President, to require ministers who are correcting answers to actually table them so we can read them today rather than waiting for the Hansard tomorrow.

The PRESIDENT (3.03 pm)—Senator Macdonald, I will look carefully at your question but my initial reaction would be that it is the responsibility of ministers to answer the questions. It is also their responsibility if they wish to correct any answers that they may have made. I will look closely at your question and if I need to give any other response then I will do so at the earliest opportunity.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Answers to Questions

Senator RONALDSON (Victoria) (3.05 pm)—I move:

That the Senate take note of answers given by ministers to questions without notice asked today. I want to take note today particularly of the answers given by Senator Carr in response to my questions to him, which were following up of course from the questions asked by Senator Abetz yesterday. One of the most serious allegations that can be made against any member in the other place or senator in this chamber is that they have misled their colleagues. Any reasonable assessment of the answers given by Senator Carr yesterday and the answers given again by Senator Carr today shows that he is not prepared to accept that the answers he gave this chamber yesterday to a very simple question were indeed an attempt to mislead the parliament. The sin here is that Senator Carr could have quite easily addressed this matter by acknowledging that he was caught out by a bit of good work by the opposition—that we found out what he had not yet announced. He might have sort of fluffed around the edges, but he should have just acknowledged defeat.

Senator Coonan—He should have fessed up.

Senator RONALDSON—As Senator Coonan says, he should have just fessed up. He should have said, ‘I got caught out. You all found out about it. Yes, that is what we are going to do. What a terrific bloke Steve Bracks is and what a marvellous job he will do.’ But he did not take that course of action. He did not take the course of action of decency, which would have been to say, ‘Okay, you’ve got me. This is what we’re going to do.’ Then he would have obviously defended Mr Bracks, and he is entitled to do so as he has appointed him. But what he failed to do yesterday was to accept the responsibility that we all have as senators—and indeed a higher level of responsibility lies with members of the executive—to ensure that what we tell the Senate is indeed correct and truthful.

Senator Carr knew very well that Mr Bracks had been approached in relation to this job. He knew very well that the other members of this committee, which were announced mysteriously very early this morning, had also been approached, but he chose
to take the course of action that would enable him to put out a press release as opposed to making the announcement yesterday. By doing so, there was a gross derogation of his responsibilities to this place to ensure that what he was telling us was indeed the truth.

Senator Carr is a new minister but he has been around this place for a very, very long time. He knows what the responsibilities are for a senator. He knows what the added responsibilities are for a member of the executive. One can only assume that he decided to not take this course of action (a) to give himself some wriggle room the next morning and (b) because he was not going to acknowledge the fact that one of the people he was putting on to this committee was indeed a former union representative who had made it quite clear that the Productivity Commission was not an appropriate group to address this. The Productivity Commission, as those opposite know full well, is the organisation that should be conducting this review.

What has happened is that a former member of the Australian Manufacturing Workers Union, who has been vehemently opposed to the Productivity Commission since its last report, has actually leant on this government, and again it is payback for election funding. For this government to take the course of action they have, where they have appointed former union officials who are vehemently opposed to the Productivity Commission for a rational and reasonable debate in relation to tariffs, is, quite frankly, a shame on the new government. You had the choice of going to the Productivity Commission. The Australian Labor Party has sold its soul to the union movement because of election funding. (Time expired)

Senator MARSHALL (Victoria) (3.10 pm)—I know it must be a very difficult transition from government to opposition, but the former government were arrogant and out of touch and now they are over there on the opposition benches flailing around and trying to find an issue. They start off with the first question to Minister Carr, accusing him of misleading the parliament, and they selectively quote one part of the Hansard and misrepresent it here. It was Senator Abetz who asked the question, and I am not surprised that he is not here today. Did he know you were going to ask this question? Did he know you were actually going to run this line of questioning? He knows that was not what Minister Carr said. He actually said so yesterday and it is in the Hansard.

Senator Ronaldson—Mr Deputy President, I rise on a point of order. That is an unfortunate reflection on Senator Abetz. The Hansard will show that comment. Senator Abetz is actually at a funeral. I hope that is now on the public record.

The DEPUTY PRESIDENT—You have that on the record, but there is no point of order.

Senator MARSHALL—that is a pretty common theme today; there is no point of order. Here we have a disgraceful attack on a minister who said no such thing. One knows full well that, if this opposition were serious and thought a minister misled this parliament, every single question would have been to that minister today. But, no, it was the first question and then it completely fizzled out. There was not one follow-up question because everyone knows it was an absolute try-on. So what did they actually accuse Minister Carr of doing?

Senator Chris Evans interjecting—
The DEPUTY PRESIDENT—Order! It is unruly to interject when you are not in your place.

Senator MARSHALL—Let us go to the allegation that was outrageously made by Senator Ronaldson, who cannot wait to get out of the chamber. Come back, Senator Ronaldson, sit in your spot and listen to this, because maybe you ought to have read the Hansard. When Senator Abetz yesterday asked his supplementary question, this is what he said, and I quote directly from the Hansard:

Mr President, I ask a supplementary question. In that case, how much will Mr Bracks be paid per day, seeing that it was not denied that he was going to be appointed?

That is out of Senator Abetz’s mouth. It was not denied by the senator that Mr Bracks was going to be appointed. Can’t you read the Hansard? That is why Senator Abetz would have been embarrassed. I made no allegation about why he is not here today, but if he were here today he probably would have pulled you up and said, ‘Don’t be stupid. Senator Carr did not mislead the chamber.’ Those were his own words. You only have to pick up the Hansard and read it to see that Senator Abetz admits in his supplementary question that Senator Carr did not deny that Mr Bracks was going to be appointed to head this review. Enough of that.

We all know—we have been around long enough to know—that, if you seriously thought that, every question would have been asked about that. It was a pathetic effort. It really goes to the integrity of this place. To accuse a minister of misleading the Senate in a question really goes pretty damn low. But, then again, it is only your first week in opposition. I know it must be difficult—

The DEPUTY PRESIDENT—Senator Marshall, your comments should be addressed to the chair and not across the chamber.

Senator MARSHALL—I should, and I apologise, Mr Deputy President. Through you, I advise the whole opposition that I understand and sympathise with them. They do not have the hordes of departmental officials and advisers that they used to have to give them all the answers and they are really struggling at the moment. If it was too hard to even read the Hansard from yesterday, why did they not read the press? I know that the opposition got this story up, but what does it say? The last paragraph of the article in the Advertiser from this morning says:

Industry Minister Kim Carr did not deny the long-serving Victorian Labor leader would be given the plum role …

It was clear in Hansard that Minister Carr did not mislead the parliament. The press knew it because they were not so lazy. They were not so incompetent. They actually read the Hansard.

You have to do better than that. I will not be too hasty to make judgement because I know you were arrogant and out of touch when you were in government. You have not yet worked out why you are over on that side of the chamber, and you are going to try a few things on, but you want to get a bit of integrity; you want to get a bit of honesty; and if you are going to ask questions and attack ministers, you want to get your facts right. You want to have a case, instead of running around mouthing off and making yourselves look completely ridiculous.

Senator COONAN (New South Wales) (3.15 pm)—I wanted to take note of the answers given by Senators Conroy and Wong as part of the general motion to take note of answers but I think it feeds very nicely into the response by Senator Marshall. Today in question time, particularly from the two ministers I have identified, we saw pathetically
inept attempts to deal with a straightforward question as to when working families could expect to see reduced prices at the bowser and the checkout. We will continue to hold the Labor Party to account for having encouraged this expectation that they will do something about reducing prices at the bowser and the checkout. These prices are still going up, and if ever anyone is going to be out of touch it is going to be the Labor Party for making such a hollow promise to the Australian people.

I can understand how new ministers struggle a bit. They are obviously a bit nervous. They fumble around. They have trouble with their indexes as they try to find some kinds of generic answers on their computers but I think it is not ungenerous to say that the new ministers are struggling. Senator Wong was totally unable to answer the question about whether the government had sought economic advice as to the inflationary pressures of stripping back Australian Workplace Agreements and the attendant pressures that this will have on containing labour costs. The Labor Party, now the government, claim that they are serious that their first priority—they've said they have about 12 priorities, as best I can tell—is dealing with inflation, but they do not even appear to be able to tell this place what economic advice they have received as to how they are going to go about it.

They are, I am afraid, giving every indication that government ministers simply have no idea how to handle a burgeoning economy. They resort to the kind of defeatist inflation rhetoric that is being run by Mr Swan and Mr Rudd at every opportunity. Like parrots, they read it out verbatim in this chamber. It is worth saying, and it is worth recording in the few remarks I have time to make, that they are without doubt peddling myths. They have inherited a booming economy—with inflationary pressures but a bulging budget—and they have no idea what to do. They are like the proverbial dog that caught a car. Mr Rudd and Mr Swan have inherited a strong, growing economy, with unemployment at close to 45-year lows, and a low and stable inflation consistent with the Reserve Bank’s inflation target.

No other government in Australia’s history has taken office under such favourable economic conditions. Already we are seeing the fault lines—the fracture lines—in Labor’s capacity to handle these economic conditions. Our economy is growing faster than the United States, Japan, Europe and Canada. Our unemployment rate is lower than the United States, Europe and Canada, and our annual inflation rate is lower than in the United States and Europe. It is no wonder that the Economist magazine has described the Australian economy as ‘the wonder down under’.

The most disappointing aspect of what Labor are doing, because it is so vital to be able to manage the economy, is that they are simply not accurate in what they say. Right now Mr Swan and Mr Rudd are misrepresenting our economic history, talking down our economy and talking up inflation. You have to ask yourself: what sort of government is it which, upon inheriting a strong, fast-growing economy with unemployment at record lows and inflation running at manageable levels—over average within the target band—immediately starts to misrepresent our economic history, to talk down our economic prospects and talk up inflationary expectations? It is very disappointing, and the performance we have seen from the new ministers in the new government has been very disappointing. I would have thought that most of them would be across their briefs by now. They have had months to get on top of it. What we have seen is a dog that has caught a car and has no idea what to do next.
Senator MOORE (Queensland) (3.20 pm)—Whilst I have only been in this place a few years, listening from the opposition side in those days, I know that we sought, question time after question time, to get straight, concise answers from those very experienced ministers who sat over on this side of the chamber and lectured us continually. Many years into their ministries, they went off on long and rambling answers and completely avoided answering any direct questions. It is a bit rough for them to be coming in here in the first week of question time and casting aspersions on new ministers.

It would seem to me that we now have an opportunity as a government to listen to the community, listen to the people of this country, and address what comes forward. It was all very well, over the last 11 years, for those opposite to deny the inflation pressures. We heard, and we continue to hear, that there have been significant inflation pressures put on the Australian economy. The previous government was in inflation denial: if you did not talk about it—if you kept ignoring the issues or kept talking around the issues—suddenly the problem would disappear and people would not really understand the real troubles that could be seen in the economy.

In Senator Conroy’s answer to one of the questions today, he put forward those table marks of when warnings were given to the previous government about what was happening with underlying inflation in this country. The then government just ignored that advice. They kept picking out the good bits and concentrating on those, thinking that that would make them appear extremely sound economic managers. Then, with the change in government, suddenly the now opposition are demanding exact dates and times. The questions we heard were: could this government determine the exact date that petrol prices would begin to come down? That is pretty rough from an opposition that, when in government, did not even acknowledge that there were problems with petrol prices or that grocery prices were biting into the weekly incomes of ordinary Australians.

In our process towards achieving government, we listened to the community to hear from them what the daily pressures in their budgets were, and they identified that there were problems. Despite the rhetoric from the then government, despite the promises, there were problems daily. So we have committed to work through a process to determine how we can meet those issues and prepare some practical solutions. Some of those were mentioned in answers today. Certainly, Senator Conroy mentioned the increased powers of the ACCC over the petrol issue. We are talking about the fact that, when you hear that there are issues, you then seek to address them and come up with solutions—not avoid them, not run away from them and not pretend that they do not exist. That is what a government should do. It should be in a consultative process with the community, it should be in a consultative process with industry and it should be in a consultative process with all spheres of government because these issues do not belong to one minister, they do not belong to one department; they belong across government. They belong to a cooperative government working together to address issues and come up with solutions.

We heard questions today that were across the board—about inflation, about the CDMA process, about broadband—and yet somehow the opposition is concentrating on attacks on the individual performances of ministers early in their ministry. The real issue must be how we actually put in place plans, how we put in place solutions and how we can effectively come up with results. That was actually done by a number of our ministers today.
We heard from Senator Wong, talking about the processes within her portfolio, how she is working with different agencies, how she is working effectively with IR to bring forward a future. We heard from Senator Conroy, talking about the important issue of CDMA turnover. And we heard from a number of other ministers—Senator Sherry, Senator Carr—what is happening in different portfolios to address the real issues in our economy and in our society.

This is not going to be a straightforward, one-off answer. We will not be able to say that, on some mythical date—say, tomorrow—everything will be fine. Seeking a certain date indicates that once again the real import of the issues has not been understood by the opposition. They want short, sharp, delusional answers which do not get to the heart of the problem. If you want a time, perhaps it would be more useful to work effectively in consultation—(Time expired)

Senator FIFIELD (Victoria) (3.25 pm)—I rise to take note of answers by Senators Sherry and Wong on the subject of inflation. In relation to their answers today, I have to say: here we go again. We might be on a different side of the chamber, as those opposite have kindly pointed out, but some things never change. Here Labor go again, peddling untruths about the coalition’s economic record while at the same time acting in a way that is very damaging to the Australian economy. Labor are out there telling complete untruths. Let me give one example, from Kevin Rudd on 21 January this year:

And for the last couple of years, slowly but steadily inflation has once again let loose in the Australian economy – resulting in inflation numbers for Australia that are significantly above most OECD economies.

False. Australia’s inflation is below most OECD nations and, significantly, it is below that of the United States and the euro area. Our respective inflation rates are a matter of historical record. Inflation during the last Labor government averaged 5.6 per cent. Under the coalition, it averaged 2.5 per cent—bang in the middle of the RBA’s two to three per cent target band.

But Labor are out there commenting recklessly, in a way that is likely to put upward pressure on inflation and interest rates. Wayne Swan was completely and utterly reckless when he uttered the words ‘the inflation genie is out of the bottle’. Any economist—or, indeed, any first-year economics student—will tell you that inflation is driven by expectations, because inflation expectations are self-fulfilling. If consumers think that inflation will rise, they will more readily pay higher prices for goods and services. If businesses think inflation is rising, they will react by lifting their prices to cover those anticipated costs. Thus inflation expectations become an inflation reality. The chairman of the US Federal Reserve, Ben Bernanke, said recently:

Undoubtedly, the state of inflation expectations greatly influences actual inflation ...

That is why, as Australian Treasurer, Wayne Swan’s comment that the inflation genie was out of the bottle is so reckless and so irresponsible. The Reserve Bank of Australia’s latest quarterly statement on monetary policy, released on Monday, confirms this very danger. It said:

A further risk is the possibility that inflation expectations could rise, which would make the reduction in inflation more difficult to achieve.

Labor are fuelling those inflation expectations.

But Labor are acting as though inflation is some new discovery. Newsflash for Labor: the battle against inflation is nothing new. We were fighting it for 11½ years. It is always a challenge with a growing economy. You have inflation when you have a strong and growing economy. That is the situation
we find ourselves in. You always have to cast policy settings to take inflation into account. It is a policy setting that we got right in government; we handled the inflation issue well.

We have heard an awful lot about Labor’s five-point plan, but let us take a quick look at it—their five-point plan to fight inflation. I have to laugh at the first point: a targeted budget surplus of 1.5 per cent of GDP. Give me a break, please! When we came into office we had a debt of $96 billion, and Labor opposed us every step of the way in paying that down. They opposed every single measure we put into the parliament to rebalance the budget. Their target is 1.5 per cent of GDP; we had a target of one per cent of GDP. You would really have to be looking at something in the order of three per cent of GDP to make a difference to inflation. What Labor are proposing will have no impact at all.

Labor are also proposing to boost national savings. We did a lot on that. We introduced the super co-contribution scheme. We abolished taxes on end benefits drawn down from taxed super funds. Their third point is that they want to act decisively and effectively on the skills crisis. Well, here is some advice: do not get rid of the 457 visas and do not abolish the tech colleges if you want to do something about the skills crisis and deal with infrastructure bottlenecks. For infrastructure bottlenecks, again a committee has been proposed. Infrastructure Australia—that will not do much. Point 5 is boosting workforce participation. As for Labor’s new IR legislation, we want to hear two things from Labor: will unemployment go up—(Time expired)

Senator SIEWERT (Western Australia) (3.30 pm)—I would like to take note of the answer given by Senator Evans to my question on the Northern Territory intervention. I again thank the minister for sort of offering us a briefing, and we will certainly be taking that up. I also note he implied that, in cases of extreme hardship, Minister Macklin may be able to look at those issues. I will certainly be raising with the minister a number of the issues of extreme hardship that we are aware of. Yesterday senators and members of the House of Representatives were invited to attend a briefing in the Main Committee room by representatives of Aboriginal communities from the Northern Territory. Unfortunately, only about eight out of all of the senators and members of the House of Representatives turned up. If more had turned up, they would have heard the stories of extreme distress and hardship that the Aboriginal people of the Northern Territory are suffering under the new so-called Northern Territory intervention, which, apparently, is supposed to be about radical measures that will break the cycle of drug abuse and show a new way forward.

People are being provided with a ration card. By the way, this is a copy of the card people are given by Coles. This is how big it is—it is small. It says ‘Coles gift card’. What an insult to the Aboriginal people of the Northern Territory. Mothers at the meeting yesterday were outlining the extreme shame that they feel when they are standing in a queue at Coles or Woolies—they are the two main places you can get a card for. Standing there with no cash in their hands they are told that they have to take some of the things back because they cannot buy them on the card. They are standing there with people who have cash, and they do not. They described the deep shame they feel. It takes them back to the ration days, when they can remember that their parents, in some cases, were given rations in old sugar bags. That is how these people in the Northern Territory feel. It is outrageous.

They are given these cards and apparently the people working on the checkouts at Coles are supposed to put little stickers on the back
to tell them how much they have left on the cards. Unfortunately, that does not help when the stickers come off. People are throwing the cards away thinking that they are empty and they are not. So they are actually throwing away money because they do not understand the process. As I outlined in my question, in addition to all these other issues, people are not being given financial training or counselling on how to handle their money. So I do not see how this is turning out to be a learning process.

We heard stories yesterday—and I have heard other stories, because I have been talking to as many people as I can about this—of community stores closing down because they are not being supported by the quarantining process. We heard stories of people queuing all day to get their food ‘gift cards’ and not getting them, having not eaten all day and having no money and no way of getting home. We also heard stories of people queuing all day to get their card and then going back to their remote community only to find out that they cannot use their card at that community and therefore do not have any money. We also heard stories of people who are living in, for example, Rapid Creek up there, where they do not have any storage facilities. They are being encouraged to spend the whole of their card at once, so they go and get a trolley load of shopping which they cannot keep anywhere. Other people are spending their card on a trolley load of shopping and then having no money left to get home. They have no money left for a taxi to get home, so they are left on the footpath with a trolley load of shopping. We heard another story of a lady who is unable to send food money to her son who is studying at a college in Townsville. She does not have any available cash to send him.

As I touched on briefly in my question, I heard another story about a lady who worked for 48 years. She has been retired for 10 years and she has raised 10 kids. She went into Centrelink and had a young lady explain budgeting matters to her. I would have thought, if you had worked that long, you have been retired that long and you have raised 10 kids, that you would have an idea about how to budget your money. Imagine how she feels. I can only barely imagine the shame that she is feeling because, after all this time, she has been told she cannot manage her money. She also told of relatives who have been affected by the same shame and subjected to the same quarantine rules with absolutely no justification. This process needs to be revised now. If the government were committed to evidence based policy, it would be listening to these examples of the failure of the system. *(Time expired)*

Question agreed to.

**AUDITOR-GENERAL’S REPORTS**

**Report No. 22 of 2007-08**

_The DEPUTY PRESIDENT_—In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-General: Report No. 22 of 2007-08: _Performance Audit—Administration of grants to the Australian Rail Track Corporation._

**COMMITTEES**

**Rural and Regional Affairs and Transport Committee**

*Report*

_Senator WORTLEY_ (South Australia) *(3.36 pm)*—I present the report of the Senate Standing Committee on Rural and Regional Affairs and Transport on matters referred to the committee during the previous parliament.

Ordered that the report be adopted.
BUSINESS
Rearrangement

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (3.37 pm)—by leave—I move:

(1) That the routine of business for the remainder of the day be as follows:
(a) government business order of the day no. 1 (appointment of joint committees);
(b) committee memberships;
(c) government business order of the day no. 2 (National Apology to the Stolen Generations);
(d) consideration of a motion on rural and regional Australia, as circulated in the chamber;
(e) at 6 pm, consideration of government documents under general business;
(f) not later than 7 pm, consideration of committee reports and government responses under standing order 62(1); and
(g) not later than 8 pm, adjournment proposed.

(2) That the total time for items (1) (c), (d) and (e) be no more than 2 hours and 30 minutes.

Question agreed to.

COMMITTEES
Joint Committees
Establishment

Consideration resumed from 13 February of House of Representatives resolutions for the concurrence of the Senate and messages relating to the establishment of joint committees, as follows:

Message no. 4, dated 13 February 2008—Joint Standing Committee on National Capital and External Territories.

Senator CHRIS EVANS (Western Australia—Leader of the Government in the Senate) (3.38 pm)—I move:

That the Senate concurs with the resolutions of the House of Representatives contained in messages Nos 1 to 9 relating to the appointment of joint committees.

Question agreed to.

Membership

The DEPUTY PRESIDENT—The President has received letters from party leaders nominating senators to be members of committees.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (3.38 pm)—by leave—I move:

That senators be appointed to committees as follows:

Appropriations and Staffing—Standing Committee—
Appointed—Senators Faulkner, Lundy, Murray, Nash and Ray
Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—
Appointed—Senators Carol Brown, Campbell, Fierravanti-Wells and Parry
Australian Crime Commission—Joint Statutory Committee—
Appointed—Senators Barnett, Hutchins, Parry and Polley
Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—
Appointed—Senators O’Brien and Parry
Community Affairs—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
 Corporations and Financial Services—Joint Statutory Committee—
Appointed—Senators Boyce, Chapman, Kirk, Murray and Webber
Economics—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
Education, Employment and Workplace Relations—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Humphries, Milne, Nettle and Siewert
Electoral Matters—Joint Standing Committee—
Appointed—Senators Birmingham, Bob Brown, Carol Brown, Fierravanti-Wells and Sterle
Environment, Communications and the Arts—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
Finance and Public Administration—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
Foreign Affairs, Defence and Trade—Joint Standing Committee—
Appointed—Senators Bartlett, Bishop, Cormann, Eggleston, Fifield, Forshaw, Kirk, Sandy Macdonald, Moore, Stott Despoja, Trood and Webber
Foreign Affairs, Defence and Trade—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
House—Standing Committee—
Appointed—Senators Crossin, Hogg and Wortley
Intelligence and Security—Joint Statutory Committee—
Appointed—Senators Marshall and Ray
Legal and Constitutional Affairs—Standing Committee—
Appointed—Participating members: Senators Bob Brown, Milne, Nettle and Siewert
Library—Standing Committee—
Discharged—Senator Payne
Appointed—Senators Allison, Hutchins, Kirk, Trood and Webber
Migration—Joint Standing Committee—
Appointed—Senators Bartlett, Eggleston, McEwen and Polley
National Capital and External Territories—Joint Standing Committee—
Appointed—Senators Crossin, Humphries, Joyce, Lundy and Stott Despoja
Parliamentary Library—Joint Standing Committee—
Discharged—Senator Payne
Appointed—Senators Allison, Hutchins, Kirk, Trood and Webber
Privileges—Standing Committee—
Appointed—Senators Hurley, McLucas, O’Brien and Ray
Procedure—Standing Committee—
Appointed—Senators Faulkner, Hogg, Hurley, Ray
Publications—Standing Committee—
Appointed—Senators Carol Brown, Marshall, Sterle and Wortley
Public Accounts and Audit—Joint Statutory Committee—
Appointed—Senators Bishop, Chapman, Hogg, Lundy, Murray and Watson
Public Works—Joint Statutory Committee—
Appointed—Senators Bishop, Forshaw and Troeth
Regulations and Ordinances—Standing Committee—
Appointed—Senators Carol Brown, Moore and Wortley
Rural and Regional Affairs and Transport—Standing Committee—
Appointed—
Senator Siewert
Participating members: Senators Bob Brown, Milne and Nettle
Scrutiny of Bills—Standing Committee—
Appointed—Senators Bishop, McEwen and Ray
Selection of Bills—Standing Committee—
Appointed—Senators Ludwig and Webber
Senators’ Interests—Standing Committee—
Appointed—Senators Forshaw, Kirk and Webber.
Treaties—Joint Standing Committee—
Appointed—Senators Bartlett, Birmingham, Bushby, Cormann, Marshall, Sterle and Wortley.

Question agreed to.

APOLOGY TO AUSTRALIA’S INDIGENOUS PEOPLES

Debate resumed.

(Quorum formed)

Senator EGGLESTON (Western Australia) (3.41 pm)—I think I finished by saying, ‘for example’! In employment and business since the introduction of the Indigenous Employment Program in July 1999, some 70,000 Indigenous people have been placed in employment and/or training through Indigenous employment programs.

The number of Indigenous people commencing new apprenticeships has increased by 350 per cent from 2,080 in the 12 months to 11 March and there are now more than 9,340. (Quorum formed) In the health area, which is much discussed, there have recently been falls in infant Indigenous morbidity and mortality rates in New South Wales, Queensland, Western Australia and the Northern Territory.

Education is an area where we can be particularly proud of the record of Indigenous participation. In 2005, more than 6,600 Indigenous people were studying for a bachelor’s or higher degree, and more Indigenous kids are staying at school—40.1 per cent stayed on to year 12 in 2006, which is up from 29.2 per cent in 1996. The number of Indigenous people in vocational and technical education has more than doubled since 1996 from 32,000 to some 68,000 in 2006.
The mining industry has committed to training and employing Indigenous persons. For example, at the Argyle Diamond Mine in the Kimberley around 25 per cent of the workforce is from the Indigenous community. Argyle is a Rio company, and its record in employing Indigenous people is certainly worthy of recognition and praise.

On the issue of housing, some 15,700 houses have been bought, built or fixed under the Community Housing and Infrastructure Program between 1995-96 and 2005-06. Housing is very important to Indigenous people. Indigenous Business Australia's homeownership scheme has assisted around 12,000 Indigenous Australian families to own their own homes since its inception.

In the area of law and justice, the rate of Indigenous deaths in prison custody has decreased from six per 1,000 Indigenous prisoners in 1995 to 1.2 per 1,000 Indigenous prisoners in 2005. These are still very sad statistics, but the improvement is notable.

Around 70 per cent of Indigenous people live in the cities and towns of states such as Queensland, Western Australia and New South Wales. While many of these urban Indigenous people live ordinary family lives, as members of their local communities, accessing the usual benefits and services available to all Australian citizens, no doubt their number includes fringe dwellers living in deprived circumstances on the outskirts of country towns. However, when public discussion about our Indigenous people occurs, it is usually in relation to those Indigenous people living in isolated communities in the north of Australia, particularly in the Northern Territory and in the north-west of WA.

As we have heard in recent times, there are very serious problems in some of these remoter communities and towns which include alcoholism, drug abuse, glue sniffing and physical and sexual abuse. Indeed, in some of the towns in the north, Aboriginal children are too frightened to go home at night until their families have retired, or they find their way to safe houses, if they happen to live in towns such as Kununurra, where this kind of facility is available.

These are problems which just should not be happening in modern Australian and arise from the sense of hopelessness and meaninglessness these poor people have about their lives, as I referred to in my remarks in the Senate at the time of the Northern Territory intervention. Hopefully, with the leadership given by the Howard government in the Northern Territory intervention last year, these problems will be overcome now that public attention has been focused on the difficulties faced by Indigenous people in such communities.

In conclusion, while indeed the Parliament of Australia yesterday apologised to our Indigenous people for events in the past, I think it is more than fair to say that as a nation we are doing much to overcome Indigenous disadvantage so that our Indigenous citizens can take their rightful place in our society, as indeed they should and as I believe they will.

Senator WORTLEY (South Australia) (3.49 pm)—I seek leave to incorporate Senator Hutchins’s speech.

Leave granted.

Senator HUTCHINS (New South Wales) (3.49 pm)—The incorporated speech read as follows—

Mr President, I congratulate the Prime Minister for his apology to the stolen generation and lend my support to the sentiments expressed by all Members and Senators who have supported the motion.

In doing so I wish to emphasise that this is only the first step towards reconciliation and redressing more than 200 years of mistreatment and persecution towards the first people of this nation.
The Bringing them home report on the Stolen Generation details some of the many thousands of stories of the forced separation of Aboriginal and Torres Strait Islander children from their parents and communities.

From the story of John, removed from his family as an infant in the 1940s and sexually abused at Kinchela boys home to Stephen who attempted suicide by slitting his wrists—the plight of the Stolen Generation is unparalleled in our history as a nation. It, when considered with the historical reports of massacres and racial intolerance towards aboriginals, amounts to one of the great atrocities of the twentieth and twenty-first centuries.

The report into the Stolen Generation, commissioned in 1995 and providing more than 50 recommendations to right the wrongs created by our predecessors, has sat there, ignored, for more than 10 years.

Today we see a recommendation of the report implemented in part, in a manner appropriate to our contemporary circumstances. Recommendation 5A of the Bringing them home report calls for all houses of parliament across the country to acknowledge responsibility and apologise for the actions of their predecessors.

To this date, we have seen every state and territory parliament of this nation do just that. From New South Wales to Western Australia, every parliament has supported and passed a motion of apology to the indigenous population for their past mistreatment.

Only one stumbling block remains.

The closest that the Commonwealth Parliament has gotten to apology to the stolen generation and the indigenous peoples of this land has been to express its ‘deep and sincere regret’ for the injustices suffered under the ‘practices of past generations’.

Today I am pleased to see the Commonwealth Parliament go that one step further: apologising and officially acknowledging the responsibility of their predecessors for the laws, policies, and practices of forcible removal of a generation of indigenous children.

I am proud and humbled to be a part of the parliament is finally doing so.

That being said, 54 recommendations were made in the report into the stolen generation. I am not calling on parliament to support and implement every one of these—the recommendations themselves are more than 10 years old. Society and the problems faced by those victims of the stolen generation have moved on since then.

All I seek to demonstrate by raising these recommendations is to show that an official apology on behalf of the parliament is only the tip of the iceberg.

As my colleague Senator Moore has already expressed, words are of little meaning without action to back them up.

The indigenous population of this country is in crisis. Let no one here think that now an apology has been made, the matter is done and the book is closed on this dark chapter in our history. Let no one in this house think that an apology from our Prime Minister will remedy—without qualification—the problems faced by Aboriginals and Torres-Strait Islanders. We will not wake up tomorrow morning and find that there has been an end to drinking and petrol-sniffing in Aboriginal communities. We will not suddenly discover that sexual assaults in remote Northern Territory communities are down and primary and high school attendance rates have hit 100%.

Words alone are not enough to fix more than 200 years of disadvantage and persecution.

The Prime Minister announced this morning that we would be seeking a new partnership between indigenous and non-indigenous Australians—taking practical steps to close the gap between indigenous and non-indigenous disadvantage.

I believe this is a positive step forward, a new beginning as the Prime Minister put it.

I lend my full support to this initiative.

I commend this motion to the parliament and I support it without qualification.

Senator O’BRIEN (Tasmania) (3.50 pm)—The opportunity to take note of the decision of this chamber, and indeed the decision of the House of Representatives, to apologise on behalf of the parliament to the
stolen generation is a matter in which I take great pride. I take even greater pride having been part of the party that has made this apology its policy for several elections now since the recommendation was made in the report handed down by Sir Ronald Wilson during the first parliament of the coalition government. Of course, ever since that time, unfortunately, we had a barrier placed between this parliament and the apology. That barrier was clearly the coalition government. It is significant that a change in government to a party which has regard for the rights of Indigenous Australians—proper regard is perhaps a better way of putting it—has led to this parliament making the apology. It is significant that the leadership given by the Australian Labor Party in this parliament has led to the parliament making the apology and to the overwhelming majority of coalition members and senators supporting that apology.

It is unfortunate that there were a number of members—and I think one senator in this place—who made a point of highlighting the fact that they did not support the sorry motion which was carried unanimously in the House of Representatives by choosing not to participate. A senator in this chamber chose not to participate and made a point of drawing that to the attention of the chamber. Be that as it may, it is a matter of great pride that, in the end, the overwhelming majority of members and senators from all parties and all political persuasions were prepared to give their support to the resolution which was carried yesterday in both houses of Australia’s national parliament.

In all of the joy and emotion, the tears that followed the debate and the vote, and the celebration of the final coming to its senses of the Australian parliament, we have had a number of comments made by media commentators, such as Andrew Bolt, who wanted to highlight the fact that there may have been some individuals who were removed for proper reasons—entirely missing the point of this whole debate. The point about this debate, the point about the resolution, was that the historical facts are that many, many Indigenous Australian children were removed from their families because of their race, because of their colour. You only have to look at the national overview from that very well researched and authoritative report *Bringing them home*, to look at some of the aspects of our history, which completely and utterly justify the recommendation of that report, which has been now given effect by both houses of this parliament—well behind chambers right around Australia in all the states and territories. In the national overview we are drawn to events back in 1911, in the time since Federation:

By 1911 the Northern Territory and every State except Tasmania had ‘protectionist legislation’ giving the Chief Protector or Protection Board extensive power to control Indigenous people. In some States and in the Northern Territory the Chief Protector was made the legal guardian of all Aboriginal children, displacing the rights of parents.

Enforcement of the protectionist legislation at the local level was the responsibility of ‘protectors’ who were usually police officers.

It is interesting to see how that took effect. Because government officials clearly, according to this report, theorised:

... by forcibly removing Indigenous children from their families and sending them away from their communities to work for non-Indigenous people, this mixed descent population would, over time, ‘merge’ with the non-Indigenous population.

As the report says, quoting Brisbane’s *Telegraph* of May 1937:

Mr Neville [the Chief Protector of WA] holds the view that within one hundred years the pure black will be extinct. But the half-caste problem was increasing every year. Therefore their idea was to
keep the pure blacks segregated and absorb the half-castes into the white population. Sixty years ago—
that is, about 1867—
he said, there were over 60,000 full-blooded natives in Western Australia. Today there are only 20,000. In time there would be none. Perhaps it would take one hundred years, perhaps longer, but the race was dying. The pure blooded Aboriginal was not a quick breeder. On the other hand the half-caste was. In Western Australia there were half-caste families of twenty and upwards. That showed the magnitude of the problem ...

In Neville’s view, skin colour was the key to absorption. Children with lighter skin colour would automatically be accepted into non-Indigenous society and lose their Aboriginal identity.

What could be more clear than this publication of the views of the arms of the state which was designed to enforce the policy on Indigenous Australians? Why is it so hard for some people to believe that we have something to apologise for? The other point I want to draw to senators’ attention is that, after 1940, the removal of Indigenous children was governed by the general child welfare law. Although, once removed, Indigenous children were treated differently from non-Indigenous children—again, one rule for Indigenous Australians and another for non-Indigenous Australians. It is important to note this, because some people have talked about the welfare concerns that might have impacted on the decisions. The report continued:

Under the general child welfare law, Indigenous children had to be found to be ‘neglected’, ‘destitute’ or ‘uncontrollable’. These terms were applied by courts much more readily to Indigenous children than non-Indigenous children as the definitions and interpretations of those terms assumed a non-Indigenous model of child-rearing and regarded poverty as synonymous with neglect. It was not until 1966 that all eligibility restrictions on Indigenous people’s receipt of social security benefits were fully lifted. Before that time Indigenous families in need could not rely on the financial support of government which was designed to hold non-Indigenous families together in times of need. Moreover, ongoing surveillance of their lives meant that any deviation from the acceptable non-Indigenous ‘norm’ came to the notice of the authorities immediately.

There is a wealth of information in the report about how the application of those laws to Indigenous Australians was much different, much more rigorous in many circumstances. For example, in the state of Tasmania, children were taken from Flinders Island and flown from the island and parents did not have the means or the understanding of the way that they might challenge that.

The best way that I can categorise the comments of those that have opposed this motion, or sought to downplay it, is to use that very well known Arabic proverb, ‘The dogs bark but the caravan moves on.’ We have moved on. It is time for Australia to move on. I think we have to have no regard for this snapping at the heels of progress by those who oppose this resolution.

Senator COONAN (New South Wales) (4.00 pm)—I am pleased to support the motion to take note of the national apology in the Australian parliament for the past mistreatment of Indigenous Australians under the laws and practices of past governments. There has been a lot of hairsplitting and semantics that have surrounded the 10-year debate in our nation about saying sorry to Indigenous Australians. The debate has been bookended to a large extent by two reports: Bringing them home in 1997 and Little children are sacred in 2007. The first report assembled a catalogue of historic mistreatment and heart-rending personal stories of removal and alienation that have been characterised as the ‘stolen generation’. The second report contains horrifying contemporary accounts of endemic sexual abuse, neglect and injury to children in Aboriginal communities in the
Northern Territory, some of whom were just babies.

It was impossible, on reading the second report, not to be moved by the accounts of violence, hopelessness, despair and dysfunction that still exist in contemporary Australia, and it demanded an urgent response. The report provided the catalyst for a new, innovative and daring approach to address what we all accept as enduring Aboriginal disadvantage and need. It was, and it is, the Northern Territory intervention. The intervention has bipartisan support and we must all work to ensure it is a success and that it delivers long-term benefits for Indigenous children.

I hope and trust that our actions today, well-meaning as they are, are not judged as misguided by future generations as we now regard the ones that we are apologising for in this national apology. There have been tomes written about the relative benefits of symbolic gestures, when compared to practical help, as the bridge to address what is urgent, unfinished business in our nation. In my view we need both. It is a compelling reason to extend a full apology for past mistreatment as the bridge to reconciliation. I accept that an apology to those affected by past mistreatment is a fundamental plank to rebuilding trust, confidence and mutual respect between Indigenous and non-Indigenous Australians. This foundation is the cornerstone upon which the practical help with housing, health, education and employment, which have been the focus of the former Howard government’s efforts, can now be built. It is the basis upon which we can build the bipartisan joint policy commission announced yesterday to develop a national Indigenous housing strategy and, looking forward, the constitutional recognition of the first Australians. This move may well prove to be the best chance our nation has to improve standards of living and life expectancy for Indigenous Australians in the longer term.

I am somewhat surprised, however, by the Labor government’s adamant assertion that an apology will not give rise to an expectation, on the part of forcibly removed Indigenous children and their families, that a statutory compensation scheme will be set up to pay reparations. I have heard this referred to by some Aboriginal leaders as ‘unfinished business’. While it seems tolerably clear that the apology of itself is not an admission that would render the Commonwealth liable, the Rudd government has not seen fit to provide the legal advice on which it relies, and I think that is unfortunate.

However, every Australian has the right to use the state, territory and federal legal systems if they can identify a personal cause of action that sounds in damages. The obstacles to successfully pursuing such a claim are well known. If the state sanctioned removal was lawful or at least not negligent, it is unlikely that the apology will generate a flood of new claims for compensation and even less likely, in my view, that such cases would be capable of yielding successful verdicts. I do not believe that the Rudd government has thought through the moral implications and likely pressures of encouraging expectations and then failing to deliver on a compensation fund. I think we will hear a lot more debate about whether individual reparation for those forcibly removed is a more constructive way to rehabilitate them than generic programs that will deliver absent compensation. That, of course, is an argument for another day.

The purpose of the apology is that it provides a healing gesture. It needs to be done so that all Australians, whatever our differences, can move forward. That is enough reason for me to offer an apology, together with my colleagues—the members of par-
liament in the lower house and my colleagues in the Senate—in the spirit of reconciliation.

Senator NASH (New South Wales) (4.05 pm)—I seek leave to incorporate a speech from Senator Chris Ellison.

Leave granted.

Senator ELLISON (Western Australia) (4.05 pm)—The incorporated speech read as follows—

Mr President, the motion before the Senate is to take note of the motion of apology passed in the Parliament yesterday. The motion offers an apology to those indigenous people past and present who were affected by the removal of Aboriginal children from their families.

The fact that the Senate is only noting the motion and not debating begs the question as to the abuse of process pursued by the Government. This is important because it demonstrates a less than frank approach by the Rudd government.

Firstly, the wording of this motion was only released the day before the apology despite being a matter of Labor Party policy for the last 10 years. Despite talking of an apology for some time, Prime Minister Rudd could only advise the Australian people of the wording the day before yesterday. Despite the fact that this has been on Labor’s political agenda for some time, we now have a truncated debate where only Party Leaders could participate. The remainder of the Senate has now only the opportunity to take note of the motion.

As Senator Brown said on Tuesday 12 February 2008, “the process in here is not right. It should not be depriving every senator of their contribution to this historic debate. I put on the record that we do not support the component which says that those senators who contribute after the vote will effectively be doing so as also-rans”.

Similarly, Senator Bartlett pointed out on the same day “I think it is right to suggest that this should not become a precedent as a matter of course”.

I raise these points because it is not just the Opposition which has an objection. Indeed this lack of process taints a very important issue and it is essential that we do not employ an abuse of process where none was needed.

Mr President, this motion of apology broadly responds to the Bringing Them Home Report in 1997.

Key recommendations by that Report were that reparation be made to Indigenous people affected by policies of removal of indigenous children from their parents and that reparation should also include an acknowledgement of responsibility and apology from all Australian parliaments and other agencies which were involved.

It also recommends compensation.

It is important to note that this motion, whilst apologising, deliberately does not endorse compensation.

Moreover, the Senate quite rightly yesterday solidly rejected an amendment by the Greens calling for compensation.

Over the last eleven years a number of statements and apologies have been made. In 1999, the former Prime Minister John Howard moved a Motion of Reconciliation which acknowledged prior injustices and expressed regret.

Over the last eleven years, all States and Territories have passed a number of resolutions which have included an apology however without the word sorry. Moreover, none of the governments concerned used the term “Stolen Generation”.

I do not believe that the term “STOLEN” is appropriate. Firstly, the term “stolen” is one which denies that some children were voluntarily surrendered as found by the Bringing Them Home Report. It also flies in the face of the good intentions held at the time by some of those involved who believed they were acting in the best interests of Aboriginal children.

If there is to be a healing process this act of apology, as the motion states, should be accepted in the spirit it is given.

This does not involve people turning their backs on the Leader of the Opposition who supported the Motion but should involve positive action by all concerned for the future of indigenous Australians.
Interestingly, despite apologies by various Governments over the last eleven years, there has been little progress made in indigenous affairs by State and Territory Governments. Indeed, in the Northern Territory, it has been necessary to intervene due to the drastic situation in the Territory. In my home state of Western Australia, the apology has done nothing to deliver practical outcomes for Indigenous Australians. In the Kimberley region, we have a situation so severe it rivals that of the Northern Territory.

It is undeniable that to separate a child from its parents is a serious matter and that unless there are serious threats to a child, all would agree that a child should be raised by its parents. We need therefore to look at the actions which are the subject of this motion.

From about 1910 to the 1960s, there was a policy of removal of Aboriginal children from their parents in circumstances which at the time were thought to be in the best interests of the child. The Bringing Them Home Report closely examined the differences between forcible removal, removal under threat or duress, official deception, uninformed voluntary release and voluntary release. It has never been disputed that some removals were certainly voluntary, with mothers possibly surrendering their children for any number reasons that could include sickness, poverty and living arrangements. Some would have also voluntarily released their children in the hope that they would be able to remain in contact with their children and have some knowledge of their whereabouts. The report acknowledged that there are several cases where the state took responsibility for children that were genuinely orphaned or in a state of neglect.

It is undeniable that stress and trauma was suffered by those removals and we all feel for those children who never knew their parents and family, along with those that never knew their children or never knew a brother or a sister.

Some of those children who were removed suffered abuse whilst there are reports of others pursuing a successful life.

In any event, the stress to those indigenous people concerned cannot be denied, however it is also clear that the policy was carried out by many people who believed that they were doing the right thing.

It should also be made clear that this motion of apology does not cast integrated guilt across the various generations of Australians.

You cannot deal with this motion of apology, however without also addressing commensurate measures to achieve positive outcomes for Indigenous Australians for if you do not, the apology is useless.

The motion of which the Senate is taking note does have some positive aspects for the future. The motion tells of closing the gap that lies between the life expectancy of indigenous Australians and the wider community. It talks of new solutions where old approaches have failed. These are commendable goals.

Now is the time for the Rudd Government to commit to the intervention in the Northern Territory. It would do well to follow the advice of such indigenous leaders as Noel Pearson and Dr Sue Gordon.

It would also do well to engage in practical measures for education, health, housing, law and justice rather than simply engaging in rhetoric or measuring its commitment in terms of expenditure.

In this regard we ALL stand accountable—indigenous and non indigenous—to ensure that real outcomes are achieved for Aboriginal Australia.

(Quorum formed)

Question agreed to.

RURAL AND REGIONAL AUSTRALIA

Senator NASH (New South Wales) (4.09 pm)—by leave—I move:

That the Senate—

(a) notes:

(i) the challenges facing Australia’s rural and regional communities, and

(ii) that the Government is showing its contempt of rural and regional Australia, including through cuts to rural and regional funding programs; and
(b) calls on the Labor Government to continue the strong commitment of the former Coalition Government to rural and regional Australia.

It gives me some pleasure to stand here today to discuss this issue because there is nothing more important to me than rural and regional communities— their welfare, benefit, security and sustainability into the future. One of the things that is vitally important to those communities is support from government when it is needed. That is absolutely vital. Some of the most important people in this nation live in these communities. They provide fibre, food and the very backbone to this nation’s wealth and prosperity.

Certainly in recent times we have seen a dreadful period of drought. There are absolutely no two ways about that. Some areas have seen nearly seven years of drought. In recent days we have seen the government cut funding to rural and regional communities to the tune of nearly $500 million. To my mind, cutting drought funding to those communities, which are already struggling and doing it so terribly tough from these years and years of drought, is absolutely appalling.

The government talks about its fiscal responsibility. It certainly seems to be a very new-found fiscal responsibility because I had never heard about it in this place before about halfway through last year. This fiscal responsibility has led to the need for cuts, so the government says. But the government has introduced a range of cuts that affect people who are the victims of any rises in inflation, not the cause of it. These are the people who are least able to cope with any kind of funding cuts from the government.

Yet what do we see? We see this government completely ignoring the needs of rural and regional Australia. They think a shower of rain finishes a drought. That is absolutely indicative of what the Labor Party think about the bush. Not only do they have no idea how it works; they have no idea how people in rural and regional Australia function or feel. This is absolutely borne out by this latest round of funding cuts. It is not on; it is not fair. Labor need to be shown up over these cuts and over the appalling way they are treating rural and regional Australia.

Senator STERLE (Western Australia) (4.12 pm)—I look forward to making my contribution to this debate this afternoon in this chamber. I think it is very important to ask what we are going to do. I will tell all senators opposite what we are going to do. We are going to be accountable. We are not going to perfect the art of pork-barrelling like the previous Howard administration did. I can certainly say that. The previous government did that. They did it systematically and effectively. Whether it was under the banner of Sustainable Regions, Regional Partnerships or Growing Regions, the National and Liberal members had pork-barrelling down to a very fine art. They systematically neglected need, but never took their eye off the marginal seats. In November last year—

Senator Nash—Outrageous!

Senator STERLE—Senator Nash can shake her head, but I suggest that she take a walk to the Table Office to grab hold of these three very heavy volumes of a report from the Audit Office about the Regional Partnerships program. There are 1,200 pages. It would do Senator Nash good to get a copy. If she cannot get one, I can lend her mine. In November last year, the Auditor-General released a damning three-volume report over the rorting of Regional Partnerships. Out of that report came 20 recommendations—that is, 20 recommendations from one rorted program alone. Like other senators on this side of the chamber, I look forward to the sequel on Sustainable Regions.
The Auditor-General found that grants were approved by ministers before full applications had even been submitted. Ministers overruled departmental advice and gave grants for no apparent reason other than that the money would be spent on marginal coalition seats. More than one-third of the program’s money was pumped into just 10 rural coalition seats—including the seat of Mr John Anderson, a former minister responsible for the Regional Partnerships program.

Of that, no less than $4.6 million was earmarked for not one, not three, not six, not a dozen, but no less than 22 projects for the electorate of the member for Lyne, another former minister responsible for this program. I see you shaking your head in acknowledgement, Senator Nash. I do take that acknowledgement, thank you.

Opposition senators—It’s pronounced ‘line’.

Senator STERLE—It is still 22 projects and $4.6 million: what a disgrace! Large numbers of grants were approved in the lead-up to and, worse, even during the election campaign. The member for Wide Bay reminded us last week that the Regional Partnerships program was, to quote him, ‘an exceptionally popular program’. It was popular indeed amongst his National Party mates, who had been in raptures to receive millions of dollars of taxpayers’ money in grants that were approved by ministers before formal applications were submitted. $1.2 million went to no less than eight projects in the member for Wide Bay’s electorate, and three of them were against departmental advice. So it is no wonder the local member felt very popular.

On 24 November 2007 the Australian public said no to a government that was willing to spend taxpayers’ money on anything that would buy a vote. The previous government’s spending had been growing at an unsustainable rate, and Australian taxpayers had paid for it in no less than 10 consecutive rate rises. There were no less than six consecutive rate rises during the last term of the Howard government.

For the benefit of the senators opposite, I would like to take the opportunity to quote some recommendations from the Auditor’s report that I find absolutely amazing—and I use the term ‘amazing’ very loosely. Recommendation No. 1 is about the application and assessment and approval process:

ANA0 recommends that, in the design and implementation of discretionary grants programmes, the Department of Transport and Regional Services further strengthen its administrative processes, and provide relevant advice to responsible Ministers in relation to:

(a) the statutory obligations relating to the approval and payment of grants arising under the applicable financial management legislation; and
(b) options for implementing administrative arrangements that satisfy programme policy objectives while ensuring the efficient and effective compliance with all applicable statutory obligations.

Ministers did not know, or just did not care, about accountability in spending taxpayers’ money. I find it absurd that we have to have recommendations in writing to tell ministers of their responsibility. Recommendation No. 2 from the report was:

ANA0 recommends that, as part of its responsibilities for developing and maintaining the Commonwealth’s financial framework, the Department of Finance and Administration assess the merits of proposing amendments to the FMA Regulations that would have the effect of requiring approvers to document the basis on which the approver is satisfied that the proposed expenditure:

(a) represents efficient and effective use of the public money; and
(b) is in accordance with the relevant policies of the Commonwealth.
I mentioned the word ‘approvers’. The approver happened to be the minister. This recommendation would not have been needed if the minister and the government were not totally committed to use this program for blatant pork-barrelling. There are another 18 recommendations in this damning 121-page, three-volume report.

I want to take this opportunity to highlight a couple of facts about the regional rorts program. Despite the maladministration in the lead-up to the 2004 election being exposed by the media, when re-elected the coalition continued to betray the trust of the Australian people. Projects were funded, despite no application for funding being received, and ministers approved funding that did not even meet the funding criteria. Ten electorates that received the most funding were all held by the coalition. They were all coalition seats—isn’t that amazing?

Of 43 projects that were approved—despite the department not recommending them—38 were in coalition seats. This is pork-barrelling to the max. You may find this hard to believe, but it is all there in the report: in a 51-minute—not 51-week, not 51-month but 51-minute—spending spree in the hours before the government went into caretaker mode in 2004, the parliamentary secretary responsible for the program, Mrs De-Anne Kelly, approved 16 grants worth over $3.3 million. In 51 minutes! My wife can do a lot of damage with my credit card at Myer in 51 minutes, but even she could not spend $3.3 million.

Honourable senators interjecting—

Senator STERLE—By the way, I do not have $3.3 million, but if I did it would be another story. Two of the projects were not recommended for funding by departmental officials. In February 2004, former Prime Minister John Howard announced an $845,000 grant to the Peel Region Tourist Railway, four months before an application was received by the department. This is gross misadministration.

Senator Bernardi—Long term vision!

Senator STERLE—You call it long-term vision—well, it was not all that long term, Senator Bernardi, because the previous government has been well and truly exposed. I suggest you will find this very interesting reading: all three volumes, all 20 recommendations.

A heritage park in that fantastic state of Western Australia received over $660,000 of taxpayers’ money and three years later there is still no construction. It has not begun, three years later! I have here some quotes from the previous minister, Mr Vaile. In November 2007, he said that the program delivered ‘fantastic outcomes to regional Australia’. Three years later, still nothing has been built there. This is absolutely incredible.

This example of maladministration is not on its own. A significant number of questionable episodes occurred in that time, and I would like to highlight a few of them for the benefit of senators opposite. One is the Gunnedah ethanol refinery project in the electorate of Gwydir, which was held, as we all know, by the former leader of the Nationals, Mr John Anderson. The project was to help Primary Energy build an ethanol biorefinery plant in Gunnedah to the value of no less than $1.1 million. Mr Langhorne, John Anderson’s chief-of-staff, actively intervened in the Gunnedah ethanol refinery project after the department had advised that the claimed benefits of the refinery were ‘difficult to substantiate’. He told the then junior minister, Ian Campbell, to give $1.1 million to the project in his boss’s electorate of Gwydir, which was abolished following the redistribution. For his efforts, Mr Langhorne was given a senior advisory position in the Prime Minister’s office. The role of junior
minister went to Mr Jim Lloyd, who was also advised by the department not to proceed on a $1.1 million taxpayer funded project. Guess what? Mr Lloyd approved the project, and the plant has never been built.

Another example is AUSGUM sawmill operations in the electorate of Maranoa—there is a familiar ring here: it keeps coming back to National Party seats—held by Mr Bruce Scott. The project was to buy equipment for AUSGUM’s Emerald sawmill operations, with a grant to the value of $130,000. Mr Scott supported an application for buying the equipment. The department advised the then parliamentary secretary—no prize for guessing, Mrs De-Anne Kelly—to oppose the project. However, Mrs Kelly disagreed and wrote to then minister John Anderson, asking him to waive a program criterion—just waive it; have it go away; lose it. Mr Anderson disagreed but suggested that an alternative project for AUSGUM might be suitable for funding. A new application for machinery to be installed in Emerald was approved, but the equipment was installed in Gympie instead. The company provided no receipts, thereby breaching the funding agreement.

Another example is Country Homes and Cabins in Emerald. Once again, it is in the seat of Maranoa, with the same member, Mr Scott, and the same party. The project was for the construction of a transportable housebuilding factory to the value of a half a million dollars plus GST. On 11 February 2005 the department advised that the application not be approved as it did not meet several criteria. The local member, Mr Bruce Scott, wrote to the then member for Parkes, Mr John Cobb, who is the current member for Calare, requesting that the decision be reconsidered. He did not like the answer and wanted the department to reconsider it. After an external applicant and project viability assessment, Mr Cobb approved the funding, but his recorded reasons for approving the funding failed to address all the concerns raised by the department.

We also have an example of this in Western Australia. I mentioned earlier the Peel Region Tourist Railway, which is in the electorate of Canning, held by Mr Don Randall from the Liberal Party. This project, as I said, involved the restoration of the historic railway to the value of $845,000. In February 2004 the then Prime Minister, Mr John Howard, announced this grant to the Peel Region Tourist Railway—no fewer than four months before an application was received by the department. An internal review of the project and the development of the business plan by the proponent failed to demonstrate the viability of the project in its existing form. A scope and budget for the project were varied. The funding agreement for this project was not able to be executed until 24 January 2007—nearly three years after the former Prime Minister’s announcement. I know things move slowly in government, but this is three years. The project is yet to be executed. The future of the line is now in doubt, following rising costs and bushfire damage.

Another example is the expansion of seed and grain breeding by Keith Seeds in the electorate of Barker, held by the Liberals’ Patrick Secker. The project involves the expansion of seed and grain breeding, marketing, processing and fractionation at Keith Seeds and is funded to the value of $571,000. Following an unsuccessful application to the Dairy Regional Assistance Program for funding, Keith Seeds applied to the Regional Partnerships program. Mr Patrick Secker MP, the local member, provided a letter of support for the project and was later identified—I should not laugh; it is not funny—as a company shareholder. On two occasions, the department recommended against funding this project because it failed to meet the program’s assessment criteria.
But the ministerial committee proceeded to approve funding for the project.

I like it when those on the other side, the opposition, ask us what we are going to do. I will tell senators opposite what the Rudd Labor government is going to do. We do care about rural and regional Australia, and rural and regional Australia do care about what promises are made to them, what can be funded, what cannot be funded and what is just an episode in vote buying. The Howard government’s attitude was one of ‘whatever it takes, just get the vote’. When the Rudd Labor government begins spending money on discretionary grants, it must be properly administered—and in the future it will be. Ministers will not be able to make decisions on discretionary grants for their own electorate. I think that is a very, very good thing. When we hear some of the examples that I referred to earlier, we can understand why we have to go to this process. We need discretion. We cannot have ministers running around the country pork-barrelling their mates in marginal coalition seats—but, sadly, that has occurred in the last few years.

The Rudd Labor government has a very strong commitment to ensuring the highest standards of public administration and accountability and delivering real benefits to people living in regional Australia. I think everyone can appreciate it will take time to sort out the mess left behind by the Howard government—there is no question about that—but the Rudd Labor government makes no apology for taking the time needed to get it right for regional Australia.

Senator IAN MACDONALD (Queensland) (4.30 pm)—I fear for rural and regional Australia, I fear for all of those people who live outside the capital cities and I have had those fears since election day. What I have heard today from the Labor Party and what I have seen in the last couple of weeks clearly confirms that the Labor Party have absolutely no interest in rural and regional Australia. Indications of their lack of interest started right at the beginning of the Rudd government with the appointment of the two ministers responsible for the portfolios that are principally involved in what I might loosely call ‘the bush’.

To the portfolio of Agriculture, Fisheries and Forestry and the portfolio of Infrastructure, Transport, Regional Development and Local Government they appointed two members of parliament who come from inner city Sydney—not even in the suburbs. I took the time to have a look at the websites of those two people who had been appointed to these bush portfolios and their websites clearly indicate that both are entirely unsuitable for the jobs which they have been given. But it demonstrates that the Labor Party do not care about who the ministers are for these portfolios because they have no interest in them.

I read the maiden speeches of both ministers hoping to find something in those maiden speeches that might, in some way, justify their appointments to these rural portfolios. The only thing I could find was in Mr Burke’s maiden speech when he referred to a terminally ill goldfish in a solicitor’s office. That was the only reference he made in his maiden speech which was in any way related to agriculture, fisheries or forestry. I do not think a goldfish in his solicitor’s office really classifies as fisheries.

We have these two guys who are, no doubt, quite nice gentlemen with some ability, although their backgrounds seem to be entirely in managing a union, or one of those union operators or working for another politician. One of them worked for disgraced Senator Graham Richardson, so you can imagine what sort of grounding he has had. Neither of them has any interest in rural and regional Australia and one would say, ‘Why
would they? I doubt that they have ever been there.

This is a real difficulty for those in the bush. It does not matter how good you are; you have to have some empathy for the portfolios you are dealing with, particularly if those portfolios relate to rural and regional Australia. We have had a long series of ministers who either were farmers or have lived in rural and regional Australia; who knew what it was like to suffer droughts, floods and deprivations; who knew what the movement of populations from the bush to the city were all about; who knew the heartbreak of many not only on the land but also town dwellers in country Australia.

We have these two inner city Sydney members now in charge of the bush. With respect to Senator Sterle who, no doubt, has some qualifications or good points—although I am yet to find too many of them, and I think he is now head of the Senate Standing Committee on Rural and Regional Affairs and Transport—he has no interest in rural and regional Australia. If you listen to the speech he has just given, you can understand that rural and regional Australia is in for a really tough time. It did not take long for that to become more obvious than through the appointments made to those important positions.

The first go of the razor gang showed that there were huge cuts mainly in the areas dealing with rural and regional Australia. Almost $50 million was cut off the apprenticeship incentives for agriculture and horticulture. Not only are the Labor government attacking training, which they are rabbiting on about at every opportunity, but here is a program helping with training in the bush and it has been cut. Why would the people in charge of the Labor government’s arrangements in the bush have any interest in apprenticeships in agriculture and horticulture?

Yet it is one way that you can have country kids actually getting jobs in the country and staying there rather than having to move to a factory in the electorates of Minister Albanese and Minister Burke. That is what has happened to country kids. This apprenticeship scheme was all about keeping country kids in the bush.

Then we had $10 million slashed off the drought package assistance to rural research and development which was even before the parliament met. There was some $100 million cut from the drought package. Because it rains in Sydney, the government think the drought is over. Because they see some photos of a flood in Emerald, they think the drought is over. They think that people on the land do not need that transitional assistance to go from drought to the aftermath of a flood.

Over $100 million has been slashed from the drought package. The National Plan for Water Security, the Murray-Darling Basin Authority—$45 million just slashed from that. And the Bureau of Meteorology—an excellent organisation doing a hell of a lot of good work, which I do not think the Labor Party understand—has had a reduction in departmental funding of some $5 million. And so it goes on, and that was just the start—before the parliament even met for the very first time—so you can imagine what this budget is going to be like for rural and regional people.

I could not help but laugh at the previous speaker’s comment about the Regional Partnerships program. That was an excellent program that did so much for country towns in Australia. The most iconic one that comes to mind is the Stockman’s Hall of Fame in Longreach, in an area where I spend a lot of time. That particular building and centre that is now iconic has not just put Longreach on the map but has meant jobs in Longreach and
has meant other activities and other businesses have come into that town. That program spawned the Stockman’s Hall of Fame, and we have upped it over a couple of years. That has really made the difference in that country town, yet the Labor Party would not know about it. They did hear about the old tree dying at Barcaldine, just down the road, and I think that is perhaps indicative of what will happen to Labor support in the bush in the not too distant future.

Those sorts of programs—and I could go through any one of literally thousands of programs that have done marvellous things for country towns—have kept young people in the bush and have provided an Australia that just does not exist in Sydney, Melbourne, Canberra and Perth. So when the Labor Party say that they are scrutinising these things and they have all this accountability and they are going to be really good ministers, well, actions speak louder than words. Remember the whiteboard affair with Minister Kelly? That is just one of them that we had to put up with when last we were in opposition. Fortunately, we were able to expose her as, I promise the current ministers, we will expose them. Minister Kelly made rorting into an art form, and that was the Labor Party. That is what you can expect from the Labor Party in the years ahead.

In respect of the programs that our government quite deliberately targeted towards the bush and about which we were told, ‘Oh, it all went to Liberal and National Party seats,’—well, I’m sorry, fellas, they went to Liberal and National Party seats because the members of those parties were the only people who held seats in the bush until this election. So that is why all the money went to Liberal and National Party electorates. There were no Labor Party members in the bush. Regrettably, in my home state of Queensland there are now three: one in Flynn, one in Dawson and one in Leichhardt. All three of them, of course, have very little interest in the bush. All three, I think, are union organisers or big-city solicitors. So we will see what sort of interest they take in the slashing of these programs for their electorates. In Flynn, now held by the Labor Party, the Stockman’s Hall of Fame is one such place.

We will see what the Labor Party does about the Regional Partnerships grants we put into Longreach, into Winton, into Barcaldine, into Emerald—into any number of those little rural communities out there. And I will be watching the budget with great interest when we will see the real detestation that the Labor Party has for country people. I fear for the bush, Mr Acting Deputy President Sandy Macdonald, but I know you and other colleagues on this side in both the Liberal and National parties will be doing whatever we can to make sure that the bush is not forgotten under the Labor government as it was in the Hawke and Keating governments. It is going to be difficult, but I can guarantee the people of rural and regional Australia that those of us in the Senate—Senator Boswell, Senator Joyce, Senator Nash, Senator Adams and Senator Heffernan—who have a real and genuine commitment to and an interest in the bush will be watching the budget with great interest when we will see the real detestation that the Labor Party has for country people. I fear for the bush, Mr Acting Deputy President Sandy Macdonald, but I know you and other colleagues on this side in both the Liberal and National parties will be doing whatever we can to make sure that the bush is not forgotten under the Labor government as it was in the Hawke and Keating governments. It is going to be difficult, but I can guarantee the people of rural and regional Australia that those of us in the Senate—Senator Boswell, Senator Joyce, Senator Nash, Senator Adams and Senator Heffernan—who have a real and genuine commitment to and an interest in the bush will be doing our best to stop the Labor Party slashing its assistance to the bush as it has done in the past.

Senator HUTCHINS (New South Wales) (4.42 pm)—I welcome the opportunity this afternoon to speak to this motion. The problems in towns of country Australia are not new, and any of us who have travelled through them are well aware of a number of the significant ones that are there. I cannot say that I come from rural Australia, but I certainly come from what might be called regional Australia—in the west of Sydney, in the Blue Mountains. I have for some years looked after coalition-held seats both on the north coast and in western New South Wales. The point that Senator Sterle put this after-
noon—and that I want to re-emphasise—is that the difficulties in regional and rural Australia did not just appear overnight, and the answers to them are not going to come with the wave of a magic wand. I do not doubt Senator Ian Macdonald’s sincerity in what he said about what he believes to be our past failings. But we are committed to ensuring that they will not happen again, and if Senator Ian Macdonald wants to make sure that scrutiny is observed then I, and I am sure my colleagues, welcome it.

The difficulties in regional and rural Australia are, as I said, not new. Only this morning I received an email from a Labor Party branch member in Wilcannia who was reminding me of some of the great difficulties that are confronted by Australians who live outside the major centres. He emailed me about the ageing population in that town. He talked to me, as have many others, about how young people are leaving the towns because there is no work or opportunities for them and how that is now a problem because there are no skilled or unskilled workers left in the towns to do the jobs that are necessary. He talked to me about the difficulties confronting our regional and rural Australians in the health field as well, where they have to travel long distances to go to hospital because the hospitals are just not available there.

I said that these are not new problems and we do not have the magic wand at hand to correct them overnight. But, indeed, we are committed to pursuing the solutions to make sure that every Australian is treated equally and has the same access to services whether they be living in Sydney or Wilcannia. So I am disturbed about the level of anger that Senator Macdonald directed towards us in his speech this afternoon.

Senator Sterle raised a number of significant points in his contribution. The fact that the coalition, in their last few years in government, decided to treat the people they claim as their own natural party base with contempt in the way they used these rorts in the Regional Partnerships schemes is a disgrace. I highlighted to you earlier, Mr Acting Deputy President Sandy Macdonald, the difficulties that you and I know are confronting our state. But what was the previous government’s solution to these difficulties? As Senator Sterle has outlined, we know exactly what you thought of your natural constituency: you thought you had to buy them, and you did it in a really crass way.

I remember seeing a film some years ago with Paul Newman in it, which was about a governor of Louisiana called Earl Long. There is a nice paved road in the county, then it is a dirt road, then it is a paved road again. A journalist from New York came down and said to Earl: ‘Why is that dirt and why is that paved?’ Earl said: ‘It’s simple. The county that has got paved roads votes for me; the one that doesn’t, does not have paved roads, it’s got a dirt road. And until they vote for me, they are going to have a dirt road.’ That is the way that you have treated your natural constituency for some years. You took them for granted; you thought that they could be bought with beads; but you never actually went to the heart of some of the problems confronting regional and rural Australia. That is why you got it in the neck at the last federal election.

Mr Acting Deputy President, you would know as well as I do the number of rorts that were carried out very quickly in that last period. As I understand, between 3.25 pm and 4.04 pm on 31 August 2004, the then parliamentary secretary for transport approved 15 projects in the government’s Regional Partnerships program. As a result of actions like that, the Auditor-General produced a report in November of last year—a massive three-
volume, 1,200-page report that picks apart the first three years of the program which handed out $327 million to more than 1,000 projects ranging in size from $2 million to $11 million. You took what you saw as your natural constituency for granted. You treated them as mugs, and they revolted on you. Why wouldn’t you look at something to do with rural health or rural unemployment in those areas? Why wouldn’t you do something like that? But no, you did not.

Senator Sterle has outlined some of the programs that received money in this period. Mrs De-Anne Kelly sought $9,720 to upgrade the Cannon Valley Pony Club. At some point she also sought, and received—83 minutes before the government went into caretaker mode—$220,000 for a horse show in Rockhampton. The then Deputy Prime Minister and Leader of the National Party, Mark Vaile, in this period sought and received $500,000 for a lifesaving club in Bonny Hills and indeed, to his credit, a medical centre in Lake Cathie in his electorate. In the seat of Hume—and I appreciate Senator Stephens bringing this to my attention—Alby Schultz, the member, promised 800 grand to the Anglican community for repairs and restoration of the cathedral in Goulburn. He got this by announcing in the local paper that he had got the commitment from the Prime Minister, because it would take too long to go through the proper channels. Alby is a Liberal, so you do not need to grimace, Mr Acting Deputy President—I think there is another Liberal, so Senator Adams can defend him; I do not think you need to.

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Senator Ian Macdonald—What have you got against the Anglican Church?

Senator HUTCHINS—I have got nothing against the Anglican Church, Senator. In fact, as you know, our leader converted from Catholicism to Anglicanism. I do not have a problem with that. What I have a problem with is the fact that Mr Schultz said that it was going to take too long to go through proper channels. You have been a minister. You know how much scrutiny is required of you when you make decisions, and you should never let something like that happen. If you did let that happen when you were a minister, you should have been dealt with because, as you know, in these regional rorts programs that you had going you had the opportunity to make sure that at least scrutiny was provided. However, when it got to—

Senator Ian Macdonald—Come on, give the Anglican Church a bit of a hand.

Senator HUTCHINS—No, I will not give them any more touch-ups. You, Mr Acting Deputy President, also know that in a number of these places—like with Mr Schultz—no applications were received. As the report said, there was significant ministerial intervention. In fact, the department declined to recommend some of these rorts. It said that they did not follow the relevant guidelines and that they were almost exclusively in marginal coalition seats. For those that are not aware of it, ‘marginal seats’ are defined as those with margins of anything under five per cent. Most of these rorts were given to the seats where there was less than five per cent in them—and it did not do them any good. You had Mr Bartlett, indeed, who had access to a number of these schemes. In fact, even Jackie Kelly—it seems Kellys have problems with propriety!—was dipping into the pork barrel, and I may get a chance to talk about Jackie on another occasion.
One of the other significant comments that was made with regard to this program was in relation to Beef Australia. You may well be aware of Beef Australia, Senator Ian Macdonald, because it comes from up near your region. The Commonwealth contributed $2.2 million to the beef expo in Rockhampton. The funding was approved before documentation was provided to the department. The departmental assessment was later undertaken in only six days. There was no regional office assessment and a number of the partners in the project were not identified on the application. Surely you cannot be proud of this sort of activity and scrutiny by the party that was in government at that period.

**Senator Ian Macdonald**—I am very proud of the result.

**Senator Hutchins**—You should not be proud. It is a terrible thing to have it done in this way, considering what we all know of the difficulties confronting our fellow Australians in rural and regional Australia.

Let me continue. There was another one mentioned called Country Homes and Cabins. This again comes from your state, Senator Ian Macdonald. This involved the production of a facility in Central Queensland for the production of relocatable houses. Firstly, it was not initially approved. Secondly, it was approved after representations from the local member. There was no evidence the applicant had ever been provided with notice that their application had been denied. The federal member acted on advance notice when requesting the review. The shortcomings were identified in the original DOTARS assessment, and it was not addressed in the, later, approved submission.

Again, how can this be a way to conduct government? No wonder the people of Australia turned to the Labor Party on 24 November last year. Indeed, the coalition has lost its way. We are all well aware of the divisions within the coalition throughout the country and the steps taken to try to rectify them. In Queensland, as we all know, they have been at each others throats for years.

**Senator Sterle**—All five of them.

**Senator Hutchins**—There are only a few left. In New South Wales they seem to have a bit of a relationship, but again, like the National Party federally, they are declining rapidly, as I am sure the new member for Page can tell you. I do not think the National Party is represented in parliament in South Australia, except for a bloke who sits with the Labor Party in cabinet, or he did. In Western Australia I do not know that they have got parliamentary representation at all. In Tasmania—

**Senator Joyce**—Mr Acting Deputy President, on a point of order: the person he is referring to is not a bloke, she is a woman, and I think that should be corrected. Also, in your first quote, it was not Earl Long, it was actually Huey P Long. I am just helping him out here.

**The Acting Deputy President** (Senator Sandy Macdonald)—There is no point of order, Senator Joyce.

**Senator Hutchins**—If I have offended the lady, I do withdraw my comment. Also, you are incorrect, Senator Joyce: Earl was Huey’s younger brother. Huey went up into the senate—Huey was assassinated—and Earl took over as the governor.

The coalition is probably in the history books, particularly the National Party. There seem to be all these attempts to have some sort of marriage effected, but people in the National Party are resisting it because they believe that that will inevitably lead to their decline because of their identity. Some people say that, in country Australia, if there is no National Party candidate to vote for then people will vote Labor. Why is that? It is
because, once upon a time, that great party—not that I ever voted for it—that was once called the Country Party used to represent rural and regional Australia. Where is the National Party now? There are very few of them left in the House of Representatives and very few of them left in here.

They have been abandoned, as they have abandoned their natural constituency. The people have turned now to the only party that will look after their interests and make sure that they have access to services so long denied them by those in the coalition in power. We are the only party that is able to look after them. Our people, including Senator Stephens here, who is a farmer—and I notice, Senator Ian Macdonald, you did not mention a number of our people on the front bench who have a regional and rural background—are there and they are going to look after the interests of regional and rural Australia. Mr Acting Deputy President, I told your namesake that, if he wants to make sure that we do that, I invite it and welcome it, because these people are indeed entitled to services as much as the rest of us are, and over the years this has not been available to them. We may have failed them, as well as those opposite, but they indeed failed them significantly because they thought it was more important to have a pony club canteen than to have a medical centre or to improve rural health.

Senator BOSWELL (Queensland) (5.00 pm)—Let me open my address by saying that, if the people of rural Australia have to depend on Senator Hutchins and his colleagues, God help rural Australia. If there is any indication of that, let me just refer to the press release of Mr Tanner of 6 February. The writs for the candidates were hardly dry and the government had hardly been declared a government when a press release came out saying, ‘We’re going to cut $640 million in government spending, including $243 million in 2007 and 2008.’ Immediately, I smelt a rat—a big, fat rat.

Senator Bernardi—A Labor rat?

Senator BOSWELL—A big, fat, Labor rat. I went to the list of cuts and, would you be surprised to know, out of the $643 million that was cut, $416 million—nearly 70 per cent of it—was cut in rural and regional programs? It was not only that, and you have to say this for Mr Tanner: he is honest. He said that the $643 million savings are an initial and modest down payment on those that will be announced on budget night. Honesty may be a virtue, but he is warning rural Australia to buckle up their seatbelts because on budget night they are going to cop it. Rural people know this and that is why they do not vote for the Labor Party. I would suggest to Senator Hutchins that the movement in votes for the Labor Party did not come from rural and regional Australia. So, of $642 million, $416 million was cut from rural and regional Australia.

Since the Labor Party came to power, I have listened to them talk, and all they seem to be able to do is talk up interest rates. Every day we have an attack on the former government for letting the inflation run to the extent to which we must have hikes in interest rates. I am even waiting for an announcement that we will have a credit squeeze that we have to have—reminiscent of the days of the previous Labor Party Prime Minister. That is one of the things that is worrying us. In December 1995, when the Labor Party were in power, interest rates were 5.1 per cent and they were 3.9 per cent in March 1996. But if we are to be blamed for that then let us be honest: today we had a breakthrough with regard to the lowest unemployment in Australia. If you are going to claim that we are responsible for the highest interest rates, then let us be fair about it and say that we were also responsible for the
lowest unemployment rates. That is what the former coalition government has done; it has handed you one of the best economies that has ever been in place in the history of Australia. It has handed it to you on a plate, so do not destroy it and do not make cuts and take the knife to rural and regional Australians.

Some of the things we have seen cut in this package include $115 million in drought relief. I know Tony Burke, and I think he is a good fellow, but I do not know how he drew the short straw and got the portfolio of Minister for Agriculture, Fisheries and Forestry, because he does not understand it—and I would not expect him to understand it, because he comes from right in the middle of the city and has not had any experience. I bet he got a shock when he read in the paper that he has had something like $400-odd million cut from his department. Why would you cut $115 million from drought funding? Some people in southern New South Wales have not had a crop for seven years. They are just hanging on by the fingernails, trying to get up a crop this year. The $115 million was cut because it rained, but it does not rain money. It is going to take a long time for people to recover. It takes a long time for people to recover after a seven-year loss. It may even be worse; they may not even get a crop now, but $115 million has been cut.

The other cut that has been announced in this package is in the farm business sector. FarmBis has been cut. How often have we heard, ‘We’re going to have an education revolution and educate people; we’re going to educate farmers; we’re going to make people more resourceful by education’? The first thing this government has cut, apart from the drought assistance, is the FarmBis and Farm Help programs. The Farm Help program puts food on the table. The FarmBis program provides training for farmers and workers in primary industry, but now it has gone just to save a lousy $3 million. I do not think that that will make any difference to the interest rates or the pressure on lending. Labor said that we would have an education revolution, and yet the Farm Help and FarmBis programs have been cut.

We have also seen Farm Help—$22 million this year—being cut. Farm Help is so important for people that do not have any access to any money at the moment—it puts food on the table. Apart from that, we have seen many other cuts just appearing. Here is one that I picked up today: $42 million removed from the budget for Renewable Remote Power Generation. This was a program that put power into places that were not serviced by the electricity grid. It was a program that we had invested in out there. In 2007, we had an additional $123 million, and we had put around $328 million into the program. That, by the way of solar power, gave access to lighting and generation to properties that were off the grid. I do not know what they are expected to do. You could argue that the Labor state governments should look after them and should provide them with access to power—but unfortunately that is not the case. Many times, we, as the federal government, had to step in to replace the services that were due to the people in rural and regional Australia. We were not responsible for them, but the only way they were ever going to get these services was if our government stepped up to the plate and made it possible for those people to access them.

One of the ways we did that was through the Regional Partnerships program. I was a senator that represented a number of electorates. One of those electorates was Capricornia. It was a Labor electorate and it was a regional electorate. I can say, without a word of a doubt, that that electorate was able to access many, many, many programs. If I had known that this resolution of the Senate was going to be turned into an attack on the re-
regional programs, I would have been able to prepare on these initiatives. In the Labor seats—non-coalition seats—that I was the senator representing, I can tell you that there was no discrimination. If a seat was regional—it did not matter whether it had an Independent, a Labor person, a Liberal person or a National Party person representing that seat—it got the same access to these programs. We were able to put in many programs that provided employment. I can nominate many that I thought were absolutely brilliant programs. One of them was in the little town of Wowan—a little town that had lost about everything, but still had a service station and a pub, but did not have a community centre. It did not have anywhere for the doctor or the dentist to come or anywhere any other service could take place in that area. It had nothing there. We put in a building that could be shared by all people that wanted to offer delivery of services in that particular small town of Wowan.

That was only one of many, many programs that we put out. They were great programs. There is one in Blackall—a fantastic old people’s home—that we topped up. The people in Blackall were able to go out and collect money from the graziers and the townspeople, and they built this wonderful retirement village, by donation. Then they needed about $300,000 to top it up. This program was millions of dollars worth. We topped it up, and the old people of Blackall did not have to move away. They could stay in their retirement village and then move on to higher care, because of programs such as Regional Partnerships.

This did not just happen in National Party electorates and Liberal electorates; it happened in all electorates in regional Australia. It is all right to come in here and criticise that and draw the flak away from the cuts that this government has made in regional and rural Australia in the first two weeks. Like Senator Ian Macdonald, I am frightened of what is going to happen. I knew what would happen. To be honest, Mr Tanner has warned us of what is going to happen on budget night. I think it will be a holocaust for rural and regional Australia. I believe that we have seen the government, in its initial two or three weeks, take the axe to rural and regional Australia. I hope and I pray that this is not the forerunner of many more cuts—although I fear that it will be.

Senator SANDY MACDONALD (New South Wales) (5.13 pm)—I rise to support this motion because the fear of God has been put into a section of the Australian community least able to defend its economic future—and that is regional Australia. I do not for a moment resile from, or apologise for, the coalition’s record in government and its response to the needs of regional Australia. I would like to pick up on a couple of things that my good friend Senator Hutchins said. He made the point that more assistance was given to coalition seats. The reason for that, of course, was that before this election—and even now after this election—far more regional seats were held by coalition members. I have seen the statistics and, like Senator Boswell, I wish I had brought the information in with me. I saw the record in our last period of government where very clearly, statistically, Labor seats benefited from these grants in just the same way as our seats did.

We invested record amounts in local roads, in rail networks, in schools and in measures to address skills shortages and to sustain the natural resources of the country. The strong economic and financial management by our government enabled us to invest in these important areas. It was not until we had balanced the books that we were able to spend the money that was needed to rebalance the economic prosperity and opportunities between country and city.
I remind the Senate, because sometimes these things are forgotten and we are certainly not in a position to write history anymore because we are no longer in government, that we inherited a $96 billion debt from Mr Keating and Mr Hawke, we created two million jobs in our period in government, we cut unemployment to the lowest levels in 30 years, we kept inflation low and we increased real wages.

The contributions to the debate today have often included some personal anecdotes. I can remember talking to John Sharp, who was our first Minister for Transport and Regional Development. He said that when he came to government he looked in the cupboard for the regional services budget and he found that he had about $200,000 to spend—less money than was spent on the pelmet of grass over the top of Parliament House at the same time.

We resolved to change that. When we balanced the books, we were able to direct that money where it needed to be directed for the benefit of all Australians. But, while the strong economic conditions in the broad opened up greater opportunities for regional Australia, more needed to be done because we realised, coming as we did from regional Australia, that Australia’s economic prosperity was not spread uniformly across the country. Above all, one of the most severe droughts in our history had caused enormous pain to families and communities right across our nation. While we were in government, we devised policies that recognised that the one-third of Australians living outside the major cities could get a fair go and should not miss out on the economic benefits stemming from Australia’s more general economic prosperity.

You will recall, Madam Acting Deputy President, that on election night the Prime Minister said that the new government would be a government for all Australians. They were very appropriate and noble words. My hope is that we can take the Prime Minister’s words for all their good intentions, but the political facts of life are that all governments are captives of their political representation. Unfortunately, still very few members of the new government come from regional Australia. Two-thirds of the members from regional Australia in the House of Representatives still come from the Liberal and National parties, and that is why the majority of assistance went to and hopefully will still go to coalition seats in the future.

But the reality of politics is that you are what you are, and a new government with new priorities and new ministers in finance, in Treasury, in primary industry, in transport, in health and in regional development may likely have little understanding of regional Australia, as we have heard—why policies and programs were developed, the pain of the last couple of decades in connection to the economic prospects of regional Australia and, of course, the pain of the drought which seems to have lasted most of the last decade.

Governments cannot invent the economic future, but they can get the macroeconomic and microeconomic issues right, which we systematically did. From the earliest days, once we had balanced the books of Australia Inc. we targeted regional Australia with programs that were able to lift standards of living; provide social capital, which is so very important; and build on natural advantage. You cannot create economic prosperity in a vacuum. You can only build on natural advantage, and across this vast nation there are very many opportunities to build on natural advantage. If you look at what has happened over the last 10 years, that has certainly been done. We also targeted regional Australia with programs to make for stronger communities, to give them that lift up—that little bit
of money, that large amount of money, that infrastructure, that commitment that has enabled communities to go forward and create new opportunities and new jobs.

I want to mention some of these programs. Probably the most important was the Regional Partnerships program, which you have heard a lot about today. The Regional Partnerships program really is a testament to John Anderson. Substantially it was he who developed the regional partnerships concept, which allows for the funding of projects that stimulate growth in the regions, improve access to services, support planning and help communities adjust to changed circumstances—in other words, structural reform which is always going on in the community.

Some $270 million were spent on the Regional Partnerships program, but amounts mean very little until you look at where the money went. I give relevance to the program by looking at the New England north-west region, where over $13 million were spent since 2003. We have had a lot of criticism of these projects, but in fairness I think people listening will appreciate that this money was given to very good projects in the main. If the money had not come from the Regional Partnerships program, where would the money have come from to provide for that community infrastructure?

For instance, the Tamworth Meals on Wheels kitchen, a vital community infrastructure program, received $770,000. The Challenge Equine Laundry Service in Tamworth received $210,000. Challenge is a disability service provider. The Bellata Gold durum milling plant received over half a million dollars. This plant provides enormous export opportunities to high-value exports of grain. There are some little projects, like the restumping of the Mingoola Community Hall. Senator Joyce knows where Mingoola is. It was a little project, just over $7,000, in a little community that would never have been able to raise that sort of money. Mingoola is in the electorate of New England, which, quite frankly, the National Party would have loved to have won but with every realisation that the sitting Independent was likely to be successful—it was hardly a political decision.

There was a technology CTC in Warialda supported with $6,000. In Tenterfield a multipurpose centre received $55,000. A bigger project was the Moree Plains Gallery art precinct—we are very keen on the arts in the National Party—with a grant of $269,000. These projects went far wider than simple community investments. A regional GP access centre in Tamworth—the Peel Health Care Centre—was supported with $215,000 to provide a home for GP practice in Tamworth. Tamworth is a large regional city with a very large hospital and public and private health infrastructure. It needs GPs. We addressed that through the Regional Partnerships program. I congratulate all those people who were involved in the regional GP access centre in Tamworth. There was the National Equine and Livestock Centre in Tamworth, for which over $6 million was provided. This is a project that has not just national—

Senator McGauran—I remember that one well.

Senator SANDY MACDONALD—Thank you, Senator McGauran. We fought very hard for it. It provides not only a national focus for Tamworth and the livestock industry but an international focus. Long after we as politicians and senators are dead and gone this will provide jobs and opportunities for many Australians in a vital life-blood industry to Australia. There was $300,000-odd for the Glen Innes Learning Centre to provide opportunities for higher education to a large provincial town. There
was the Mungindi Rural Transaction Centre. I do not know if any of you have been to Mungindi.

Senator Joyce—I have.

Senator SANDY MACDONALD—Senator Joyce is thought very highly of in Mungindi. There was $300,000-odd for their rural transaction centre, giving them access to carry out business, making their geographic position really unimportant in so many ways. I have another little one. I have a whole host of them here, but this is the last one I will give. I am just trying to give a flavour of the types of grants that were provided under this program. There was one for the kitchen of the Spring Ridge Community Hall, which also doubles as a childcare centre for that little community in the north-west of New South Wales.

To say that these projects were not valuable and worth while is one thing—actually, they were very valuable and worth while. Furthermore, they were not funded by any other method. When we came to government in 1996 these sorts of projects were not funded. It is one thing to say that we should review them—and I do understand a new government wanting to review programs—but I think it is pretty tough that the first announcement my good friend the new finance minister, Lindsay Tanner, makes is that $640 million is going to be taken away from regional Australia. This is at a time when a government comes in and finds a surplus of maybe $18 billion. That is the projected surplus. It may be more than that. If you look at Treasury over our period of government, Treasury was always out in terms of what the projected surpluses were. We always had far higher surpluses. So, despite certain prospects of an economic downturn in the past financial year, I cannot expect that the surplus will be below $18 billion. But the first people who take a cut, the first people to take a hit, the first people who have to walk the plank are those very people that the Hawke-Keating government punished so dramatically during their period of government. As I said, John Sharp, when he came to government as the first minister responsible for regional development, had nothing in the kitty. There was no money to spend on these projects.

Senator Stephens interjecting—

Senator SANDY MACDONALD—You fund these projects as you like, Senator Stephens—I do not mind. If you change the name of Regional Partnerships, I do not care. The point is that these are valuable projects. Do not throw the baby out with the bathwater. You are entitled to review these policies. You are entitled to make them better. But do not say they are not valuable, do not say they were vexatiously and improperly granted, do not say there was favouritism shown and do not say we are going to remove the opportunity and the avenue for regional Australians—not just regional Australians, but mostly regional Australians—to access that assistance that will help create an economic future for them. You may or may not keep the macro- and microelements of the economy in line—and I suspect you will not, given your past record in government—but one thing you can do is help those communities who cannot help themselves. You fund it any way you like, but you do it through programs like we had in Regional Partnerships, Sustainable Regions, Roads to Recovery and Investing in Our Schools. These were all projects and programs that were very well received.

There were many other avenues of funding, too—and I think Senator Boswell referred to them. They were things like the Envirofunding, which was very important, the Community Water Grants, and the small assistance grants to local community orga-
sations. There were so many opportunities for ordinary Australians to access some of the assistance that city Australians inherit and receive as of right. I think it is a little churlish and a great mistake to say, in your first announcements about prospective budget cuts, that regional Australians—the least able to defend themselves, the least able to look for and develop economic sustainability—will be the first to take a cut. Senator Stephens, you are the representative of the government here today. Through you, Acting Deputy President, I say to Senator Stephens: you take this message back, because you are a fair person and I know that you would understand the priorities and needs of regional Australia. You can do and say what you like, but just do not cut these opportunities out of the mosaic of economic management that this nation requires from its new Labor government.

Senator Joyce (Queensland) (5.29 pm)—I would like to support this motion. I will start with a justification, possibly a moral justification, for why these projects are relied upon. If we took any person who lived in a metropolitan centre and asked them to stand on their roof and look at the 10 square kilometres that surrounded their house and add up the amount of public spending in infrastructure they could see—the public hospitals, the roads, the bridges, the childcare centres, the ports and the airports; all that is manifest in those metropolitan environments—then we would find that there would be multiple billions of dollars invested over hundreds of years. That is why people have a tendency to live in those areas: because the public dollar has been spent there and has improved the standard and quality of life. It becomes an impetus and a reason for people to move to those areas.

My friend Senator Sandy Macdonald mentioned Mungindi. If you went and stood on a roof in Mungindi and looked around at 10 square kilometres then I think you would be quite surprised at what was not there. You would probably be looking at hundreds of thousands of dollars of public infrastructure spending. So there is a manifest inequity between the two areas—between the quality and the access that one person in the urban area has to the public dollar and the quality and access the other person has in the regional area to the public dollar. Therefore it is the responsibility of the government to address that inequity—not necessarily in a grand way but at least in a way that reaches out to them in some manner or fashion and says, ‘We recognise this inequity and we will try to deal with it in any way that we can.’ It is, as Senator Macdonald stated quite well, rather churlish, given the reflective dividend that has been presented to the incoming government of approximately $18 billion, that we make this statement of about $400 million to $600 million in cuts. To put it in a way that can be understood by the people of Australia, the Australian government spends approximately $700 million a day on public spending. So in essence regional Australia is worth less than a day’s spending for the incoming Labor government. To be completely frank, these cuts are tokenistic but nasty. They make a clear statement about what this incoming arrangement is.

We can look at these cuts as a metaphor for what the Labor Party say they stand for. The Labor Party say they stand for infrastructure. They talk about bottlenecks. They talk about the things that affect productivity. But it is absolutely fascinating to see that they are cutting the money for the AusLink inland rail. So once more we will see the coastal roads clogged up. You cannot deal with the bottlenecks at the ports by cutting the mechanism that is actually going to alleviate the problem. This Labor government say that they are about water, but they are about to axe $45 million from the Murray-
Darling Basin area. This government say that they are about communications, but they are going to axe broadband now. They say they are about the worker, but they are going to get rid of the Rugby League Hall of Fame. I am someone who played rugby league in the past. I know this is not a major issue, but there are a lot of people around this nation who do have a sense of connection to the game of rugby league and who would like to see things like that maintained. I remember the allegation that this was a program for National and Liberal Party seats. I remember clearly taking on Senator O'Brien in estimates. They wanted to question, and I suppose they will axe money from, dental clinics in areas such as the Tweed.

This is a statement about Labor’s belief in the preservation of the family farm. We know that out in the regional areas you can get rid of all the packages. You can let the family farm disappear. You can incite and bring on corporate agriculture in Australia so that it is harder and more difficult for Australians to actually have their feet on the ground and own the country that they live on. The way you do it is to start to take away the services provided for those people in those regional areas. You start to make it such that it becomes difficult, some would say near impossible, for any person to contemplate going back onto the land. If you take away the access to a package that can deliver better health outcomes and better public service outcomes—even, as we were talking about, for example, the re-stumping of a community hall—you are saying, ‘I do not want you to live in the country. I do not want you to live in regional areas.’ You obviously give people the only option of moving to where the public infrastructure spending is.

There are so many packages—for example, in Brisbane. We never heard the National Party or the Liberal Party complain about convention centres being built or art galleries or multimillion-dollar investments in paintings. I imagine that these things will go on. But we need an ability to deliver some form of largesse from the nation back to those who in a lot of cases are the most afflicted and the most marginalised. One of the biggest areas of expenditure is in Indigenous areas. What are you going to say to them: ‘Oh well, we were sorry yesterday but today we’re going to take the capacity for you to get access to that money away from you.’ There are so many other ways that you could go about it if you wanted to make a statement on budgetary measures. There are so many other ways you could make it. There is no real reason to make it, because you have been left with a surplus. So what is the purpose of this? We are talking about less than a day’s worth of public expenditure that is directly targeted to the most regional, the marginalised and the most disaffected already in our nation. What is the metaphor here? What is the message that you are trying to send—except for a message of unnecessary nastiness from Mr Tanner.

We can go through some of the areas affected such as the drought package. The drought package is still essential. I acknowledge that there has been extremely good rain in the country and the country has been blessed with good rain but it does not rain fat steers. It does not rain wheat crops. It does not rain dollars and cents for the bank manager to collect. These people are still out of cash and they need to be supported into a cash flow. Unless they get a cash flow, the dynamics of their farm and the business success of their farm will collapse. If it collapses, it gets sold up; if it gets sold up, it gets gobbled up by bigger organisations, and you start to get the centralisation of wealth in regional areas—all in all, a bad outcome for our nation.

One of the primary things that our nation always has done, from right back when we
had soldier settler blocks to where we are now, is to try to make sure that the Australian citizen has the right to own and live on the land and to prosper. It is not something that was invented by the National Party, as is claimed in the derogatory barbs that have been sent from the other side of the chamber; it is not something that was invented by the National Party or the Liberal Party. It has been spoken about by people such as Jefferson: the belief in trying to keep the right of your citizen to be an owner and to profit from their participation in the land. One of the first philosophical statements you make is that you disregard that and that you are moving the nation to a position of centralisation—centralisation in geographical areas; centralisation in wealth—and that is an inherently unhealthy place for us as a nation to go. I am too humble to counsel anybody, but I would love to draw your attention to the questions of why this position has been made with these cuts, what message it is sending, where it leads us as a nation and what the outcome is if this is the path that you intend to wander down.

There are so many things that can be dealt with in an effective manner. These people out in the rural lands already have to deal with problems such as the overcentralisation of retail markets, the drought and the problems that have been brought on them by the financial overhang from trying to deal with the fact that they have been in a drought and a period of privation for a number of years. Why was it necessary to do this to them? Why was it necessary to make this statement? What is the real outcome? To be completely frank, with the budget that the government has and the money that it has spent, this will not make three-fifths of five-eighths of very little of a difference to the outcome of the nation.

I implore you to return to Mr Tanner and to try and counsel him in some way so as to mitigate these effects. Look at some of the other things. We talk about trying to reduce the carbon footprint, yet you are removing the ethanol production subsidy—there is $10.8 million going there. We are trying as a nation to alleviate the cost to motorists from the ever-increasing cost of fuel, to try and bring competition into the market, to bring about an alternative product that puts some downward pressure on fuel prices and to alleviate the cost to all those people now driving home and possibly listening to this so that they can get a better deal at the pump and a better outcome for our nation. Yet one of the first things you say is that we are going to try and destroy any mechanism to produce an alternative product. Why? Why the malicious barb about the ethanol plant at Gunnedah? Surely it is a good outcome to have an alternative source of fuel, at 85c a litre, delivered to the pump. If you can get the proportion of ethanol in the fuel put into every car up to 10 per cent, that means that 10 per cent of every person’s fuel budget goes down to 85c a litre. Surely that is a good outcome, not just for regional Australia but for Australia in general. So why target it?

I know that the Labor Party has gone on about apprenticeships and the lack of investment in apprenticeships. One of the first statements they make is that they are going to cut apprenticeships. They are cutting apprenticeship incentives for agriculture and horticulture. This is a parody: the juxtaposition between rhetoric and the reality of where this Labor Party is. It is a shame. It is unnecessary. I know that conceit and pride will mean that no-one will review these policies. They will go through because they will become core Labor business.

In closing, I am perturbed by the statement that this is all about conservative members of this parliament—whatever you want to call them and whatever words you use—stacking the seats or however you want to
put it. I want to give you a quote in relation to Mr Crean’s promises during the last election:

On a recent election campaign trip to Central Queensland, Mr Crean also promised $1 million for the Blackwater aquatic centre, $1.7 million for the Hegvold Stadium in Rockhampton, $160,000 for a softball ground at Kele Park, $1.5 million for the Dysart Sports Complex and $1 million for the Winton Dinosaur project and $2.6 million for the Tree of Knowledge centre.

That was just a little trip out in the country for Mr Crean. The reason is that he was targeting seats such as Flynn, Leichhardt and Capricornia. Let us not be too removed from saying that everybody does not have, at times, a motive in trying to look after their people. I would be quite happy for Mr Crean to continue to do that, but we have already got the program in place for him to utilise. So why destroy it unless you want to destroy the aspirations and the dynamics of this nation and you want to destroy and take away that final little candle of some sense of benevolence delivered from this capital, by this nation, to those who are most disaffected and marginalised?

Senator ADAMS (Western Australia) (5.43 pm)—I rise this evening to concur with my colleagues, who have certainly raised a number of issues. I would like to start with an article that appeared in the Australian on 8 February. It is headed ‘Croc Festival cancelled after cuts’.

In Western Australia, my home state, I was at the Croc Festival at Meekatharra last year. Six hundred young Indigenous children were there for the week. They had an absolute ball. So after yesterday I really do wonder just where this government is going. Why would you take $3.3 million which is required to hold seven three-day events planned for 2008? Our people cannot get their funding. I think that this is just an act of hypocrisy. I am very disappointed as, I am sure, are those young Indigenous children, who travel sometimes 1,200 kilometres to be able to join in with their friends for a week—by the time they travel from home and back it is a week. They really have a most enjoyable time and they are being denied that. I would really like Senator Stephens to find out why this has happened, because it is certainly not good.

I have taken note of my Western Australian colleagues saying that we are all being punished because Labor voters are not prolific in the regional and rural areas. I have news for you: there are a lot of Labor people who live in regional and rural areas, so if this is some way of getting stuck into us then you are also hurting your own people. In Western Australia we have gone through the one vote, one value problem. We have six seats going out of the regional and rural areas into the metropolitan area, so we are going to be even worse off.

Apprentices have also been mentioned. It is very difficult to get apprentices in the rural and regional areas—and I will go back to my own state—because of the huge wages that are being offered in all the mining areas, whether they be in Ravensthorpe in the south or in the Pilbara or the Murchison in the north. There is an assistance scheme to improve the take-up of apprenticeships in the rural areas, where we have such a shortage of labour, and $47.7 million of that assistance scheme has gone. Under the incentives that we had, there was an $800 grant for tool kits, which the apprentices all absolutely enjoy, and up to $1,000 to help with training fees. To go further, we then had the living away from home allowance, and $100,000 has been taken out of that budget. That $100,000 could go a long way to helping an apprentice with their travel to and from home. Coming from stations and trying to get into a regional centre, a lot of them really do struggle with their travel costs alone, without their board
and accommodation. So I just cannot understand this. You are trying to boost training, especially trade training places, and you are doing this sort of thing. It is denying some of these younger rural people the chance to take up an apprenticeship, to do a trade. Now there is just no money.

Last year, according to our statistics, 50,000 people left the agricultural and horticultural industry as the drought crippled rural areas. When the drought eases, how will we get those people back? They have had to go elsewhere to get jobs and they will not come back because the money that they have earned away they will not be able to earn when they get back into rural areas. So once again we have this problem. The Growing Regions program is being abolished. I know my colleagues have already spoken about this, but once again this was to be a huge benefit for us in rural Western Australia. We have a lot of sea change and now tree change people. What has happened is that small rural communities have attracted many people from the city to come and live in their area and enjoy the lifestyle, and those towns just cannot afford the infrastructure to cope with the massive expansion of the population. So once again they will be in trouble.

I am really disappointed about plans for the FarmBis sector, because once again this is a training thing. It is a jointly funded initiative between the Australian, the state and the territory governments. This is about helping rural people become more proficient in their business, and that is what it is about. Agriculture is a business. It is not just a farm and a lifestyle any longer. To remain there and to be sustainable, it has to be a business, and these people should be helped, not hindered.

There are also green vouchers for schools. There are huge problems there. We as a government were accused of not doing anything about climate change. Last year on 17 July, $336 million was given to Australian primary and secondary schools, including rural and remote schools. They could get $50,000 grants to help install rainwater and solar hot water systems. Now we have the Victorian environmental activist Mr Eric Noel, who persuaded the Howard government to start up the initiative, saying:

Why discontinue green vouchers? It is likely to cost millions of dollars simply to rebadge the program and call it something else. Why not keep the existing program and improve it as promised?

Already 3,000 schools have received grants, but there are another 6,000 that have been left in limbo. During the election campaign Labor announced it would replace the green vouchers scheme with the National Solar Schools Plan, costing $489,000 over eight years. Under the plan, schools would be able to apply for grants of up to $20,000, or up to $30,000 for their rainwater tanks. This just will not help. Unfortunately, after having a program there, it is going to be impossible to get all these other schools to apply again.

We have heard a lot about Regional Partnerships. I have had a lot to do with Regional Partnerships and strongly supported any application from the rural areas of Western Australia that I considered worthy. I am certainly out amongst the shires a lot, and one of the projects is not very far from me, at a place called Mount Barker. The partnership was between the Shire of Plantagenet, which covers that area, and the Mount Barker Baptist Church. These people have been through quite a lot of negotiations. Their business plan was signed off. They have been able to lease premises in Mount Barker to provide a community centre which will include an alternative school for disadvantaged and disenfranchised youth, a full-time youth worker and drop-in centre, a telecentre which would be the management hub for the Mount Barker Baptist community centre and would
provide support for the alternative school, a food bank, after-school care and any one-off programs required. The food bank facility would provide food for any young person or townspeople in need. They are seeking funding for a chef through the National Community Crime Prevention Program. The canteen would service all functions held in the auditorium as well as the sporting activities on the adjacent oval and provide meals and refreshments for special functions held within the community centre. They would also have after-school care and holiday programs.

I thought this was a great project and I have given it my full support. The previous Minister for Transport and Regional Services, the Hon. Mark Vaile, approved the project, but shortly after that the 2007 election was called. Unfortunately, no further action on these applications has taken place. We have asked and asked, but we still cannot get any reply as to whether the funding is going to go on. They have to sign a 55-year lease and they will be paying rent on premises which they cannot use if they do not get their funding. It is at the heart of the Regional Partnership funding and the reason it has been such a success. This happens in a number of small communities. We really rely on Regional Partnership funding. We do not abuse the system and any of these partnership programs that I have supported are very good and well supported. In closing, I would really like to say to the minister: please reconsider what you are doing because rural and regional Australia need a lot more support. They do not need money taken away. I am sure, if the budget cuts have to come, there are areas other than regional and rural Australia.

Senator STEPHENS (New South Wales—Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion) (5.53 pm)—I rise to speak in this debate to reiterate the Labor government’s complete commitment to supporting rural and regional communities in Australia and recognising the particular challenges that confront our communities and our citizens living there.

I do not want to denigrate the contributions of the National Party members in the Senate this afternoon who are passionately defending their constituencies. I certainly acknowledge their loyalty and their deep understanding of the complexity that surrounds living in the country in Australia. It is not easy trying to sustain a rural community that is struggling after seven years of drought. It is not easy trying to sustain family farms where there has been no income for seven years. The indebtedness to the banks and financial institutions takes people down the path where they actually have no capacity to even escape the circumstances. It is not easy.

But the circumstances that confront rural and regional communities in Australia today are complex. They are part of the global economic cycle, certainly part of the response to climate change and reflect many challenges that have been around for a long time. Today we have had this debate about Minister Tanner’s announced funding cuts, but really it has been part of selective reporting and selective commentary on only some of the projects and programs that he has identified in that first statement to the National Press Club.

The Labor government is certainly committed to community based solutions and I totally identify with the kind of solution that we just heard about from Western Australia and the Regional Partnerships program. But I do have to say that one of the failings of those kinds of programs is when communities are being forced to cobble together bits of funding from here, there and everywhere.
to try and develop a sustainable service in those communities. That is probably not the best way to do it. The Labor government really is entitled to review the programs that have been in place through the previous government of 10 years plus. It is certainly entitled to allow program evaluation cycles to take their natural time and for programs to be reviewed in the evaluation cycles. It is all good public policy.

We heard this afternoon about some of the rorting, particularly of the Regional Partnerships program and the pretty damning comments of the Auditor-General about the way in which that program has been abused in the past. We want to be a government that is about improved transparency of decision making and improving the way in which we share the funding that is available for these kinds of community based programs.

The Labor government has actually taken us to a new focus. I have spoken in this chamber already about my role as the Parliamentary Secretary for Social Inclusion and how important that is in driving a whole-of-government approach to dealing with the problems that are confronting our communities. Our rural and regional communities are just such communities. Every community has its own set of particular and peculiar challenges and we certainly want to move away from a kind of one size fits all approach and start working with local communities to develop solutions to the challenges that they are facing.

One of the challenges that we know is absolutely there in rural and regional Australia in the small communities that abound across the country is the ageing community infrastructure because the pools, halls and facilities built in the Whitlam era have not had any capacity from the Commonwealth to actually support renewal of that infrastructure. What we have been finding as we have been travelling around Australia is crumbling swimming pools and community halls that need re-stumping, as Senator Joyce said, and we are trying to find some new ways that we can engage in community development programs and community funding.

We certainly have some very interesting information with which to work in Professor Tony Vinson’s Dropping off the edge report which really highlights the failure of public policy to deal with entrenched disadvantage in our country. When you look at the amazing amount of data mapping and analysis that Professor Vinson has undertaken, you will see that many of the critical communities that he has identified, where people are living in abject poverty and with extremely complex disadvantage, are in rural and regional communities. They are in communities like Kempsey, Wilcannia and Bourke and they are communities where we are determined to take a new approach and make a significant difference.

So I take on board the comments, the recommendations and the advice of the National Party senators who have spoken in the debate today. But I think that it is the Rudd government’s prerogative to challenge the way in which we are funding communities and to come up with some new solutions to deliver for the communities of rural and regional Australia. I intend to be part of that process. So let us not be too disingenuous about the cuts that have been announced. We are committed to regional Australia and we will continue to be.

Debate interrupted.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator Kirk)—Order! It being 6 pm, the Senate will proceed to the consideration of government documents.
Wet Tropics Management Authority

Senator BARTLETT (Queensland) (6.02 pm)—I move:

That the Senate take note of the document. I do so to draw the attention of the Senate and the community, and particularly the new government, to the serious and significant challenges faced by the Wet Tropics Management Authority. As I trust all senators are aware, the Wet Tropics World Heritage area is in the far north of Queensland. It goes from north of the Daintree and Cape Tribulation. That is probably the part of it that is most well known, but it is actually quite a large area, reaching almost as far south as Townsville, past places like Mission Beach.

The Wet Tropics Management Authority has an interesting set of governance arrangements linking to both the Commonwealth and the state government. The key issue that I want to emphasise out of this report is the need, in my view, for more significant and stable funding for the authority. Without trying to sound too pejorative, in my view it has pretty much limped along for a number of years with inadequate and unpredictable levels of funding. Significant components of its ongoing funding actually have not been ongoing in one sense; they have been reappearing on an annual basis via annual grants through sources such as the Natural Heritage Trust. It is simply inadequate for such an important body that oversees such an absolutely crucial area—not just environmentally but culturally—as the Wet Tropics World Heritage area to operate on unknown funding, not knowing what it is going to be getting from one year to another. The authority has had serious problems with unfilled staff vacancies and an inability to plan long term with regard to those vacancies because of uncertainty over the totality of its funding, as well as some issues with regard to board level.

I presume this area comes under the responsibility of the new Minister for the Environment, Heritage and the Arts, Mr Garrett. I know he is very familiar with the wet tropics—certainly the Daintree but I think the wet tropics more broadly—and I urge him to look at the possibility of providing more reliable and more significant funding for this authority and perhaps negotiating with the Queensland government about some shared arrangements with regard to that funding. I also make the point that, whilst most of the focus about the Wet Tropics World Heritage area is on its extraordinary environmental values, it is one of the most biodiverse areas on the planet, and I think the most biodiverse area in all of Australia. It is home to a huge number of endemic species, both plant and animal, that exist nowhere else on the globe other than in this region. Some of the genesis of those species goes right back to the earliest stages. Some very primitive, literally prehistoric, species exist there and nowhere else. They are under immense threat, particularly from development, in all of those areas—I have mentioned a number of times in this place the continual impact on the World Heritage area from residential and tourism development, not in the World Heritage area but on its boundaries, with continuing car traffic and increases in people visiting. But it is just one area amongst many that are impacted and being fragmented.

Just as significantly and given far less attention is the immense continuing cultural heritage of traditional Aboriginal peoples in that area. There are a large number of Aboriginal tribal groupings that continue to have ongoing connection to country in that area. A number of native title claims have been recognised over parts of the Wet Tropics World Heritage area, most notably with regard to the Kuku Yalanji claim in the far north of the Wet Tropics World Heritage area around Wujal Wujal and elsewhere. The Democrats...
have long made and supported calls for the World Heritage listing of the wet tropics area to also include its ongoing Indigenous cultural values as well as its environmental values. We urge the new government to continue that process.

But there is no point acknowledging all of the fabulous environmental and cultural values of that area if you do not adequately resource and manage it. I believe the Wet Tropics Management Authority has been hamstrung in its ability to do that in recent years. It does need extra support in that regard, and I call on the new minister and the new government to provide that.

Question agreed to.

**Consideration**

The following orders of the day relating to government documents were considered:

Commissioner for Superannuation (ComSuper)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Director of National Parks—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Great Barrier Reef Marine Park Authority—Report for 2006-07. Motion of Senator Nash to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.

**Crimes Act 1914**—Controlled operations—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.


Australian Postal Corporation (Australia Post)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.


Federal Court of Australia—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Department of the Environment and Water Resources—Reports for 2006-07—

Volume 1—Department of the Environment and Water Resources.

Volume 2—Legislation.

—Motion of Senator Bartlett to take note of document agreed to.

Australian Film Commission—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Attorney-General’s Department—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Future Fund Board of Guardians and Future Fund Management Agency (Future Fund)—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.

Australian Customs Service—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Interactive Gambling Act 2001—Report for 2006 on the operation of the prohibition on interactive gambling advertisements. Motion of Senator Bartlett to take note of document agreed to.


Department of the Treasury—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.


Australian Institute of Criminology and Criminology Research Council—Reports for 2006-07. Motion of Senator Nash to take note of document agreed to.

National Native Title Tribunal—Report for 2006-07. Motion of Senator Bartlett to take note of document called on. Debate ad-
journed till Thursday at general business, Senator Bartlett in continuation.
Office of the Director of Public Prosecutions (DPP)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Commonwealth Services Delivery Agency (Centrelink)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Commonwealth Scientific and Industrial Research Organisation (CSIRO)—Report for 2006-07, including financial statements for the Science and Industry Endowment Fund. Motion of Senator Nash to take note of document agreed to.
Australian Electoral Commission (AEC)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Australian Transaction Reports and Analysis Centre (AUSTRAC)—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Department of Finance and Administration—Report for 2006-07, including financial statements for the Business Services Trust Account. Motion of Senator Nash to take note of document agreed to.
Australian Commission for Law Enforcement Integrity—Report of the Integrity Commissioner for the period 30 December 2006 to 30 June 2007. Motion of Senator Nash to take note of document agreed to.
Privacy Act 1988—Report for 2006-07 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner. Motion of Senator Nash to take note of document agreed to.
Remuneration Tribunal—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Administrative Appeals Tribunal—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Federal Magistrates Court—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Department of Transport and Regional Services—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Australian Security Intelligence Organisation (ASIO)—Report for 2006-07. Motion of Senator Nash to take note of document called on. On the motion of Senator Bartlett debate was adjourned till Thursday at general business.
Australian Research Council—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Customs Service. Motion of Senator Nash to take note of document agreed to.
Family Court of Australia—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Customs Act 1901—Conduct of Customs officers [Managed deliveries]—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.
Native Title Act 1993—Native title representative bodies—Report for 2006-07—Central Land Council. Motion of Senator

CHAMBER
Bartlett to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.


Torres Strait Regional Authority—Report for 2006-07. Motion of Senator Bartlett to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.


Australian Prudential Regulation Authority (APRA)—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.


Superannuation Complaints Tribunal—Report for 2006-07. Motion of Senator Watson to take note of document agreed to.


National Health and Medical Research Council (NHMRC)—NHMRC Licensing Committee—Report on the operation of the Research Involving Human Embryos Act 2002 for the period 1 April to 30 September 2007. Motion of Senator Bartlett to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

National Capital Authority—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Migration Agents Registration Authority (MARA)—Report for 2006-07. Motion of Senator Bartlett to take note of document agreed to.


International Air Services Commission—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

Civil Aviation Safety Authority—Report for 2006-07. Motion of Senator Nash to take note of document agreed to.

National Health and Medical Research Council (NHMRC)—Report for the period 1 January 2006 to 30 June 2007. Motion of Senator Nash to take note of document agreed to.

Australian Government Solicitor (AGS)—Statement of corporate intent 2007-08. Mo-
tion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.


Medibank Private Limited—Statement of corporate intent 2008-10. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

IIF Investments Pty Limited, IIF (CM) Investments Pty Limited, IIF BioVentures Pty Limited, IIF Foundation Pty Limited and IIF Neo Pty Limited—Reports for 2006-07. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

Gene Technology Regulator—Quarterly report for the period 1 July to 30 September 2007. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

National Blood Authority—Report for 2006-07. Motion of the Minister for Superannuation and Corporate Law (Senator Sherry) to take note of document agreed to.

Crimes Act 1914—Authorisations for the acquisition and use of assumed identities—Report for 2006-07—Australian Commission for Law Enforcement Integrity. Motion of Senator Parry to take note of document agreed to.

Copyright Agency Limited—Report for 2006-07. Motion of Senator Parry to take note of document agreed to.

Audio-Visual Copyright Society Limited (Screenrights)—Report for 2006-07. Motion of Senator Parry to take note of document agreed to.


Migration Act 1958—Section 486O—Assessment of appropriateness of detention arrangements—Government response to reports by the Commonwealth Ombudsman—Personal identifiers 221/07 to 346/07. Motion of Senator Bartlett to take note of document called on. Debate adjourned till Thursday at general business, Senator Bartlett in continuation.

COMMITTEES

Consideration

The following orders of the day relating to committee reports and government responses were considered:

Intelligence and Security—Joint Statutory Committee—Report—Review of the re-listing of three terrorist organisations. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.


Foreign Affairs, Defence and Trade—Standing Committee—Interim report—The changing nature of Australia’s involvement in peacekeeping operations. Motion to take note of report moved by Senator Wortley. Debate adjourned till the next day of sitting, Senator Wortley in continuation.

AUDITOR-GENERAL’S REPORTS
Report No. 10 of 2007-08

Senator BARTLETT (Queensland) (6.12 pm)—I move:

That the Senate take note of the document.

This is the Auditor-General’s report into the whole-of-government Indigenous service delivery arrangements. These whole-of-government arrangements were put in place by the previous government a number of years ago and it is those arrangements that the Auditor-General audited and has reported on via this document. In the current context and the current political debate about Indigenous issues in Australia, one could focus on the negatives with regard to all governments, all political parties, as I myself have done a lot of times or one could seek to use the current political context and the current public debate around things to seek to point to the positive and the opportunities that it presents to us. I would like to do more of the latter. It does need to be said though, as this report indicates, there were a lot of failings with the so-called whole-of-government service delivery arrangements to Indigenous communities.

These were introduced with large fanfare—by Minister Vanstone, I think. There were a lot of very strong statements about people putting their reputations on the line and about making all these things work better. As it panned out, not only did it not make things work better but, at great expense, it actually increased the amount of red tape involved. And that is really saying something given the amount of red tape that is already in place for many Indigenous communities in remote areas such as the Northern Territory.

I do not want to use that simply to point-score against the previous government. I highlight it simply to emphasise a point that many people have been making of late: strong statements, words and commitments are all very good—and they are important—but we need to follow through by assessing what actually works on the ground. Strong statements have been made in the area of Indigenous affairs in the last year or two, and even yesterday and today in this chamber statements were made with regard to the stolen generations. People have used that issue to go on to a slightly related but very different issue of child protection in the Northern Territory today. All of the rhetoric surrounding that is one thing, but let’s look at the reality on the ground—at what is working and what is not. That is something we all need to do.

I also emphasise my view—it is a view I am willing to modify according to the evidence but I think the evidence, including in this report, backs it up—that one of the things that is most obvious about the parliamentary debate today and yesterday on the stolen generations issue is that the people participating on the floor of this chamber were a bunch of non-Indigenous people, most of whom have very little day-to-day contact with Indigenous people and Indigenous communities, blathering on about what we think the solutions are. I am not saying that our views are not important. I think they are reasonably important—I like to think mine are!—but they are not as informed and as important, in many respects in this area, as the views of Indigenous people, particularly those at community level.

Most often, the big failing with regard to the specific area of whole-of-government
service delivery arrangements that this report was looking at, and also with regard to governments of all persuasions—and even with regard to parliamentary reports involving politicians of all parties, including the smaller parties—is that we do not listen enough to the people on the ground and follow through to work with them. Even when there has been a little bit of listening we say, ‘Thank you for that, and now here’s the solution which we are going to impose on you,’ rather than having the Aboriginal and Torres Strait Islander peoples actively and meaningfully involved in an ongoing capacity in the delivery of services to make sure that they suit the particular communities, people, and circumstances of the various regions—not just culturally but, more broadly, economically, environmentally and socially. There needs to be an ongoing focus and an ongoing capacity for those views to be heard and to make a difference. They should not just be heard with someone saying, ‘Thank you for telling us your views,’ but with, ‘Your views will be acted on, or at least taken into account in a meaningful way.’

That is a key missing element. I think there have been some positive comments made by a number of people in this chamber and the other chamber over the last couple of days. People across the political spectrum, at least to some extent recognised that. Now there is a real platform—from a lot of the words people said today and yesterday—from which to build some positives for the future. Some strong commitments have been made and they need to be followed through. They need to be audited, as the Auditor-General has done in this case. The key thing is to maintain the focus, because what happened in this case, as happens in so many cases, is that the new whole-of-government arrangements were announced and there was a big fanfare and a lot of media coverage. There were a lot of strong statements, a lot of strong commitments and a lot of determination—I am sure it was very genuine—and then the focus shifted elsewhere. A couple of years later people said, ‘I wonder what happened to that?’ They have a look into it and find a report that says: ‘Well actually it was a disaster, not to put too fine a point on it.’

We have to have that continual focus day after day. It does not have to be on the front pages day after day—sometimes it is helpful not to have things on the front pages—but we do need to maintain our focus. The key call I would like to make to political parties and to the parliament—to the Senate in particular—is to keep the day-to-day focus on this issue as much as possible, to keep the point-scoring opportunities out of it and, as much as possible, to listen more to Indigenous peoples at the community level. As we all know, there is as much diversity of views amongst Indigenous peoples as there is in the wider non-Indigenous community about what will work and what will not. So we need to do a lot more listening.

There is such a big gap in the daily experiences and the reality on the ground for so many Indigenous Australians compared to all of us that it is unrealistic to expect people like us—those that advise us and people in government—to determine all the correct solutions without far more effective connection with, and involvement of, people on the ground. I think that is a key failing. It needs a shift in attitude and it needs a shift in where the resources are directed.

This audit report is valuable, not just because it points to the specific failings in the whole-of-government Indigenous service delivery arrangement but because it points more broadly to the lessons that can be learnt from mistakes. The mistakes that were made in this case were the same mistakes that have been made time and time again. These are not new mistakes; they are old mistakes be-
I think there is a lot of commonality about the goals we want to achieve—eliminating the gap in life expectancy; significantly improving access to education; significantly improving employment opportunities; significantly improving housing arrangements; and maintaining and improving recognition of, respect for and acknowledgement of Indigenous cultures. The goals are widely shared. We need a better process in place to take account of what works on the ground so that we start moving towards those goals rather than spinning around and around in circles, which seems to be what we have been continuing to do. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Consideration
Orders of the day Nos 1 to 3 and 5 to 15 relating to reports of the Auditor-General were called on but no motion was moved.

COMMITTEES
Membership
The ACTING DEPUTY PRESIDENT (Senator Sandy Macdonald)—I have received letters from party leaders nominating senators to be members of committees.

Senator SHERRY (Tasmania—Minister for Superannuation and Corporate Law) (6.25 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

Agricultural and Related Industries—Select Committee—
Appointed—Senators Heffernan, Fisher, Milne, Nash, O’Brien and Sterle

Housing Affordability in Australia—Select Committee—
Appointed—
Senators Bartlett, Colbeck, Fifield, Lundy, Moore and Payne
Participating members: Senators Bob Brown, Fielding, Milne, Nettle and Siewert

State Government Financial Management—Select Committee—
Appointed—
Senators Bushby, Chapman, Forshaw, Ian Macdonald and Polley
Participating members: Senators Bob Brown, Fielding, Milne, Murray, Nettle and Siewert

Electoral Matters—Joint Standing Committee—
Discharged—Senator Sterle
Appointed—Senator Hutchins

House—Standing Committee—
Appointed—Senator Stephens.

Question agreed to.

ADJOURNMENT
The ACTING DEPUTY PRESIDENT (Senator Sandy Macdonald)—Order! It being 6.26 pm, I propose the question:

That the Senate do now adjourn.

Dragons Abreast Australia
Senator CAROL BROWN (Tasmania) (6.26 pm)—I rise tonight to speak briefly regarding the commendable work currently being undertaken by Dragons Abreast Australia and to highlight its premier event, the 2008 hospital boat challenge, due to take place this coming Sunday, 17 February. I am aware of the fantastic work this group has been doing nationally and in my home state of Tasmania with breast cancer survivors to
help them regain their health and spirits. For those of you who may not be aware, Dragons Abreast Australia is a not-for-profit national organisation which encourages breast cancer survivors from all around Australia to take part in physical activity—namely, the sport of dragon boat racing.

Dragon boat racing is an aquatic sport which involves a 12-metre long canoe-like boat, large enough to sit 20 people, two abreast, along with a sweep to steer the boat and a drummer. It is paddled over a course of approximately 500 metres in length. During races, a dragon boat normally features the head and tail of a dragon, a creature regarded by the Chinese as having dominion over the waters and exercising control over rainfall.

The concept of using this sport as a means of therapy for breast cancer survivors originated in Vancouver, Canada back in 1996, and quickly spread to Australia, with the first Australian dragon boat team taking to the water in the Northern Territory in December 1998. Participation in the sport provides breast cancer survivors with not only a suitable form of physical activity to aid them in their recovery but also a forum in which to regain confidence and to share the ups and downs that come with recovery. In this sense, the organisation aims to provide survivors with an inclusive team environment in which they can focus on regaining their health, confidence and self-esteem after battling breast cancer.

Following the first boat taking to the waters in Australia in 1998, the innovative idea quickly gained momentum. The program’s popularity has resulted in around 34 teams operating around Australia in each state and territory. I am proud to report this figure includes three teams that are based in Tasmania—one each in Hobart, Launceston and Devonport.

In light of the fantastic work this organisation is doing for breast cancer survivors all around Australia, I was surprised to learn that the organisation is completely self-funded and relies on sponsorship and the tireless work of volunteers. Participants pay a small membership fee to cover the costs associated with liability; the remainder of the organisation’s funding is collected through donations. This has not limited Dragons Abreast Australia’s capacity to help breast cancer survivors from all around the world. Just last September the organisation hosted an international regatta in Queensland, which saw around 2,000 breast cancer survivors from seven countries come together to share their experiences and to raise awareness about breast cancer. By all accounts the event was a huge success. I am sure that it would have been quite spectacular.

As I mentioned earlier, Dragons Abreast Australia’s premier event this year will be the 2008 hospital boat challenge. It will take place this coming Sunday, 17 February, on Darling Harbour. The challenge will see teams of fit, well-trained and enthusiastic breast cancer survivors from all around the country converge on Darling Harbour to compete in the challenge, all with the aim of raising awareness of breast cancer and creating an atmosphere of hope for breast cancer survivors.

The president of the Hobart Dragons Abreast team, Rosemary Kerrison, along with 22 other breast cancer survivors, will be heading up to the event. Rosemary has said that, for the members of her team, the benefits associated with training for and participating in the event reaches beyond the obvious physical benefits, with the group allowing survivors to share a common journey on the long and often difficult road to recovery.

Indeed, countless studies have pointed to the numerous physical and mental benefits
stemming from regular physical activity for cancer survivors of all persuasions. However, the nature of the various treatments used to treat breast cancer, including surgery, radiation and hormone therapy, are known to frequently result in decreased strength and range of movement in the shoulders and arms. Other side effects from such treatments include fatigue, weight gain, nausea, depression and lowered self-esteem. Further, the Dragons Abreast website estimates that around 25 to 30 per cent of women treated for breast cancer develop lymph oedema, which results in the accumulation of excess lymphatic fluid, in this case causing arm swelling.

Regular exercise for breast cancer survivors has emerged as a positive complementary treatment, assisting in reducing a number of the side effects associated with treatment. The benefits of regular physical activity for breast cancer survivors include enhanced mobility and strength, particularly in the arms and shoulders; decreased fatigue associated with chemotherapy; improved sleep patterns; and, of course, enhanced quality of life.

However, Rosemary Kerrison from Dragons Abreast in Hobart is quick to point out that Dragons Abreast not only provides survivors with the chance to regain their physical fitness; it also—importantly—provides survivors with a chance to improve their emotional wellbeing. Participation allows female breast cancer survivors the opportunity to boost their morale and self-esteem, which can sometimes be eroded after what can be a long and sometimes confronting battle with breast cancer.

As the numerous national breast cancer awareness campaigns over the years have highlighted, for many women who are diagnosed with breast cancer the challenge of fighting the illness lies not only with fighting the actual disease but also in dealing with the deeply personal and emotional battle that often arises when faced with the prospect of losing one or both breasts.

Whether by default or design, women diagnosed with breast cancer are often forced to confront society’s concept of femininity and the prospect of a change in their physical appearance. In an era in which so much attention is placed on physical appearance, the mental and emotional strain that may arise from such an experience must be, in many cases, immense and mentally challenging.

This initiative by Dragons Abreast provides women—not only in my home town but right around the country and, indeed, throughout the world—with an opportunity to share their common struggle and to work together toward forming the building blocks for a happy, productive and supported life after surviving breast cancer.

Rosemary relayed one touching story of how Dragons Abreast plays a varied role in supporting women, although I am sure there are numerous examples of how Dragons Abreast has assisted members to rebuild their lives. This Hobart team member, I am told, could not swim and was terrified of water. After ongoing support from her other team members, she eventually gained the courage to, first, sit in the boat, and then to participate. Following on from this, I am told, she has now taken up swimming lessons and swims on a regular basis. As I said, this is probably only one of a number of stories that could be told world wide of how Dragons Abreast has assisted breast cancer survivors on their journey towards recovery.

Roughly one in 11 women in Australia is diagnosed with breast cancer before they reach the age of 75. And despite a significant increase in awareness and intense campaigns promoting early detection through breast screening, it remains the most common form
of invasive cancer and the leading cause of cancer deaths in women. Despite this, there is still hope and organisations like Dragons Abreast are providing that to sufferers and survivors alike. For these reasons, I commend the work that Dragons Abreast Australia is doing to raise awareness about this disease, and—most importantly—to provide much-needed support for breast cancer survivors around the country.

I think it is a fantastic thing to encourage women who have been through the often difficult and confronting experience of battling breast cancer to participate in a physical activity which will help them reconnect with the positive aspects of their physical and mental wellbeing. It is also great to see an organisation that is able to provide women with a comforting team environment in which to regain their confidence and, in many cases, to work through the grief associated with the changes that have occurred to their physical appearance as a result of the illness.

Because the organisation relies solely on donations and sponsorship, I urge my colleagues to consider getting behind their local Dragons Abreast team. I know I will definitely be doing all I can to support the organisation’s work in the future. Although, unfortunately, I will not be able to attend the event on Sunday, I certainly wish all participants the very best of luck and hope that it proves to be an enjoyable and enriching experience for all.

Northern Australia Land and Water Taskforce

Senator IAN MACDONALD (Queensland) (6.36 pm)—I want to use my first opportunity in the new parliament to do something that my colleagues will find very strange coming from me, as I am generally a big hater. I want to congratulate the new government on one thing—that is, the decision by the new government to continue with the Northern Australia Land and Water Taskforce that was set up by the previous government. Our colleague Senator Bill Heffernan was the chairman. Unfortunately, although expectedly, the new minister has removed what she called the ‘political’ appointees to that task force, but she has determined to keep that task force going. I think that can only be good for Australia as a whole, and particularly for Northern Australia.

In speaking tonight, I want to pay tribute to all of the members of the northern land and water task force, but particularly to those members who will no longer be serving on it. They are Senator Heffernan; Mr Warren Entsch, formerly the member for Leichhardt; Mr Barry Haase, the Liberal MP for Kalgoorlie, which is the biggest seat in the Commonwealth; and Senator Ron Boswell, who is also from this chamber—four parliamentarians who made a very significant contribution to the northern land and water task force.

I have to say that, along with Senator Heffernan’s other very considerable talents, he had the talent for getting some very significant people—non-parliamentarians—to join that committee. He really set that task force off. These people are expert in their fields. They are people who have made a real contribution and continue to make a significant contribution to Australia. I will not name these people because the new minister has very sensibly invited them to continue working on that task force. As I have indicated to the other members of the task force, I certainly hope that they will accept the minister’s invitation so that the task force will continue to do the work it so ably started.

For those who are not aware of exactly what the northern land and water task force did, can I say that it was an initiative of the
Howard government to look at where Australia will be in not three years, not five years, not 10 years, not 30 years, but 50 years down the track. The science on climate change suggests to us that, as the decades roll forward, the south of our continent will become drier and the north of our continent will become wetter.

There have been opportunities for pioneers to open up the north and to provide a food bowl for our country and for Asia, in the way that the Murray-Darling Basin was opened up and pioneered perhaps 100, 150, even 200 years ago. The northern land and water task force was looking at those distant goals for Australia. The task force did quite a lot of work in the 12 months or so that it operated under the chairmanship of Senator Heffernan. We met in all parts across the north. We looked at a lot of things. We heard a lot of evidence from people who have very firm views on what Australia should do in the future.

Whilst at times we thought the work that we were doing was quite revolutionary and far-sighted, we did see in the CSIRO library in Darwin reports from, as I recall, the early 1900s that were looking at the same sorts of things. But the issue has become more urgent now because, if we run out of water in the south, we will as a nation need to feed ourselves and feed our neighbours who are less fortunate than us. The idea was to look very seriously at sustainable use of productive land with available water across the north of Australia. It seems that the south of the continent will become much drier, and this will mean that some of those very good agricultural lands in the south of Australia will not be as productive as they have been in the past.

There is already a movement of young people, or young pioneers, who are looking at the north. We inspected quite a number of new farms that had been opened up by entrepreneurial young people, a young man and his wife, who have moved into what some would say was fairly virgin country. They have set up farms, and the ones we saw are, thankfully, doing very well. As I said to them, I hope they make squillions of dollars out of it. That sort of action is already happening. The task force looked at lands in the north-west of Western Australia, across the Kimberley and into the Daly River area. This is a particularly fertile area and holds great promise, with a bit of government initiative and a bit of government common-sense; but this seems to be a little lacking just at the moment—and I am talking about the state government. We also looked at issues in the north of Queensland. Where there is land, there are opportunities for water containment that could be used for irrigation.

Underlying everything that the task force did was the idea that any future plans had to be sustainable. It was not a matter of going out and building dams willy-nilly; it involved looking at various lands, the quality of their soils, what they could grow and how there could be sustainable farming operations. We looked at how the north could, with what appears will be a more adequate supply of water in the decades ahead, be used to feed Australia and, perhaps even more importantly, the rest of the world. We are conscious of the way in which China is expanding, a way that is perhaps not so sustainable. There is a huge population in that part of the world and, in the not too distant future, they may not be able to feed themselves, and Australia will become a food bowl not just for our continent but also for South-East Asia.

I am particularly pleased that the previous government appointed this committee that was taking a long-term approach and view of where our nation would be heading in the decades ahead. Those involved did a very
good job but I am pleased that the new government is going to continue with it. I understand the new government is going to, somehow, involve the committee, not so much in the Department of the Environment and Heritage where it was placed previously, but in the new Office of Northern Development. I certainly hope that it does not become another bureaucratic group staffed by public servants.

Certainly the task force that has operated to date has been well served by a very good and capable secretariat from the department of the environment. But I urge the Labor government not to diminish the work of that task force by making it just another bureaucratic organisation. It has worked effectively and I think it can do a lot for the future of Australia. As the opposition spokesman on Northern Australia, I want to offer the new government my support in ensuring that that particular task force continues to operate in a way that will help Australia in the years ahead. (Time expired)

Human Rights

Senator STOTT DESPOJA (South Australia) (6.46 pm)—I rise this evening to talk about two related issues: the situation in Darfur and the intake of refugees in this country.

I want to start by drawing the Senate’s attention to the stand that was taken today—and I am sure that some of you heard about it on the news—by the iconic filmmaker Steven Spielberg. Until today, as you may or may not know, Mr Spielberg was the artistic director for the Beijing Olympics, but he has now walked away from that role. He has given it up because he could no longer tolerate the approach of the Chinese government towards the genocide in Darfur. Mr Spielberg’s move has been followed up by a letter signed by a collection of actors, Nobel laureates, athletes and officials, including myself and Senator Nettle from this place, urging the Chinese government to do more to bring the conflict in Darfur to an end.

To recap those awful statistics: since 2003, it is estimated that some 200,000 people have died and approximately 2.5 million people have been driven from their homes. Rape is a common weapon. We have also seen from the recent instability in neighbouring Chad that this conflict can spread all too easily. I should acknowledge that indifference to Darfur or a lack of action is not just China’s fault nor just confined to that country.

The Senate would be aware that the Sudanese government finally agreed to the deployment of a joint UN-African union force on 1 January this year as called for under UN resolution 1769. The force was intended to constitute 20,000 troops and more than 6,000 police and civilian staff. Although a force of this size would be hard-pressed to patrol an area of the size of France, it was a welcome outcome when the difficult negotiations with the Sudanese government finally bore fruit.

Unfortunately, there has not been an overwhelming response from the international community. There are only about 9,000 troops on the ground and the force lacks the 24 helicopters it needs to patrol an area of such a size. Apparently a ring around by the UN Secretary-General to nations in a position to donate a helicopter yielded not one single helicopter! Maybe we should be getting on the phone and finding out if someone is willing to contribute. I would love to see an Australian contribution in that respect. The international community deserves a bit of a slap on the wrist for its apathy and for allowing another Rwanda to happen and we all have a responsibility to respond in some way.

I do reserve a special criticism for China because of its close relationship with the Sudanese government. China is a major partner
of Sudan. It buys approximately two-thirds of Sudan’s oil exports and is a major donor of aid and capital works. It has recently increased its trade with Sudan by providing the Sudanese government with resources to, basically, make it easier to continue its campaign against the Darfuri people. For a long time China has been the primary source of military supplies to Sudan. This includes Shenyang fighter jets that have just been deployed to Darfur.

We should recognise in this place, of course, that China did agree to UN resolution 1769, which I had hoped would signal a strengthening of their position towards the Sudanese regime. Unfortunately, that particular approach has not transpired. The Sudanese government’s continuing and increasingly belligerent attitude towards the UN mission, by refusing troops from certain nations and placing restrictions on UN flights and radio transmissions, has been greeted with silence by the Chinese government.

When China was awarded the Olympics back in 2001, the Beijing Olympic Committee promised that the awarding of the games to them would lead to an improvement in their respect for human rights. I have to question the extent to which that has happened. I am happy to be corrected on this point. Apart from China’s non-critical approach to its close ally, Sudan, we have seen, just months before the Olympic Games are about to start, the arrest of pro-reform activists such as prominent human rights campaigner Hu Jia. Hu was detained in December without charge until the end of January when he was eventually accused of—and this is exactly what he has been accused of—inciting subversion of state power. It is a charge which, I understand, carries a sentence of up to six years.

I am conscious that I am often critical of China. Therefore I want to put on record that—I know I have said this before—I actually respect and admire many things about that country. Also, as I have placed on record before, it is possible to have respect and admiration for a country and aspects of its government but also to be very frank and upfront about your criticism particularly when it pertains to human rights abuses. I would do the same thing in my own country as I would in the region or in any other nation in this world because we have a responsibility as good global citizens to expose human rights abuses where they occur and where people are culpable in those human rights abuses occurring.

I have no doubt that China has made incredibly impressive strides in an economic sense, in a social sense, and that Chinese citizens these days are able to grasp opportunities that would have been unheard of one or two generations ago. If I am strident in my criticism, it is basically due to a frustration that the government of a country with such a history and undoubtedly such a bright future is still not willing to tolerate non-violent dissent or to empathise with the oppressed. So it is a great thing that major figures such as Mr Spielberg have now drawn serious attention to the issue in a way that perhaps national governments were either unable or, indeed, unwilling to do.

I am still unsure of this new government’s approach towards the situation in Darfur, but, given the stated intention during the election campaign by the ALP to focus resources on the Asia-Pacific region, I suspect we are not going to see an increase or a significant boost in either resources or advocacy for the Darfur region and, in the same way that I pleaded with the previous government, I really urge them to reconsider. I acknowledge that we have police in Sudan and there is a troop commitment, but we should be looking at a peacekeeping role for our troops in that particular region of Darfur as well as
elsewhere in Sudan, which may currently be the case.

One other area through which we could probably do more is our humanitarian aid program and indeed the refugee program. In late January I had the pleasure of meeting with the Australian Refugee Association in Adelaide, particularly with members of the Sudanese community. As you would know, Mr President, in our home state the ARA does a remarkable job with limited resources, particularly in assisting refugees to relocate and resettle in Adelaide. The Sudanese community, in particular, has experienced a somewhat tumultuous time of late. Some unhelpful remarks by a former minister for immigration late last year in response to incidents in Melbourne left the community feeling targeted and unwelcome. The former minister also decided to cut the intake of African refugees by almost a third, citing difficulties with integration.

Rather than making these baseless and inflammatory assessments that befell the previous government, I hope this government considers the role that it can take in ensuring that refugees are offered adequate and appropriate resettlement programs. The government was elected on a platform of fresh ideas and a new approach to governing. In order to overcome the negative and sometimes divisive legacy on this issue by a previous government when it comes to immigration it will need to implement some of those new ideas. We could perhaps start with an urgent review of that humanitarian program. Australia currently takes 13,000 refugees each year and clearly is a prosperous and developed country. We have the capacity to take more. Clearly, our intake of humanitarian refugees could be larger.

Before I seek leave to incorporate the rest of my remarks I, along with others, want to acknowledge the extraordinary service of Lorna to all of us in this place over many years. She knows that she will be missed. I seek leave to incorporate the rest of my remarks.

Leave granted.

*The incorporation read as follows—*

While the last 12 years has seen our general migration intake more than double from around 77,000 to 155,000, our intake of humanitarian refugees has increased a paltry 1000 from 12,000 to 13,000, despite growing demand.

There are many strong grounds for increasing our intake of humanitarian refugees: the number of resettlement requests vastly exceeds the number of places available worldwide; the Australian economy is robust and growing; and refugees are contributing a great deal to our vibrant multicultural society.

However, we need to do more when it comes to our resettlement priorities.

Decisions in relation to Australia’s resettlement intake should be made on the merits of the situation, not on summary perceptions of integration potential. Need must be the primary criterion. Australia has certainly shown in the past that Australia can and does resettle refugees of all backgrounds well. However, we should not let outdated preconceptions about particular communities dictate our migration policy.

Our humanitarian program would also benefit from an enhanced focus on the importance of family reunion. The refugee experience is a divisive one and often results in the separation of the family unit when individual resettlement places are found. Provision should be made for the reunification of family members under the humanitarian program as a priority. Places for family members should be in addition to the annual intake of humanitarian refugees.

There is also a drastic need to review Australia’s resettlement programs.

English language training has been particularly problematic. Australia seems to have adopted a ‘one size fits all’ approach to English language courses for humanitarian refugees.

Training is not outcome based — rather each student is apportioned a set number of English
hours. This approach has resulted in perverse outcomes whereby people who are still struggling to grasp the basics of English are cut off when their hours are up. Anecdotal evidence suggests that in some cases only 10% of people completing courses emerge with functional English. At the other end of the spectrum, students who may be younger or more adaptable are offered classes which are well below their capabilities.

Likewise, incoming students are often placed in school classes based on age rather than ability. It must be remembered that schooling systems in other parts of the world are often vastly different to our own, and a 12 year old from Sudan might not have the same level of education as a 12 year old from Adelaide. As a result, many incoming students feel out of their depth and disengage from their schooling, often resulting in difficulties in other aspects of their social and community lives.

There is also a need to consider how we recognise international qualifications. Many people fleeing refugee situations overseas have valuable skills that could be put to better use solving the ‘skills shortage’ in many Australian industries and professions.

I think one of the most beneficial exercises that the new Government could undertake would be to visit in person some of the refugee camps overseas to gain a first hand insight into the situation that people might be fleeing; the facilities available to them and the divide which they must overcome to integrate into a new way of life.

There is nothing like experience to influence good policy outcomes. I know that the previous Governments have sent such delegations in the past and I would encourage the new Government to do the same.

**Live Animal Exports**

**Senator BARTLETT** (Queensland) (6.56 pm)—Given there are no other speakers on the list, I shall ensure that the time has not gone to waste in raising another matter of significance in the adjournment debate on what is already the final sitting of the Senate until March. Last week we had a very significant court finding in Perth which, whilst it related to a charge under Western Australian law, has very direct ramifications for the federal government and particularly the new Minister for Agriculture, Fisheries and Forestry, Mr Burke. The court case was over a cruelty allegation with regard to a live sheep shipment to the Middle East. The magistrate found that there was clearly a breach, proven beyond reasonable doubt, of the Western Australian animal cruelty act. However, the charge was dismissed because, in the words of the magistrate:

Whilst the elements of the offence of cruelty to sheep ... were proven, the AWA is ... inoperative, to the extent of its inconsistency with Commonwealth law.

In other words, the fact that the exporter had an export permit issued by the Commonwealth government overrode the fact that their export practice breached the Animal Welfare Act of Western Australia.

I think this clearly indicates inadequacies in the export provisions under federal law and the way that they are implemented. Clearly, and by way of a finding beyond reasonable doubt in an Australian court, the export licences are being issued which directly enable unnecessary cruelty to significant numbers of livestock. I know it is fairly traditional in Australia to be dismissive about cruelty towards livestock. But let it not be forgotten that there are literally millions of livestock exported from Australia each year which undergo very unpleasant—to put it politely—journeys of two to three weeks and sometimes longer in very clearly uncomfortable conditions to meet an extremely unpleasant fate in the manner of their offloading and their slaughter in many of these countries.

In a clear example of just how contemptuous the industry is towards these issues of animal cruelty, in response to the finding of the court—and this was a court that found that the Animal Welfare Act was breached in
causing unnecessary harm to tens of thousands of sheep—the exporter on the PerthNow website on 9 February hailed the outcome as ‘sensible’ and said that Australian sheep ‘travelled business class’ compared to others around the world. This is an example of the level of contempt that exists. Straight after a finding by a court that the Animal Welfare Act of Western Australia has been breached, you have an exporter saying that sheep travel business class. You could not get a clearer example of how contemptuous the industry is towards this issue.

For those who want to dismiss this as an issue of no great import, let me remind the Senate, particularly the new government—who, to their credit, have indicated a willingness to pay more attention to petitions submitted to this parliament—that by far the largest petition tabled in the Senate in at least the last five years has been with regard to this issue. On last count, I think about 170,000 people in Australia have signed petitions expressing concern about the live export trade. So this is an issue of significant concern to Australians. It may be traditional on the part of some people to just dismiss sheep and cattle as being not worthy of major concern, but let me draw a comparison with the very strong outpouring of concern amongst many Australians—reflected, I might say, by a vote of the Senate today, supported by coalition members, and regular statements by government ministers—and the strong opposition to the cruelty of the slaughter of whales.

Sheep and cattle are mammals, just like whales. They are obviously different in a few other ways, but with regard to their ability to suffer, let me say that there is no doubt, there is well-established scientific proof, about the ability of these mammals to experience suffering, to know that they are experiencing suffering and to suffer great distress. Whatever you might say about the extraordinary and abominable cruelty inflicted on whales in their slaughter, it is at least only an abominable cruelty for the last hour or two of their lives. For these mammals—the sheep and cattle—it is for the last month or more of their lives that they are subjected to continuing, unending suffering from the moment their transportation begins, and certainly from the moment they are put on the ships for weeks of transportation to face a particularly cruel form of slaughter. The thing that frustrates me most about this issue is the continual contempt from the industry and, with regard to the previous government, the continual dismissal of mountains and mountains of evidence about the extreme cruelty that is involved in this trade.

Let me also remind the Senate that there is a clear alternative. The grossly dishonest excuse that has been used by the industry for years has been that the animals had to be exported live because they had to be slaughtered in the Middle East because people there wanted the slaughter according to halal requirements. Eighty per cent of slaughterhouses in Australia are halal certified. Indeed, there is already a thriving export trade in processed and refrigerated meat to these areas with halal certification of their slaughter. There is no need to transport these animals halfway round the world alive and suffering when they can be slaughtered here humanely and then the meat sent across to those countries. That is clearly provable because that trade already exists and, indeed, it is already a larger trade than the live export trade.

To come back to my key point, the onus is now on the federal minister and the federal government to take heed of the findings of the court in Western Australia which demonstrate that the export licensing process from the federal level enables—legalises, in effect—animal cruelty. It is only by virtue of the issue of these licences that acts that
would otherwise be in breach of the Animal Welfare Act of Western Australia are allowed to occur and are allowed to be legal. I draw attention also to another section from the magistrate’s finding, paragraph 192, which said:

There is no evidence that the Commonwealth intends to regulate animal welfare issues per se, or do so exclusively or exhaustively. Certainly it covers issues relevant to animal welfare but that is within the context of export of live cargo ...

So, again, the magistrate has found that there is no evidence that the Commonwealth intend to regulate animal welfare issues. In the past they may have felt that there was no need to, but clearly, by virtue of their operations, they are enabling the circumvention of animal welfare laws, obviously in Western Australia and, by virtue of the legal principle, I would assume everywhere around the country where there is a conflict between the state law and the operational effect of the Commonwealth issuing of a licence.

The Commonwealth may not have regulated animal welfare issues per se in the past but there is now a clear obligation on them to do so. I call on the new minister to examine this issue and to act, and not just be part of a very long line of covering up on this issue and of dismissing and, indeed, denying the cruelty that exists despite the insurmountable evidence. The new Prime Minister, Mr Rudd, said when he was opposition leader, answering a question about this issue back in February last year, that he cannot abide cruelty. He should ensure that his new government is not facilitating and licensing it, because that is what is happening. I am not saying that that is the intent, but that is the effect of what is happening. Clearly, now there is an immediate obligation on the federal government to act to remedy this situation and put in place processes that ensure that unnecessary animal suffering does not occur via the live export trade. The obvious way to do that, frankly, is to phase out the trade, because an alternative exists. The alternative, I might say, would also provide more employment opportunities in Australia.

Senate adjourned at 7.06 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

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

Aboriginal and Torres Strait Islander Act—Torres Strait Regional Authority Election Amendment Rules 2008 [F2008L00371]*.

Torres Strait Regional Authority Section 142S Declaration 2008 [F2008L00357]*.

Acts Interpretation Act—Statement pursuant to subsection 34C(6) relating to the extension of specified period for presentation of a report—Prime Minister and Cabinet—Report for 2006-07.

Civil Aviation Act—

Civil Aviation Regulations—Instrument No. CASA EX09/08—Exemption – refuelling with passengers on board [F2008L00234]*.

Civil Aviation Safety Regulations—Airworthiness Directives—Part 107—AD/ELECT/50—Rebling Nickel Cadmium Battery Quick Disconnect Rece receptacles [F2008L00354]*.

Customs Act—Tariff Concession Orders—0717248 [F2008L00303]*.

0717256 [F2008L00302]*.

0717301 [F2008L00301]*.

0717343 [F2008L00318]*.

0717418 [F2008L00298]*.

0717642 [F2008L00317]*.

0717666 [F2008L00274]*.

0717805 [F2008L00295]*.
Environment Protection and Biodiversity Conservation Act—
Amendments of lists of—
CITES species, dated 7 February 2008 [F2008L00342]*.
Threatened species, dated 24 January 2008 [F2008L00287]*.
Norfolk Island National Park and Norfolk Island Botanic Garden Management Plan 2008-2018 [F2008L00329]*.

National Health Act—Instrument No. PB 26 of 2008—Amendment—price determinations and special patient contributions [F2008L00284]*.

Parliamentary Entitlements Act—

Radiocommunications Act—
Radiocommunications (Foundation Category 2 Digital Radio Multiplex Transmitter Licence —Application Fee) Determination 2008 [F2008L00316]*.
Radiocommunications (Foundation Category 1 Digital Radio Multiplex Transmitter Licence —Application Fee) Determination 2008 [F2008L00319]*.

Telecommunications (Interception and Access) Act—Interception Capability Plan Determination 2008 (No. 1) [F2008L00331]*.

* Explanatory statement tabled with legislative instrument.

Departmental and Agency Contracts
The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended: