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RADIO BROADCASTS

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- ADELAIDE 972 AM
- PERTH 585 AM
- HOBART 747 AM
- NORTHERN TASMANIA 92.5 FM
- DARWIN 102.5 FM
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
Deputy President and Chair of Committees—Senator John Joseph Hogg
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

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## Members of the Senate

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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 Vanstone, 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
**Rudd Ministry—continued**

Minister for Home Affairs  
Hon. Bob Debus MP

Assistant Treasurer and  
Minister for Competition Policy and Consumer Affairs  
Hon. Chris Bowen MP

Minister for Veterans’ Affairs  
Hon. Alan Griffin MP

Minister for Housing and  
Minister for the Status of Women  
Hon. Tanya Plibersek MP

Minister for Employment Participation  
Hon. Brendan O’Connor MP

Minister for Defence Science and Personnel  
Hon. Warren Snowdon MP

Minister for Small Business, Independent Contractors and the Service Economy and  
Minister Assisting the Finance Minister on Deregulation  
Hon. Craig Emerson MP

Minister for Superannuation and Corporate Law  
Senator Hon. Nick Sherry

Minister for Ageing  
Hon. Justine Elliot MP

Minister for Youth and  
Minister for Sport  
Hon. Kate Ellis MP

Parliamentary Secretary for Early Childhood Education and Childcare  
Hon. Maxine McKew MP

Parliamentary Secretary for Defence Procurement  
Hon. Greg Combet MP

Parliamentary Secretary for Defence Support  
Hon. Mike Kelly MP

Parliamentary Secretary for Regional Development and Northern Australia  
Hon. Gary Gray MP

Parliamentary Secretary for Disabilities and Children’s Services  
Hon. Bill Shorten MP

Parliamentary Secretary for International Development Assistance  
Hon. Bob McMullan MP

Parliamentary Secretary for Pacific Island Affairs  
Hon. Duncan Kerr MP

Parliamentary Secretary to the Prime Minister  
Hon. Anthony Byrne MP

Parliamentary Secretary for Social Inclusion and the Voluntary Sector and  
Parliamentary Secretary Assisting the Prime Minister for Social Inclusion  
Senator Hon. Ursula Stephens

Parliamentary Secretary to the Minister for Trade  
Hon. John Murphy MP

Parliamentary Secretary to the Minister for Health and Ageing  
Senator Hon. Jan McLucas

Parliamentary Secretary for Multicultural Affairs and Settlement Services  
Hon. Laurie Ferguson MP
SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition and
Shadow Minister for Employment, Business and
Workplace Relations
Leader of the Nationals and
Shadow Minister for Infrastructure and Transport and
Local Government
Leader of the Opposition in the Senate and
Shadow Minister for Defence
Deputy Leader of the Opposition in the Senate and
Shadow Minister for Innovation, Industry, Science and
Research
Shadow Treasurer
Shadow Minister for Health and Ageing and
Leader of Opposition Business in the House
Shadow Minister for Foreign Affairs
Shadow Minister for Trade
Shadow Minister for Families, Community Services,
Indigenous Affairs and the Voluntary Sector
Shadow Minister for Agriculture, Fisheries and Forestry
Shadow Minister for Human Services
Shadow Minister for Education, Apprenticeships and
Training
Shadow Minister for Climate Change, Environment and
Urban Water
Shadow Minister for Finance, Competition Policy and
Deregulation
Shadow Minister for Immigration and Citizenship and
Manager of Opposition Business in the Senate
Shadow Minister for Broadband, Communications and
the Digital Economy
Shadow Attorney-General
Shadow Minister for Resources and Energy and
Shadow Minister for Tourism
Shadow Minister for Regional Development and
Shadow Minister for Water Security
Shadow Minister for Justice
Shadow Minister for Border Protection and
Assisting Shadow Minister for Immigration and Citizenship
Shadow Special Minister of State
Shadow Minister for Small Business, the Service Economy
and Tourism
Shadow Minister for Environment, Heritage, the Arts and
Indigenous Affairs
Shadow Assistant Treasurer and
Shadow Minister for Superannuation and Corporate
Governance
Shadow Minister for Ageing

Hon. Brendan Nelson MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Nick Minchin
Senator Hon. Eric Abetz
Hon. Malcolm Turnbull MP
Hon. Joe Hockey MP
Hon. Andrew Robb MP
Hon. Ian MacFarlane MP
Hon. Tony Abbott MP
Senator Hon. Nigel Scullion
Senator Hon. Helen Coonan
Hon. Tony Smith MP
Hon. Greg Hunt MP
Hon. Peter Dutton MP
Senator Hon. Chris Ellison
Hon. Bruce Billson MP
Senator Hon. George Brandis
Senator Hon. David Johnston
Hon. John Cobb MP
Hon. Chris Pyne MP
Senator Hon. Michael Ronaldson
Steven Ciobo MP
Hon. Sharman Stone MP
Michael Keenan MP
Margaret May MP
SHADOW MINISTRY—continued

Shadow Minister for Defence Science and Personnel and
Assisting Shadow Minister for Defence
Shadow Minister for Business Development, Independent
  Contractors and Consumer Affairs and
  Deputy Leader of Opposition Business in the House
Shadow Minister for Veterans’ Affairs
Shadow Minister for Employment Participation and
  Apprenticeships and Training
Shadow Minister for Housing and
Shadow Minister for the Status of Women
Shadow Minister for Youth and
Shadow Minister for Sport
Shadow Parliamentary Secretary Assisting the Leader of
  the Opposition and
Shadow Cabinet Secretary
Shadow Parliamentary Secretary Assisting the Leader of
  the Opposition and
Shadow Parliamentary Secretary for Northern Australia
Shadow Parliamentary Secretary for Health
Shadow Parliamentary Secretary for Education
Shadow Parliamentary Secretary for Defence
Shadow Parliamentary Secretary for Infrastructure, Roads
  and Transport
Shadow Parliamentary Secretary for Trade
Shadow Parliamentary Secretary for Immigration and
  Citizenship
Shadow Parliamentary Secretary for Local Government
Shadow Parliamentary Secretary for Tourism
Shadow Parliamentary Secretary for Ageing and the
  Voluntary Sector
Shadow Parliamentary Secretary for Foreign Affairs
Shadow Parliamentary Secretary for Families and
  Community Services

Hon. Bob Baldwin MP
Luke Hartsuyker MP
Hon. Bronwyn Bishop MP
Andrew Southcott MP
Hon. Sussan Ley MP
Hon. Pat Farmer MP
Don Randall MP
Senator Hon. Ian Macdonald
Senator Hon. Richard Colbeck
Senator Hon. Brett Mason
Hon. Peter Lindsay MP
Barry Haase MP
John Forrest MP
Louise Markus MP
Sophie Mirabella MP
Jo Gash MP
Mark Coulton MP
Senator Marise Payne
Senator Cory Bernardi
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The PRESIDENT (Senator the Hon. Alan Ferguson) took the chair at 9.30 am and read prayers.

COMMUNICATIONS LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2008

First Reading

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (9.31 am)—I move:

That the following bill be introduced: A Bill for an Act to amend the law relating to communications, and for related purposes.

Question agreed to.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (9.31 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 CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (9.31 am)—I present the explanatory memorandum and I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

The Communications Legislation Amendment (Miscellaneous Measures) Bill 2008 amends the Broadcasting Services Act 1992 (the BSA) to give the Australian Communications and Media Authority (the ACMA) the discretion to consider late applications for renewals of community broadcasting licences that are made up until the expiry date of the licence.

Currently the ACMA has no discretion to accept an application for renewal of a community broadcasting licence after twenty six weeks prior to the licence expiry date, regardless of the circumstances giving rise to the late application.

The amendments would give the ACMA the discretion to consider late applications for the renewal of a community broadcasting licence if:

- the licensee makes the application before the licence’s expiry date;
- the application is accompanied by a written statement setting out the licensee’s reasons for the lateness of the application; and
- the ACMA considers that there are exceptional circumstances that warrant the consideration of the application.

Once a late application is made, ACMA may extend the current licence for up to 26 weeks while it considers the renewal application. This provision will ensure that ACMA is not required to assess late applications in a shorter period and under the pressure of a deadline for the licence ending.

The purpose of the amendments is to give the ACMA the discretion to consider late applications while ensuring that the regulator still has adequate time to consider the merits of the renewal application.

The amendments will allow the ACMA to renew the licence of a community broadcaster, providing a valuable public service, even if the renewal application is late as long as the lateness is explained to ACMA’s satisfaction.

It is not expected that the acceptance of late applications will be standard practice but instead that ACMA’s discretion to accept late applications would only be exercised in ‘exceptional circumstances’.

These proposed amendments will prevent situations where ACMA cannot consider applications to renew community broadcasting licenses if the licensee misses the application deadline.

This happened to 3CCC Bendigo—a community broadcaster for 25 years. ACMA couldn’t even consider renewing their license in 2006 because they lodged a late application.
To prevent this type of situation reoccurring, the proposed amendments will allow ACMA to consider late applications. This will ensure that community broadcasters that are providing a valuable public service will not lose their license.

The PRESIDENT—In accordance with standing order 111, further consideration of this bill is now adjourned to the first day of the next period of sittings.

SOCIAL SECURITY AND VETERANS’ AFFAIRS LEGISLATION AMENDMENT (ENHANCED ALLOWANCES) BILL 2008

Second Reading

Debate resumed from 11 March, on motion by Senator Faulkner:

That this bill be now read a second time.

Senator BERNARDI (South Australia) (9.32 am)—This bill is an important but uncontroversial one. It is uncontroversial largely because it is a slightly modified form of the previous government’s election commitment. Once again, it is an example of the Rudd government’s ‘me too’ policy strategy. If imitation is the sincerest form of flattery then the Howard government indeed has a great deal to be proud of.

This bill increases the utilities allowance for pensioners to $500 per year. It extends the utilities allowance to other beneficiaries of pensionable age and also to disability support pensioners and people of any age on carer payments. The bill also increases the telephone allowance for pensioners, carers and disability support pensioners with an internet connection and provides an increased seniors concession allowance to $500 per person. At the cost of around $4 billion over the forward estimates period, some three million people will benefit from the passage of this bill.

We support these measures as, in the main, they were our policies and the government should be supported in implementing them. But I make a few observations. This bill recognises that carers and pensioners deserve our support—certainly they had it during the 11½ years of the former government—and that they are amongst the most vulnerable in our country to cost of living increases and limited external resources. This made the recent attempt by the Rudd Labor government to axe the lump sum bonuses to carers and pensioners even more heartless. So it is reassuring that due to the pressure applied by the coalition Mr Rudd has agreed, indeed copied, the coalition policy and last night further committed to maintaining these lump sum bonuses.

Of course there are some questions still to be answered but, notwithstanding this, the contemplation of axing the bonuses exposed the dark heart that lies at the very centre of this government. For days the government applied all sorts of linguistic trickery to avoid giving a straight answer on the bonus payments. The spin doctors tried to confuse the issue, but the public will no longer accept weasel words instead of firm policy. For a government that was committed to symbolism, this government’s message of the last five days has been very clear: ‘Let’s see what we can get away with and hope that the pensioners and the carers simply won’t notice’.

But they did notice, and the message will not be lost on them. The message I can take, on behalf of the coalition, to carers and pensioners across our country is this: they know the levels of support we gave them during 11½ years; they know we will not tire or resile from our support for them as some of the most vulnerable in our community. We will not let this government get away with trickery and we will support measures that support carers and disabled pensioners—anyone in receipt of a pension—to live a full and meaningful life. The opposition supports this bill and we commend the government for its rapid action and acknowledge the fact that
these things can only be enacted so speedily due to the strong economy, but that anything that affects our strong economy will reflect on the level of benefits that we can supply. That is a caution for the government not to destroy the Australian economy because of the effects it will have on our most vulnerable and marginal.

Senator BARTLETT (Queensland) (9.36 am)—The Democrats support the Social Security and Veterans’ Affairs Legislation Amendment (Enhanced Allowances) Bill 2008. As the Liberal Party speaker outlined, it is uncontroversial and provides beneficial assistance to millions of Australians—the vast majority of whom are in significant need of assistance such as this. But it is important at a time such as this to ensure that we do have some honest debate with regard to the issues we are talking about as we move into the budget. Once we remove the first few sentences of Senator Bernardi’s speech and he got into the rhetorical flourishes and all of the political point-scoring, we see why we have ended up in the economic situation we have today.

We have had this repeat line from the coalition and we have seen it through some of the media about the new government’s plan to ‘axe the lump-sum bonuses’, which is the phrase that Senator Bernardi uses. It is a simple fact that these bonuses are not there to be axed because they were one-off bonuses. The fact that they were one-off bonuses four years in a row shows how dishonest the rhetoric of the previous government became in their desperate search to buy voter blocs with each budget. For four years in a row they trumpeted their wonderful largess and kindness by handing out one-off—that was the term they used repeatedly, budget after budget—lump-sum bonuses.

It is a simple fact—it is there in the budget papers, or more accurately is not there in the budget papers—that this payment is not there to be axed. It was a one-off. It was a one-off last year as well. If the coalition was genuinely concerned about providing ongoing reliable assistance to Australians who needed it, such as carers, they would not have made it a one-off; they would have put it in the budget so that it was definitely there to be relied on by people year after year. This would have been in the interests of good economic management.

We have had all this rhetoric about how wonderful the economic management of the coalition was when they deliberately created this expectation, and we have now seen them fan this expectation that people would be entitled to receive so-called one-off lump-sum bonuses every year, but they did not put it in the budget. So you have got literally billions of dollars of expenditure that is not accounted for but that everybody is expecting to receive, purely because of the former government’s desire to paint themselves as some sort of benevolent hander-out of largess leading up to elections.

People do not want to say this of course, because anybody who stands up and says the lump-sum one-off so-called bonus payments are bad policy immediately gets labelled as uncaring: ‘You want to leave carers in the lurch.’ I do not; the Democrats do not. As I have said repeatedly in this place, if there is one group in the Australian community who deserve all the extra support they can get, it is carers. They relieve the rest of the community of an enormous burden by caring for people in the home. They do need extra support, so I do not begrudge them receiving it. But it is a simple fact that if you make that support an annual drip-feed that is not built in then you are always leaving them vulnerable to that being taken away down the track, whether for legitimate economic budgetary purposes or for political purposes. If the opposition had been genuinely concerned and
The other aspect that needs to be explored is whether, when we are wanting to provide extra support to carers, as we need to do and as the Democrats have repeatedly argued, so-called one-off so-called bonus lump-sum payments every year are the best way to provide that support. It is obviously the best way to make a big splash in the media. It is the best way to get people’s attention if they get a nice big bonus, and that is all good to try to get their support come election time. But does it actually provide the best bang for the buck, the taxpayers’ dollar, in providing support that is needed in a way that is going to be of most benefit to carers and is actually going to get best value for money? That apparently does not matter.

That sort of analysis has never been done, and one of the reasons it has never been done is that it has always been presented as a one-off, so-called, even though it has been four years in a row. This is the mess you get into when that sort of bad policy becomes locked in because of the short-term vote-buying desperation of the government of the day. I spoke about this on at least one occasion—I think on two occasions—when the so-called one-off bonuses legislation was being put through. A couple of times legislation to enable these bonuses was even called the one-off bill. The first time, in 2004, it was the Family Assistance Legislation Amendment (More Help for Families—One-off Payments) Bill 2004, to be followed on by the one-off payments to increase assistance for carers and other measures bill the year after. This is the sort of completely misleading language we got.

There are a couple of factors here that need to be emphasised. As I said in the chamber on at least one of these occasions, I am certainly not going to oppose extra support being provided for carers, but I do think it is important to step back from shrill and, frankly, exaggerated and distorted and sometimes dishonest populism. It is not just the coalition engaging in this; some in the media see the opportunity to create one of those controversies that gets lots of attention and gets lots of people concerned, and then they can all pat themselves on the back at the end of the week and say, ‘We stopped the government doing it,’ though it is something it might not have been going to do anyway.

The simple fact is that in many circumstances one-off lump-sum payments are not necessarily the best way to help people. They are particularly not necessarily the best way to assist in circumstances where we are trying to fight inflation. In a circumstance where there is inflation, extra support for pensioners, for carers, is all the more important—they need that extra assistance to help them deal with the consequences of inflation. But doing that by releasing large piles of money all at once does run the risk of having a sudden surge in demand, a sudden flood of money into the economy, and an extra likelihood therefore of a greater flow-on effect to inflation than would otherwise have occurred if it had been provided in a more measured way.

Where is the evidence that says that a one-off lump-sum payment of $1,500 or so is actually going to be best used and be of most benefit for the carer and, even more importantly, for the person who is being cared for, compared with, say, a $50 a fortnight increase spread out over the year with a much smaller lump sum once a year? Where is the research to demonstrate that this is the best way to help people? It has not been done, because that is not what the focus of it is
about. The focus of it is about how to make a bigger splash. Here is a constituency, here is a clearly defined demographic: let us throw a big pile of money at them that they will notice and see if we can buy their support. It is that sort of electorally driven policy that created to some extent the poor economic management that we ended up seeing from the former government over a long period of time.

The other point that needs to be made is that bonuses did not just go to carers—and, as I said, if there is one group that needs extra support it is carers. I probably will not avoid misrepresentation because that is the currency of political debate in Australia but, nonetheless, to try to minimise misrepresentation I repeat that I believe extra support should be provided to carers. The fact that the previous government did not value carers enough to lock that extra support into the forward estimates in the budget is a poor reflection on them, but I believe that extra support should continue to be provided for them. I am not convinced that the best way to provide it for them is through one-off, lump-sum payments. I think it is completely appropriate for the new government to re-examine whether or not so-called one-off lump-sum payments, or even permanently entrenched lump-sum payments, is the best way to provide extra support, whether for carers or for anybody else. Let us see some research; let us see some evidence about that being the best way to provide assistance. So I do believe that that extra amount of money should be provided to carers and those they care for, but, on behalf of the Australian taxpayer, I would like to see it spent in a more effective way, a way in which there is better value for money—and, I might say, in a way that might have less of an inflationary impact, which is obviously counterproductive to what others are trying to achieve.

There are also a range of other so-called one-off bonuses, particularly to seniors across the board, that are frankly much less justifiable. The fact that all of us here are scared to say anything about that because we then get slammed with populist rubbish that we are trying to take money away from the mouths of pensioners et cetera means that this sort of bad policy continues. Undoubtedly significant groups in the Australian community who are not in most need have nonetheless received these sorts of one-off lump-sum payments in recent years and, as a broad group, seniors are one of those. Now undoubtedly there are significant groups within aged Australians who are suffering significantly and who need extra support but, in some cases, the support that has been provided has not been targeted towards those who most need it. It has been targeted towards those who are recognised as potentially the most valuable electoral demographic for the coalition.

So let us ensure that we use taxpayers’ funds—whether for carers, for older Australians or for people with disabilities—in a way that actually targets those who have the most need and not just have a grand, big bang, grandiose handout of money, as was famously noted last year, when we even had former Prime Minister Gough Whitlam receiving a bonus payment in the mail from the former government of, I think, $500 in recognition of his contribution to the country as an older Australian. I am sure he has made a great contribution, but it was a bit ironic, particularly given that Mr Whitlam is usually held out as the most economically irresponsible and profligate Prime Minister in history. But the previous government was so desperate to buy votes that they were handing out big cheques to anybody and everybody over a certain age group regardless of their income bracket. That is what we degenerated into, and we need to step back from
that now and have a little bit of backbone to resist the populist, and frankly inaccurate, media campaigns that are waged from time to time.

I do not know what is planned by the new government. I certainly will always, whether inside this chamber or outside, continue to criticise them if they do not provide the support that is needed for Australians who are most in need. As I say repeatedly, carers are clearly just about at the top of that list for all sorts of reasons as people who are most in need and merit more and more support. But let us make sure we get value for money out of that and let us at least have a little bit of honest debate. Let us not just have these huge beat-ups months out from budgets that panic everybody in the community and lock governments into ongoing bad policy, which apart from anything else may mean that carers do not get the support in the most effective way possible. It is quite possible that the same amount of money could be spent to far greater effect for carers. For example, some of it could be spent on providing more respite hours, more relief for them; extra resources could be spent towards specific equipment; payments could be targeted towards and, required to be spent on, specific relief for the person being cared for; it could be spent in a whole range of different ways.

They are not one-off payments. Let us make it clear now that they have not been one-off in any real, honest sense of the word. Lump-sum payments are not necessarily the best in many of those cases. Certainly, in some cases—not for carers but in other cases—they have gone to people who frankly have not needed it. That is the circumstance we have got into. We do need to step back from the terrible situation we ended up in, where in some cases we ended up with not just a massive expansion of middle-class welfare; we actually started providing upper-class welfare as well, and we do need to start unpicking that. It does not in any way mean that carers should not get support—and I repeat that—but it does mean that we do need to start unpicking and unwinding some of the irresponsible approaches of the previous government.

Where there is a case for providing more support for a group in the community—and carers are definitely one of those—then let us lock it into the budget and not just do a so-called one-off year after year. If we actually do care about these groups—as I am sure we all do—let us make it reliable for them so they can plan for it and let us make it economically responsible for the country by ensuring that the expenditure is accounted for next year, the year after and the year after, rather than governments having to pull $2 billion extra off the budget at the last minute because of the need to continue to provide so-called one-off payments that are anything but.

It is a perfect example of how, as soon as you provide assistance to any group in the community, as soon as you provide any sort of payment, it immediately becomes seen as an entitlement and as something people should receive in an ongoing capacity. It does not matter whether or not you call it one-off. That makes it hard to withdraw. If there is any time when we should start trying to withdraw it, it should be now.

As I said, I am always going to be critical of whoever is in government when they are not trying to support the people who need it. But if the government are actually taking not only economically responsible but also socially responsible steps to redirect government expenditure towards those who are more in need in the community, then I will support them even if it does mean getting swiped by inaccurate populist rhetoric from some in the media or others in politics who want to falsely accuse me of not caring for
the aged or not caring for carers. It is because I do care that I want to see public funds spent more effectively for them.

It is time that we put this debate back on a more honest footing. One of the best ways to do that is to stop using one-off payments and describe them as what they are and account for them as what they should be, which is ongoing payments—hopefully payments that are developed on the basis of research and evidence as providing the best assistance to people who are most in need.

Senator POLLEY (Tasmania) (9.53 am)—I rise to speak on the Social Security and Veterans' Affairs Legislation Amendment (Enhanced Allowances) Bill 2008. Older Australians are the lifeblood of this nation. Through their hard work, they have built our national prosperity. The Rudd Labor government will ensure that older Australians enjoy that prosperity, which they have helped to create for all of us. The fastest growing group of the Australian population is our older Australians. It is estimated that the number of Australians aged 70 or over will double over the next 20 years. It is for this reason that we must look carefully at the demographics to ensure that they are getting a fair deal. The Labor government, under Kevin Rudd, understands the cost of living pressures faced by older Australians and those on fixed incomes, like disability pensioners and carers. This government also recognises that, although self-funded retirees may be asset rich, many are cash poor. Spiralling petrol prices, food and grocery prices and housing costs mean older Australians, people with disabilities and carers are in real need of increased financial support. This bill will benefit over 1.7 million aged care support recipients, 250,000 Commonwealth seniors health card holders, 700,000 disability support pensioners and 120,000 carer payment recipients.

Firstly, this bill increases the annual rate of the utilities allowance from $107.20 to $500 per household and provides for the allowance to be paid in $125 quarterly instalments, rather than biannually. For the first time, this bill extends qualification for the utilities allowance to people who are under pension age and receiving a disability support pension, carer payment, wife pension, widow B pension or bereavement allowance and to people who are under qualifying age and receiving a service pension or an income support payment. I feel this is an important benefit, and I am sure it will ease the cost of living for seniors in my state of Tasmania. The bill also increases the annual rate of seniors concession allowances from $218 to $500 for eligible self-funded retirees and provides that the seniors concession allowance will be paid quarterly, with the same timing as the utilities allowance. Utilities and seniors concession allowance changes take effect from 20 March 2008. They will be paid every three months in $125 instalments. This means that payment will be made closer to when household bills are due, making household budgeting a little easier.

Lastly, the bill increases the rate of telephone allowance from $88 to $132 for certain income support recipients who have an internet connection at home. The increase will be available to pension age income support recipients, disability support pension and carer payment recipients and self funded retirees who hold a Commonwealth seniors health card. The bill also increases the rate of telephone allowance for all the people who have an internet connection at home and are eligible for a telephone allowance under the Military Rehabilitation and Compensation Act or the Veterans’ Entitlements Act. The Rudd Labor government understands that the internet is a critical means for families to stay in touch with their loved ones. Some Australians on income support pensions and
payment can be at risk of becoming isolated from the community. That is why we are helping them stay in touch with their friends, children and grandchildren around the country and around the world via the internet. Affordable home access to the internet has the potential to connect them with the new world of communication and information.

The bill delivers on a key election commitment to help older Australians, people with a disability and carers to help them meet the costs of everyday living. The Rudd Labor government has committed over $4.1 billion to making ends meet. This shows how committed we are to helping our older Australians. The Rudd Labor government is dedicated to ensuring Australians are getting a fair go. For this reason, the government is investigating whether Australians are getting a fair deal at the supermarket. While the Howard-Costello government’s failure to act on 20 Reserve Bank inflation warnings has impacted on prices across Australia, the new Rudd Labor government wants to know if more can be done to ensure we have access to a competitive market for basic food items. Prime Minister Rudd has instructed the ACCC to take a broad approach to its inquiry and ensure that all aspects of the chain are included, from the farm gate to the checkout counter.

There are many in the community who will be relieved with our commitment to help them to make ends meet. I know that certainly in my home state of Tasmania these measures will be of great benefit to those who are eligible. These measures are just another example of how the Rudd Labor government has listened to the community and delivered a positive outcome. The former Howard government had the motto: ‘Whatever it takes, spend, spend, spend. Don’t worry about the economy; don’t worry about the impact on inflation—just keep spending and get yourself elected.’ The Rudd Labor government are showing that we have the good practice of listening and taking economic responsibility for any decisions that we make. I am pleased that the government have introduced these measures at this time, and I commend them to the Senate.

Senator CAROL BROWN (Tasmania) (9.59 am)—I rise also to speak today on the Social Security and Veterans’ Affairs Legislation Amendment (Enhanced Allowances) Bill 2008. This bill honours the Rudd Labor government’s $4 billion election commitment to assist older Australians, people with disabilities and carers—some of the most vulnerable members of our community—to make ends meet. The government understands the increasing financial struggle faced by older Australians, people with disabilities and their carers when it comes to paying the bills and making ends meet. Like many other Australians who have been hit hard with rising petrol and grocery prices and increased interest rates, these people have been doing it tough. But unlike other Australians, many older Australians and those suffering from a disability rely on the support of others, including the government, for financial assistance. The Rudd Labor government recognises this.

Indeed, during the election campaign the Rudd Labor government recognised the need to provide further, sustainable long-term support for those in need, including older Australians, those with disabilities and their carers, as a priority. This is why during the campaign we announced a four-point plan to provide increased financial support to over three million eligible Australians to help them with the struggle of making ends meet. The plan included increasing the utilities allowance to $500, to be paid quarterly rather than biannually; $50 million to establish a national reciprocal public transport entitlement to ensure state government seniors card holders can travel at concessional
rates anywhere in Australia; increasing the telephone allowance by 50 per cent, from $88 to $132 a year, to help with the cost of internet connection at home; and establishing a seniors internet fund to provide grants of up to $10,000 for 2,000 eligible community organisations to set up free internet connections for their members.

This bill begins the process of delivering on the government’s commitment in these areas. This bill delivers on our commitment to increase the utilities allowance and telephone allowances for eligible seniors, carers and people with a disability. It does so in several ways. The bill will operate to significantly increase the utilities allowance currently offered to older Australians receiving income support pension payments such as the age pension and veterans’ affairs service pension. This measure will see the current utilities allowance increase from $107.20 to $500, to be paid quarterly to singles and couples combined. This measure alone is set to benefit over 1.7 million aged income support recipients, 250,000 Commonwealth seniors card holders, 700,000 disability support pensioners and 120,000 carer payment recipients. I am sure that this increase, to be paid quarterly, will come as a welcome relief to many of those Australians already eligible to receive the utilities allowance. The Rudd Labor government understands the practicalities of keeping up with incoming bills, which is reflected in the decision to make the payment quarterly rather than biannually in a bid to assist in budgeting for such expenses.

In addition to this increase for those Australians already eligible for the allowance, this bill also extends the qualification criteria for the utilities allowance to cover people under pension or qualifying age and receiving a carer payment, a disability support pension, an invalidity service pension, a partner support pension, an income support supplement, a bereavement allowance, a widow B pension or a wife pension. This extension will ensure that even more Australians in a position of need receive extra moneys to cover their quarterly expenses. The bill also operates to significantly increase the rate of the seniors concession allowance, which is paid to self-funded retirees, from $218 to a total annual payment of $500 for each eligible individual. This will also be paid on a quarterly basis on the same days as the utilities allowance.

Finally, the bill also delivers on another of the government’s election commitments by providing a higher rate of telephone allowance to older Australians, carers and people with a disability if they receive income support and have an internet connection. The rate will be lifted from $88 a year to $132 a year for those that have an internet connection. The higher rate will also be provided to veterans and their dependants that have an internet connection at home.

The government recognises the importance of communication for older Australians and those with a disability to be able to stay in touch with family and friends. Contrary to suggestions by the opposition in the past week, these are not the actions of a government that does not care about older Australians and those most in need. I would suggest quite the opposite: the bill and its contents are the actions of a government that recognises the financial burden on many older Australians and people with disabilities and that is committed to assisting them to make ends meet.

The measures contained in this bill come on top of the Prime Minister’s commitment to guarantee the retention of the one-off bonuses paid to carers and seniors in this year’s budget and future budgets by placing them in the forward estimates, putting an end to unnecessary speculation and uncertainty in this area. This is the action of a government
which is committed to establishing long-term financial security and support for the most vulnerable in our community to assist them with the ever-increasing family budget.

Our carers and seniors deserve to be treated with respect, and by making this announcement that is what the Prime Minister has done. The former government never provided certainty and never provided for carers and seniors into the future. The stark fact is that the former government did not have a long-term plan for our carers beyond the budget cycle. The fact that the carers and seniors bonuses were dependent on the economic circumstances of the time and the former government deliberately chose not to include them in the forward estimates is evidence of this.

The Rudd Labor government is committed to bringing to an end the lack of surety and genuine commitment shown toward older Australians, carers and those people with a disability by the opposition while it was in government. By guaranteeing the continuation of this payment as well as the introduction of the contents of this bill, the Rudd Labor government has shown genuine commitment to provide seniors and carers within our community with certainty for the future. It proves that the Rudd Labor government is committed to establishing financial certainty and spending habits to build for a sustainable future.

There are 2.5 million carers in Australia who look after family members or friends with a disability or other chronic condition. The contribution that carers make to our community is not denied by anyone in this chamber. It is estimated that carers save the Australian economy approximately $20 billion annually through unpaid work. We on this side appreciate, as I am sure those on the other side do, the work that seniors and carers do and the invaluable role that they play in our community. What the Rudd Labor government have done to show that we understand the stress and the work that they do is to provide certainty and security where the former government did not. They used the one-off bonuses as some sort of carrot for carers and seniors to beg for each year. This bill, and our commitment to retaining the bonus payment, proves the Rudd Labor government are 100 per cent committed to looking at ways in which to provide our carers and pensioners with greater financial certainty and security into the long term. This bill will see over three million Australians better off, and I commend it to the Senate.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (10.08 am)—in reply—I wish to thank the speakers who have participated in the debate on this bill. I note that there was a very positive contribution by all and I appreciate that. I particularly think that Senator Bartlett’s comments in this current debate were well made. There does need to be a sense of context and perspective about all this, and we need much more longer term certainty for pensioners and carers because they play such a vital role in our community. They need to be able to plan. It is hard enough to plan when you are on a good income but, when you are on a very low income, it must be extraordinarily difficult to plan for meeting everyday expenses. I know from my experiences in dealing with carers that they have enormous stress in their lives as it is, and they could certainly do without the sort of financial stress they are under. Certainly, part of that is to improve their conditions. I think the other part is to ensure that they have a bit more certainty about their income, as many of them live in very trying circumstances. In any event, I thank senators for their contribution to the debate.

Question agreed to.
Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator NETTLE (New South Wales) (10.10 am)—I move:

That the House of Representatives be requested to make the following amendment:

(1) Page 30 (after line 24), at the end of the bill, add:

Schedule 4—Same-sex entitlements

Social Security Act 1991

1 Subsection 4(1)

Insert:

de facto partner means one of two people in a de facto relationship.

de facto relationship means a relationship, irrespective of gender, between two people living together as a couple on a genuine domestic basis, where the relationship is not a marital relationship and, in determining whether two people are in a de facto relationship, all the circumstances of the relationship must be taken into account, including but not limited to:

(a) the length of their relationship;
(b) how long and under what circumstances they have lived together;
(c) whether there is a sexual relationship between them;
(d) their degree of financial dependence or interdependence, and any arrangements for financial support, between or by them;
(e) the ownership, use and acquisition of their property, including any property that they own individually;
(f) their degree of mutual commitment to a shared life;
(g) whether they mutually care for and support children;
(h) the performance of household duties;
(i) the reputation, and public aspects, of the relationship between them;
(j) the existence of a statutory declaration signed by both persons stating that they regard themselves to be in a de facto relationship with the other person;

and to avoid doubt, two people may still be in a de facto relationship if they are living apart from each other on a temporary basis.

recognised partner means one of two people in a recognised relationship.

recognised relationship means any relationship that is registered with a State or Territory Registry of Births, Deaths and Marriages under a State or Territory law allowing for the official registration of that relationship and includes but is not limited to relationships recognised as civil unions, civil partnerships, significant relationships, domestic relationships or relationships established through a Deed of Relationship. To avoid doubt, the requirements for beginning or ending any recognised relationship are to be determined by the relevant State or Territory law.

2 Subparagraph 4(2)(b)(i)

Omit “a person of the opposite sex”, substitute “another person”.

3 Subparagraph 4(2)(b)(iii)

Omit “marriage-like relationship”, substitute “de facto relationship or a recognised relationship”.

4 Subparagraph 4(3)(e)(iv)

Omit “marriage-like relationship”, substitute “de facto relationship or a recognised relationship”.

5 Subsection 4(3A)

Omit “marriage-like relationship”, substitute “de facto relationship or a recognised relationship”.

6 Subsection 5(1) (at the end of subparagraph (a)(ii) of the definition of parent)
Add “or the de facto or recognised partner of the adoptive parent of the young person”.

7 Subsection 23(1) (definition of widow)
Repeal the definition, substitute:

widow means a woman who was a partner of a person immediately before that person died.

8 Subparagraph 1067C(1)(b)(i)
Omit “a person of the opposite sex”, substitute “another person”.

9 Subparagraph 1067C(2)(b)(i)
Omit “a person of the opposite sex”, substitute “another person”.

10 Section 1067C
Omit “marriage-like relationship” (wherever occurring), substitute “de facto relationship or a recognised relationship”.

Veterans’ Entitlements Act 1986

11 Section 5 (table)
Insert:

de facto partner 5E(1)
de facto relationship 5E(1), 11A
recognised partner 5E(1)
recognised relationship 5E(1), 11A

12 Section 5 (table item dealing with marriage-like relationships)
Repeal the table item.

13 Subsection 5E(1)
Insert:

de facto partner means one of two people in a de facto relationship.
de facto relationship means a relationship, irrespective of gender, between two people living together as a couple on a genuine domestic basis, where the relationship is not a marital relationship and, in determining whether two people are in a de facto relationship, all the circumstances of the relationship must be taken into account, including but not limited to:

(a) the length of their relationship;
(b) how long and under what circumstances they have lived together;
(c) whether there is a sexual relationship between them;
(d) their degree of financial dependence or interdependence, and any arrangements for financial support, between or by them;
(e) the ownership, use and acquisition of their property, including any property that they own individually;
(f) their degree of mutual commitment to a shared life;
(g) whether they mutually care for and support children;
(h) the performance of household duties;
(i) the reputation, and public aspects, of the relationship between them;
(j) the existence of a statutory declaration signed by both persons stating that they regard themselves to be in a de facto relationship with the other person;

and to avoid doubt, two people may still be in a de facto relationship if they are living apart from each other on a temporary basis.

recognised partner means one of two people in a recognised relationship.

recognised relationship means any relationship that is registered with a State or Territory Registry of Births, Deaths and Marriages under a State or Territory law allowing for the official registration of that relationship and includes but is not limited to relationships recognised as civil unions, civil partnerships, significant relationships, domestic relationships or relationships established through a Deed of Relationship.

To avoid doubt, the requirements for beginning or ending any recognised relationship are to be determined by the relevant State or Territory law.
14 Subsection 5E(1) (before paragraph (a) of the definition of non-illness separated spouse)

Insert:
(aa) who is a de facto or recognised partner of another person but living separately and apart from that other person on a permanent basis; or

15 Subsection 5E(1) (paragraph (a) of the definition of widow)

Repeal the paragraph, substitute:
(a) a woman who was the partner of a person immediately before that person died; or

16 Subsection 5E(1) (paragraph (a) of the definition of widower)

Repeal the paragraph, substitute:
(a) a man who was the partner of a person immediately before that person died; or

17 Subparagraph 5E(2)(b)(i)

Omit “a person of the opposite sex”, substitute “another person”.

18 Subparagraph 5E(2)(b)(iii)

Omit “marriage-like relationship”, substitute “de facto relationship or a recognised relationship”.

19 Subsection 5F(1) (at the end of the definition of parent)

Add “or the de facto or recognised partner of the adoptive parent of the child”.

20 Section 11A

Omit “marriage-like” (wherever occurring), substitute “de facto relationship or a recognised relationship”.

Statement pursuant to the order of the Senate of 26 June 2000

The effect of the amendment would be to broaden the eligibility criteria for various benefits and allowances under the Social Security Act 1991 and the Veterans’ Entitlements Act 1986. This would increase the number of eligible claimants for those benefits and allowances which would have the effect of increasing expenditure from the standing appropriations from the Consolidated Revenue Fund in the Social Security (Administration) Act 1999 and the Veterans’ Entitlements Act 1986. The amendment is therefore presented as a request.

Statement by the Clerk of the Senate pursuant to the order of the Senate of 26 June 2000

The Senate has long accepted that an amendment should take the form of a request if it would have the effect of increasing expenditure under a standing appropriation. This request is therefore in accordance with the precedents of the Senate.

Senator NETTLE—This request for an amendment that I have moved on behalf of the Greens is for amendments that we have seen moved lots of times before. They are recommendations of the Human Rights and Equal Opportunity Commission to remove the discrimination that same-sex couples face in a range of different areas of law, and this particular bill as it relates to the Social Security Act and the veterans’ affairs act are two of those areas of the 58 identified by the Human Rights and Equal Opportunity Commission report where that discrimination exists. We used to see lots of these amendments moved under the previous government, and during the election campaign last year there were commitments from the now government to support the implementation of the Human Rights and Equal Opportunity Commission report—to removing the discrimination that same-sex couples face. There was not a principled, across-the-board agreement to remove the discrimination in all areas of federal law, because the Labor opposition, as they were at the time, picked out the area of
marriage and said that that was one area in which they would not remove discrimination but that in other areas they would. That was the commitment that we had from the then opposition prior to the election, but we never got a time line about when that would happen or how that would happen, and that has been very frustrating for a lot of people in my own state of New South Wales.

The Gay and Lesbian Rights Lobby is running a campaign this year which is called 58 in ’08. It says, ‘Let’s see these changes’—the commitment made by the former opposition during the election campaign—‘to make sure that the discrimination is removed this year.’ So when this election commitment is actually going to be implemented is an issue of concern within the community. As soon as the Prime Minister, Kevin Rudd, produced his 100 days report, I got a copy of it to look through to see if there was anything there that related to removing the discrimination against same-sex couples, but there was nothing. That greatly concerned me, because it meant that this promise that was made by the government in opposition—they said they would remove that discrimination—clearly did not make it to the first 100 days. I went to many forums with the gay and lesbian community in the lead-up to the election campaign, and the Labor members there, such as Tanya Plibersek, the member for Sydney—she lives near me, and we are often at these forums together—made the commitment time and time again. The impression was left with the community that it was a significant priority, yet there was no indication in the document that came about in the first 100 days to say: ‘This is what we are doing. This is the time line. This is what we are planning. This is the way in which we intend to do it.’ And that is what I am asking for today.

I recognise it is a big change, and I recognise that the Human Rights and Equal Opportunity Commission framework was quite narrow. It was about same-sex couples and work entitlements. There are other areas, and I note the report in the Australian on the day of the Sydney Gay and Lesbian Mardi Gras indicated that the Attorney-General’s Department had identified other areas. I understand there to be another 40, so there are about 100 areas of law that we need to change. I recognise that, and I was really thrilled when I first heard that, because it was the first indication I got that there was actually work going on to make the changes. So I thought that was positive. But I think that what is really important is setting out a time line so that people in the community know when these changes are going to occur. The report in the Australian on that particular day indicated that the government was planning on making announcements about a reform package in the May budget. Great. If that is the time line, it would be useful for people to know. But when there are campaigns like the one the New South Wales Gay and Lesbian Rights Lobby are running to say, ‘Make these changes this year’, it would be good if we could have from the government a clear indication of when these changes are going to occur.

I presumed that each time we had a piece of legislation which was one of those identified by the Human Rights and Equal Opportunity Commission as having that discrimination component to it we would see an amendment along with the other amendments being made by the government. In the first sitting week of parliament when the aged care bill was introduced into the House of Representatives, I expected to see the amendments that the Human Rights and Equal Opportunity Commission had recommended in that bill. I moved those amendments before when we were here under the former government. That is how I thought we would see them, but they were not there.
There was another bill yesterday that related to superannuation where, again, I thought we would see those amendments. Again, for this bill, they are not there. I am moving this request for an amendment because that is what I thought the process would be—a gradual process over time where each time there was a bill that discriminated against same-sex couples those amendments would be brought in.

That is not the new government’s approach. They are going to do it differently. Could we just have an outline and a framework so that the gay and lesbian community know what the timetable is, know what the proposal is and are able to hold the government accountable for that time line? We have had the commitment, but we have not had delivery or implementation of it. Part of what I am asking for today is a clear timeline and framework for how this is going to happen so that there is a plan that the government can be held accountable to.

I want to outline one particular aspect of the request I am moving today. As I say, they outline the recommendations of HREOC, but they also have one other aspect which there has been a reasonable amount of debate about. Where state and territory governments recognise same-sex relationships in a variety of different ways—such as civil unions or the relationship register in Tasmania—this request for an amendment from the Greens ensures that those relationships are also recognised in federal law. There is, for example, the de facto relationship. We stipulate that it does not matter what your gender is if two people have a de facto relationship. We also then go on to talk about what we are calling a ‘recognised relationship’. That is any relationship registered with a state or territory registry of births, deaths and marriages under state and territory law. There is the relationships register in Tasmania that I think came about in 2004 and there is currently debate going on about what form of civil unions or recognition of same-sex relationships will occur in the ACT as well. This request for an amendment allows the changes to the law to operate into the future in recognising that there are states and territories looking at doing these proposals. They ensure that they are caught up in the process of removing the discrimination.

The way that the Greens would like to see this discrimination removed is through a change to the Marriage Act in federal law so that people in same-sex relationships who choose marriage as the way they want their relationship identified will not experience that discrimination. Because of both of the major parties coming together and ruling that out some time ago, we have seen different forms of relationship recognition occurring at a state and territory level.

People have all sorts of different ways in which they want their relationships recognised. This request for an amendment seeks to outline the de facto relationship but also to outline that a recognised relationship is a separate entity. There are many people who have their same-sex relationship or heterosexual relationship recognised under these systems because they do not just relate to same-sex relationships—for example, in Tasmania—and they do not want their relationship to be considered as just a de facto relationship but as more significant than that. They may have had a ceremony and had their relationship recognised and so, rather than just fitting it in with de facto relationships, this request for an amendment would allow their relationship recognition in state and territory law to be recognised in federal law.

That is something which Australian National University senior law lecturer Wayne Morgan talked about in the article I was referring to in the Australian on the day of the
Sydney Gay and Lesbian Mardi Gras. He said that couples should be able to access federal entitlements by registering a relationship at a state and territory level, and that is what is provided for in the Greens request. I just wanted to indicate that that is the only way in which there is any deviation from the Human Rights and Equal Opportunity Commission, and it is to encapsulate something that is happening now, which is the relationship recognition registries that we are seeing at state and territory levels.

These are amendments that all of the non-government parties under the former government committed to. Because we have not seen a timetable or an outline about how discrimination will be removed from the bill—and this bill is third time lucky where discrimination could have been removed but has not been—I thought it was appropriate to come in here on behalf of the Greens and move this request for an amendment so that that election commitment from the Labor Party could be honoured. I commend this request for an amendment to the Senate.

Senator BARTLETT (Queensland) (10.21 am)—The Democrats, not surprisingly, support this request for an amendment along the lines that the Democrats have moved similar amendments repeatedly to a raft of legislation. Perhaps before the end of June I should tally up the number of times we have moved them over the decades, just for historical purposes. I imagine that it would run to over the 100 mark. We have a track record of zero success with them, which is very unfortunate. Although, having said that, I should also put on the record the fact that such progress that was made under the previous years of the Howard era did occur because of the perseverance of the Democrats in areas such as superannuation. That was not through an amendment like those in this request but through negotiation with Mr Howard. He did choose to talk to people sometimes about these sorts of things when he needed to get other legislation through and we were able to get some improvements via the superannuation choice legislation.

He held up that legislation for about three years, I think. The notion of choice was obviously not so important to him that he would actually allow that choice to expand to people in same-sex relationships, but after about three years of hold-up he did agree to a modified version to allow people in co-dependent relationships to more clearly share their superannuation entitlements—though that does not apply to the public sector as yet, unfortunately.

That is one example. I should take the opportunity to put on the record that the Democrats were able to successfully move things forward and enable some people in same-sex relationships to have the same access to their partners’ superannuation entitlements as all the rest of us enjoy. It is an example of the benefit of negotiation and perseverance over a long period of time. That is why it is good that this request for an amendment is moved, because it is another example of perseverance, of continuing to put it on the record and of continuing to highlight that this inequality still exists.

If we moved an amendment along these lines to a particular act, the usual response from the then Liberal government—and usually, though not always, from the Labor opposition—was to say, ‘You can't make this change in a one-off capacity; you've got to do it across the board all at once.’ Of course, the Democrats have also had legislation before this chamber for more than 12 years which does precisely that and does it all at once. When we brought that on for debate we were told, ‘You need to do it one at a time and look at it case by case.’ That sophis-
try was used to basically make no progress at all and to have that discrimination continue.

It is a clear commitment of the new government to remove that discrimination. I am actually relatively confident that they will end up doing that sometime within the next year or so. It is appropriate to put on the record in this context once again the role of former senator Sid Spindler. I mentioned this yesterday during the debate on the condolence motion, but I take the opportunity to put it again that back in 1995 he was the first in this chamber to introduce legislation that sought to do precisely what this request for an amendment does—that is, to remove the discrimination. His legislation would have applied across the board; this obviously just applies to the Social Security Act. I also note his role in instituting a comprehensive Senate inquiry which was the precursor in many ways to the Human Rights and Equal Opportunity Commission Same-Sex, Same Entitlements inquiry that Senator Nettle referred to. So I wanted to once again pay tribute to the legacy of Sid Spindler and many others who have continued to put this before the chamber.

It is worth noting with regard to social security specifically that it is often said that people in same-sex relationships actually benefit from the existing discrimination because one partner’s income is not counted against the other partner’s and therefore they have higher payments than a couple would if one of them were working, and also they are entitled to two single payments as opposed to a couple payment, which is less than two single payments. So in some aspects the differential treatment does benefit a same-sex couple, and that was made clear in the HREOC report. But it should also be emphasised that in some cases the differential treatment does have a negative impact on same-sex families. For example, a same-sex partner is not entitled to partner allowance, to concession card benefits, to jailed partner pension, to widow allowance or to bereavement benefits.

In the context of the earlier part of the debate on this legislation with regard to the burden of carers and the impact when one partner dies, I think a recognition needs to be put on the record that the partner’s relationship is not just about money. It is not all about, ‘There’s an entitlement over there; I want it because somebody else can receive it.’ It is about recognition, and that is at the core of this. That is why, as was demonstrated to HREOC during the course of their inquiry, and as is clear in their report, many same-sex couples make clear that they will willingly lose advantages. They will lose financial benefit in the social security area. They are quite willing to do that in exchange for equality and recognition. To me that is what is so crucial about this—it is not so much about people having equal financial entitlements or whether they lose or gain. On balance I suspect that, if this request for an amendment were successful, there would actually be a net saving to the taxpayer, in this area at least.

But it is about recognition, and that particularly comes into play when you are talking about bereavement, caring and the death of a partner. It is a pretty awful thing, and I would urge people to read some of the examples in the HREOC report or, indeed, in the Senate Legal and Constitutional Affairs References Committee report that was tabled in 1997. It is 10 years old, but the heartache that was seen during that inquiry and reflected in that report is just as real today. It is happening today in the same way. One of the most heartbreaking instances is when one partner dies and the other partner, who may have been with them for decades, is shut out, has no entitlements and, in some cases, has no recognition. I am sure we could all imagine how it would feel when your partner of
decades dies and you are just shut out and seen as having no particular role or significance in what is going on. That can be amongst the worst forms of discrimination even though in itself it has no financial component to it at all. To me that is what this is about more than anything else—it is about recognition of the importance and significance of people’s relationships and equal treatment.

So, with those broader contextual comments, the Democrats support this request for an amendment. Now that the government has indicated a preparedness to make this change as a policy commitment rather than having to be browbeaten into it via Senate crossbench leverage, I think it probably would be more efficient to do it as one big block. I repeat the point that the modern-day version of the original Spindler legislation is still before the Senate in the name of all the current Democrat senators and that it does reflect precisely the two very simple recommendations of the HREOC report *Same-sex: same entitlements*. That would be an easy way to go.

I do note—with some interest and a slight bit of surprise—reports that the current government’s investigations into this issue identify more laws where this discrimination exists than even HREOC did. I think HREOC found 58 federal laws that denied same-sex couples and their children basic financial and work related entitlements that are available to opposite-sex couples and their children. I have seen reports that the number of those laws is apparently up around the hundred mark. That does surprise me in the sense that I had expected that HREOC would have identified almost all of them. It is not a shock that they might be out by one or two, but to find that there are that many more is a surprise. So we do need to ensure that it is done properly.

It would be more efficient, I think, to do it across the board in one go because, if you are amending 100 pieces of legislation, with all of the flow-on effects through various departments, that is a big job. You want to make sure that it is done coherently and cohesively. But I would also say that it has got to be done quickly. People have waited a very long time, and they are getting pretty sick of excuses. For that reason I think there is nothing wrong with doing it piece of legislation by piece of legislation, passing this amendment now and bringing it into social security, which would be one of the areas that would have one of the biggest flow-on changes in terms of the calculations of entitlements, reconstructing of IT systems and the like. Getting started early on that one has its arguments, but the main thing is to get on with it, and I hope the minister at the table today gives some indication of what the time frame is for when people can expect to see this very important promise delivered on.

**Senator CHRIS EVANS** (Western Australia—Minister for Immigration and Citizenship) (10.31 am)—I want to indicate that I am not trying to close the debate, but I do want to provide a response to the issues raised by both Senator Nettle and Senator Bartlett. The first point to indicate is that the government does not support the request for an amendment and will not be voting for it.

It is not true to say that there is no progress being made. I do acknowledge that both the Democrats and the Greens have been persistent on this. Even their worst critics could not claim that they have not been consistent and persistent on this issue. Like Senator Bartlett, I acknowledge Senator Spindler, Senator Greig and a whole range of Greens senators, culminating with Senator Nettle, who have pursued these matters vigorously in the parliament. But our approach
is to honour our commitment to removing same-sex discrimination in Commonwealth laws in a number of areas, including social security benefits.

I do not think anyone can claim that the government has not been honouring its commitments. Senator Nettle may be frustrated after 100 days, but I think, to be fair, these are complex matters, and no-one has said that in the first 100 days we are going to solve all the problems of government or honour all the pledges we have made for reform. I think this is one of the most complex areas. It will require a great deal of work, and I think one can be a little bit more generous. Even Senator Bartlett has been fairly generous today. I acknowledge that; I am sure it will not last. I think to argue that somehow the government is wrong in not delivering in the first 100 days on complex, major reform of over 100 federal laws is a little bit rich.

These discrimination issues will be considered as part of a comprehensive, whole-of-government process. We are not going to do it bill by bill in the first few months of the parliament. We are not going to take a piecemeal approach. We have got to work out how to handle these issues and apply a whole-of-government approach. As you know, the social security legislation is lengthy and complex. The Social Security Act 1991 and the Social Security (Administration) Act 1999 are currently around 2,400 pages combined—not as big as the immigration act, as I am finding, but pretty big. Given this complexity, we want to get any amendments right.

We have commenced the process. It is being driven by the Attorney-General’s Department. As you know, the department has finalised an audit of Commonwealth laws that more broadly identifies provisions that discriminate against people in same-sex relationships, taking account of the HREOC Same-sex: same entitlements report tabled in parliament in June last year. The A-G’s audit found over 100 federal laws which discriminate against same-sex couples and their families. Areas of discrimination include taxation, social security, superannuation, workplace laws, privacy and education assistance. I remember dealing with these issues in Defence when I had that portfolio in opposition. This covers virtually the whole of government as an issue, and there is a great deal of complexity involved.

But I want to make it very clear, particularly to Senator Nettle, that there is no lack of resolve in the government about this issue. There is no lack of commitment, and we are at work. No-one is more committed than the Prime Minister to delivering on the election commitments he gave. He has made it very clear to each minister that they are expected to deliver on every election commitment made by the government. There is that commitment in relation to these issues. That commitment will be implemented when we are able to get it right. Work is being done. We have every intention of delivering on the promise. It is appropriate for senators to seek to hold the government accountable but, as I say, I think to expect us to have completed this work in 100 days is not reasonable.

The Gay and Lesbian Rights Lobby campaign is occurring, and that is perfectly appropriate. I think the suggestion of Senator Nettle was that we had to respond because they have a campaign running. We understand that lobby groups and pressure groups want to keep up the pressure on the government and want to be active around their issues, and that is fine. But the government is doing a very serious piece of work here. We are committed to delivering on the election commitment for reform in this area, and I can provide the Senate with the assurance that that commitment will remain.
Senator Nettle asked me to give her a timetable. The answer is that I am not going to give her that. Those sorts of decisions have not been taken as yet. We are working through the issues; we are seeing how we can implement our policy. When cabinet have been able to pull all that together and determine how we are going to proceed, an announcement will be made. But this is very serious, very complicated work across 100 federal laws. We are not going to sign up for an amendment requested by the Greens in isolation on one bill until we have done all that work and until we are clear on how we are going to proceed.

It seems to me that the sort of request for amendment that Senator Nettle is moving is pretty close to the mark. It is consistent with the HREOC report, but obviously, from what I have been told about some of the advice we have had, it will not be exactly what we will move. This, as I say, is complex, so we will be working through those issues. We will deliver on that commitment, but we will not be supporting the request for an amendment today.

Senator BERNARDI (South Australia) (10.37 am)—In acknowledging the concerns raised by Senator Nettle and supported by Senator Bartlett on this issue, the coalition will not be supporting this request for amendment. As the chamber would be aware, when the coalition were in government this issue was discussed quite regularly in this chamber and we indicated that these issues were under consideration as part of a whole-of-government approach. Nothing has changed from that perspective for the coalition. We are considering this matter and others in a holistic manner for a whole-of-government approach. We do not believe it is wise to consider this on an individual, piecemeal or case-by-case legislative basis. That is the reason we will be opposing this request.

Senator NETTLE (New South Wales) (10.38 am)—I wanted to ask another question of the minister, but I am sure Senator McLucas, the parliamentary secretary who is now at the table, will be able to assist. An article in the Australian on 1 March, when the Sydney Gay and Lesbian Mardi Gras was being held, said that the government was planning to announce much of the reform package in the May budget. I want to check whether that was correct because it is not a quote from the minister; it is part of the article. I want to check whether that was correctly reported in terms of giving people an idea of the sort of time frame.

Senator McLUCAS (Queensland—Parliamentary Secretary to the Minister for Health and Ageing) (10.39 am)—I thank Senator Nettle for the question. I understand that the reforms that are proposed do have budgetary implications so they are being considered in the context of developing the budget. The words you quoted from the Australian I am not sure are exactly indicative. I hope that answers your question: it is being considered in the context of the budget because there are budgetary implications for the reforms that are required.

Senator NETTLE (New South Wales) (10.40 am)—I will be a little more explicit: is it the government’s expectation that, following a government decision, there would be legislation that would pass through the Senate prior to the changeover in the Senate? That is another way I can ask the question. There may be implications were the government to seek the support of a different Senate in July.

Senator McLUCAS (Queensland—Parliamentary Secretary to the Minister for Health and Ageing) (10.40 am)—I cannot give that undertaking here today. As Senator Chris Evans explained, there is a very complex and intricate set of work that is required...
to be done. There are a large number of pieces of legislation that have to be amended. I cannot give you an undertaking today that that will happen in the life of this current Senate, I am sorry.

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

The committee divided. [10.46 am]
(The Chairman—Senator JJ Hogg)

Ayes ............. 6
Noes ............. 50
Majority ........ 44

AYES
Allison, L.F. Bartlett, A.J.J.
Brown, B.J. Murray, A.J.M.
Nettle, K. Siewert, R. *

NOES
Adams, J. Barnett, G.
Bernardi, C. Birmingham, S.
Bishop, T.M. Boyce, S.
Brown, C.L. Bushby, D.C.
Campbell, G. Chapman, H.G.P.
Colbeck, R. Cormann, M.H.P.
Crossin, P.M. Eggleston, A.
Evans, C.V. Fielding, S.
Fierravanti-Wells, C. Fifield, M.P.
Fisher, M.J. Forshaw, M.G.
Hogg, J.J. Hurley, A.
Joyce, B. Kemp, C.R.
Kirk, L. Ludwig, J.W.
Lundy, K.A. Macdonald, I.
Marshall, G. Mason, B.J.
McEwen, A. McGauran, J.J.J.
McLucas, J.E. Moore, C.
Nash, F. O’Brien, K.W.K. *
Parry, S. Patterson, K.C.
Payne, M.A. Polley, H.
Ray, R.F. Ronaldson, M.
Scullion, N.G. Stephens, U.
Sterle, G. Troeth, J.M.
Watson, J.O.W. Webber, R.
Wong, P. Wortley, D.

* denotes teller

Question negatived.

Bill agreed to.
Bill reported without amendment; report adopted.

Third Reading

Senator McLUCAS (Queensland—Parliamentary Secretary to the Minister for Health and Ageing) (10.51 am)—I move:
That this bill be now read a third time.

Question agreed to.

Bill read a third time.

INDIGENOUS EDUCATION (TARGETED ASSISTANCE) AMENDMENT (2008 MEASURES No. 1) BILL 2008

First Reading

Bill received from the House of Representatives.

Senator McLUCAS (Queensland—Parliamentary Secretary to the Minister for Health and Ageing) (10.51 am)—I move:
That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading

Senator McLUCAS (Queensland—Parliamentary Secretary to the Minister for Health and Ageing) (10.51 am)—I move:
That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

Mr President, I move that the bill now be read a second time.

Yesterday marked a significant moment in Australia’s history, with Prime Minister Kevin Rudd offering an apology to the stolen generations as the first act of business of the 42nd Parliament.

The historic act of saying sorry after decades of division and despair heralds the opportunity for a
new beginning for Indigenous and non-Indigenous Australians to reconcile and move forward as one nation.

Saying sorry is an important and symbolic act of recognition of the past hurts and mistreatment suffered by the stolen generations, but as the Prime Minister acknowledged yesterday, it is an act that must now be followed through with practical measures to overcome the extreme disadvantage faced by Indigenous Australians.

This is an issue that is beyond partisan politics. Yesterday the Prime Minister reached out to the Leader of the Opposition to form a new partnership across party lines, to form a joint policy commission, to start work on closing the gap in housing, an offer which was accepted in true bipartisan spirit.

We must set practical targets and act on them urgently.

We must close the gap between Indigenous and non-Indigenous Australia.

The Prime Minister yesterday made a commitment to close the gap in life expectancy, in educational achievement and in employment opportunities.

A commitment to halve the gap in literacy, numeracy and employment outcomes and opportunities for Indigenous Australians within a decade.

A commitment to halve the gap in infant mortality rates and life expectancy within a generation.

Education is the foundation upon which every individual builds his or her participation in society, builds their capacity to work and their ability to lead a healthy and active life.

There is much work to be done to close the gap in education.

Despite the fact that all the evidence shows us that if you finish school you improve your chances of getting a further qualification, getting a job and increasing your lifetime earnings, only four in 10 Indigenous students stay at school until Year 12.

This is 35 per cent lower than the 75 per cent of non-Indigenous students who stay at school.

The most recent national literacy and numeracy benchmark data shows that in all areas across Australia, the percentage of Indigenous students meeting the benchmarks is significantly lower than for non-Indigenous students.

Most concerning are the results for Indigenous students in Year 7 numeracy. Less than half, only 48 per cent of Indigenous students met the benchmark in 2006.

The gap between Indigenous and all students in the 2006 benchmarks ranged from 13 percentage points in Year 3 reading to 32 percentage points in Year 7 numeracy.

We will focus strongly on improving literacy and numeracy outcomes for Indigenous children and close these unacceptable gaps between the achievement and opportunities of our Indigenous children and non-Indigenous children.

This bill is a small, but an important, first step.

There are an estimated 10,000 school aged children in the Indigenous communities that are part of the Northern Territory Emergency Response measures. Of these, best estimates are that only some 8,000 are enrolled at school, leaving up to 2,000 school-aged children not enrolled at all. A further 2,500 enrolled students do not attend school regularly enough to benefit from their educational experience.

If we are to encourage these young Indigenous people to come to school, we need to have enough teachers ready to teach them.

The Rudd Labor government is therefore committed to providing funding for an additional 200 teachers in the Northern Territory over the next four years.

The government is determined to play its part with practical measures such as this and to work with Indigenous people and NT education providers to ensure that these young people receive the education they need and deserve.

This bill amends the Indigenous Education (Targeted Assistance) Act 2000 by appropriating additional funding of $7.162 million over the 2008 school year for the recruitment of 50 of these 200 additional teachers. Additional funding of $56.8 million will also be provided through subsequent acts for the remaining 150 teachers over the years 2009-2011.
Funding will be provided to NT education providers to recruit and employ the additional teachers. NT education providers will be responsible for deploying and housing the teachers employed through this initiative.

I am also pleased to announce that I have recently approved funding for a number of complementary measures for Indigenous students in the Northern Territory, including a quality teaching and accelerated literacy package to ensure that students benefit from a high quality teaching workforce, and additional classrooms to ensure that existing infrastructure meets the demands of anticipated enrolment increases.

The government has also promised to build three new boarding colleges for Indigenous secondary students in the Northern Territory and to expand intensive literacy and numeracy programs.

While the challenges are daunting, this bill contains the first of many practical measures this government will bring forward in a renewed spirit of reconciliation and partnership with Indigenous Australia to begin closing the gap in educational outcomes.

I commend the bill to the Senate.

Senator MASON (Queensland) (10.52 am)—The opposition supports the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008. The intent behind the bill is sincere and indeed commendable. It reflects great concern for the vital issue of educating young Indigenous Australians. While the opposition does support the bill, it is important to reflect more broadly on what might need to be done in the future to further the good policy intention of the bill. So I read with interest Minister Gillard’s second reading speech and, in particular, her statement about the importance of:

... practical measures to overcome the extreme disadvantage faced by too many Indigenous Australians.

The minister is right. Practical measures do sound a bit like practical reconciliation. It is a good thing that, at long last across all parts of this chamber, we now talk about practical reconciliation. I think no longer can we talk about the politics of identity by itself, neither do we talk about self-determination by itself and we certainly do not talk about separate development by itself. Right across the parties we now have all leaders talking more about practical measures such as improving health and education, and creating favourable economic conditions and opportunities for Indigenous people. That now is where the debate is and that is where it always should have been. No longer can we have that derailed by ideology or the politics of identity.

The welfare drip, sit-down money—whatever you want to call it—perhaps fed the body but it certainly starved the soul and it did not serve Indigenous people in the long term. They themselves recognise that and certainly people like Noel Pearson have spoken about this for a long time now. The government is quite right: education quite clearly is a key and that is why the opposition supports this initiative. It is a start but there is a long, long way to go. My colleague in the House of Representatives the member for Murray, Dr Stone, spoke of these challenges in her second reading contribution. I will not repeat those challenges here but I congratulate her on her generous and thoughtful comments.

Two very prominent thinkers in the area of Aboriginal policy have recently come up with their own proposals to improve educational opportunities and outcomes for Indigenous Australians. These are two very eminent Australians: Noel Pearson, the director of the Cape York Institute for Policy and Leadership, and Professor Helen Hughes, an eminent economist, indeed one of Australia’s most eminent. Noel Pearson’s plan is to attract more teachers to remote Aboriginal communities. That targets two groups of people. First, he says, the existing cadre of experienced teachers who have an excep-
national track record of delivering results should be encouraged. Second, there is the huge number of outstanding university graduates or professionals who do not currently have an education degree. They too, he argues, should be encouraged. The first group of experienced teachers will be attracted partly by the prestige of the program and partly, he says, by the establishment of a $50,000 annual fellowship paid to selected teachers to top up their normal wages. As for the outstanding university graduates from non-teaching degrees, Noel Pearson says:

Our plan involves targeting the best and brightest individuals who are at present not in the teaching profession, providing them with two months’ intensive training and then placing them alongside a fellow in remote schools for mentoring. A $20,000 stipend would be provided (conditional on performance) in addition to the usual salary package of a first-year teacher.

These are incentives to get good teachers where they are needed in remote Australia. The necessity for good teachers is also the theme of recent research by Professor Helen Hughes. In an opinion piece in the Australian of Thursday, 6 March this year, she writes:

Because of past policies, more than 5000 of the nearly 8000 indigenous teenagers in the NT cannot pass the national literacy benchmarks. That is 5,000 out of 8,000. The article continues:

Nor could another 5000 men and women in their 20s. The accumulated backlog of insufficiently literate indigenous young people is 10,000. They represent the future of indigenous communities.

No part of the present education system can accommodate teenagers with Year One literacy. How right she is. She continues:

They cannot sit side by side with six-year-olds or in a class of teenagers from the mainstream education system. To bring these indigenous teenagers to the stage where they could access mainstream jobs and further education would require one or two years of sheltered accommodation in an English-speaking environment, intensive tutoring and part-time employment. The minimum cost—she argues—would be $50,000 a year for each student. The real cost of remedying past failed policies would therefore be $500 million to $1 billion.

There is clearly a lack of any remedial action on this scale. Even partial solutions will require more funds have been committed.

Professor Hughes articulates what I think we all know—that is, that the job before us is immense. While the government is to be commended for this bill for at least starting the process, we have a long, long way to go.

More recently in the March edition of that great Australian magazine Quadrant, Professor Hughes writes in an article entitled ‘Strangers in their own country: a diary of hope’:

The Northern Territory Education Department website advertises “a fantastic lifestyle” for teachers, but does not demand the skills essential to teaching English as a second language and mathematics. Many of its Seagulls lack even modest teaching qualifications. The more than fifty “Learning Centres” in small settlements like Wangupeni are not listed as schools by the department. Some do not have enough desks for all the children in a community, many lack facilities such as the ablution blocks, and most do not have the teaching aids used in normal Australian primary schools. “Learning Centre” children have not been included in benchmark testing. Another fifteen “Community Education Centres” are in larger Aboriginal settlements. They also lack school places, have sub-standard facilities and lack the teaching equipment of normal Australian schools.

But the major deficiencies of “Learning Centres” and “Community Education Centres” are curriculums and teaching practices that do not teach effective literacy, numeracy and the other subjects of a primary curriculum.

It gets back to the basics.
Not surprisingly, where possible, Aboriginal parents are driving and bussing their children to non-Indigenous primary schools.

That says it all. Professor Hughes writes:

The Northern Territory Department of Education is aware of these outcomes. Year after year it reports that only 20 per cent of remote Indigenous students pass its Year 3, 5 and 7 benchmark tests. Some of the “Community Education Centres” claim to go to Year 10 and even Year 12, but most of their pupils do not reach Year 6 standards. Charlotte and Margaret—

they are the teenage Indigenous girls who are working alongside Professor Hughes—

are the victims of an apartheid education system.

So we do have a long, long way to go. The good thing about the proposals by Professor Hughes and Noel Pearson is that not only are they interesting and very worthwhile but they also come from people who are passionate about improving the life and education of our Aboriginal people. They have been at the coalface.

The proposals have one thing in common: they show that if the federal government is to increasingly assume responsibility for the education of young Indigenous Australians, the cost will be much higher than we are currently committing. In a sense, this will be a test of the government’s seriousness in tackling these problems. Words are cheap. Mr Rudd is enjoying a honeymoon at the moment and the politics of symbolism that he is playing on is all very well, but, in the end, policy outcomes are what will matter. My recent engagement in estimates and in debate in the community generally shows that the education revolution, for example, is a prime example of symbolism over results. We know that all of the unsexy infrastructure costs about the education revolution—power, wiring, air conditioning, software upgrades, security, maintenance, repair and replacement—will not be borne by the government; they will be borne by schools or parents. So while the photo opportunities are terrific and they play great politics, in the end, in the final analysis, these policies will be judged by their outcomes and not by the political grab on the 6 pm news. A bright shiny toy is only good for a while.

I conclude on some remarks about the intervention. This is not the time to backslide on the intervention in the Northern Territory. It is all very well to talk about improving the outcomes, the educational opportunities for young Indigenous people, but you cannot do that if kids are scared of being raped, if they are not well fed, if they are not looked after and if they do not feel secure. The idea of the intervention—supported by the then opposition—is to make sure that at least kids have those opportunities. Without that security and without that sense of belonging they can never be educated. This bill is commendable in that it is at least starting the ball rolling in spending more money on the education of young Indigenous kids, but any backsliding on the intervention in the Northern Territory will undermine this commendable policy. You cannot have one without the other; you cannot have education without security. Where there is alcohol, drugs, abuse and neglect, not only does that destroy the health of the community, but it also corrodes its soul and educational opportunities.

Major challenges remain. They are logistical, of course, and cultural. I think all of us acknowledge that. Teachers will have to be properly supported, schools properly equipped and students motivated and made secure—not just to attend but to embrace the spirit of learning, advancement and excellence. All Australians deserve that opportunity. I commend the government for what they have done with this bill. The opposition supports it and is pleased to do so, but I think we all recognise that this bill is only a start.
Senator ALLISON (Victoria—Leader of the Australian Democrats) (11.05 am)—I rise to address the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008. This bill provides an additional $7.162 million over the 2008 year for the recruitment of 50 of the additional 200 promised teachers for schools in the Northern Territory. Obviously any increase in the number of teachers to work in Indigenous communities is very welcome, but 50 or even 200 teachers must only ever be seen as a start. A recent Australian Education Union report called Education is the key: an education future for Indigenous communities in Northern Territory estimated that on the basis of the 2006 census data it would seem that some 7,500 children aged from three to 17 years could be missing out on preschool and school. Provision for these students would require an additional 660 teachers. The report also estimated that if all Indigenous children attended school full time—as opposed to, on average, 60 per cent of the time currently—an additional 700 teachers would be required. That is 1,360 extra teachers that are needed—many more than the 200 that the government has so far promised. That does not include the 300 extra assistant teachers, 85 extra teacher assistants for preschool programs, 100 home liaison officers and 100 extra Aboriginal and Islander education workers that the report also recommends.

We hear a huge amount about the appalling life expectancy gap between Indigenous and non-Indigenous Australians, a 17-year gap that has not improved in decades. The statistics for education are equally appalling. Too many Indigenous children continue to fail to read, to write or to count at even a basic level. Most Indigenous children unfortunately are already behind when they get to school and staying longer at school does not appear to necessarily improve their skills. The figures from the national report on schooling in Australia clearly tell the story. Fewer Indigenous students meet year 7 benchmarks for literacy and numeracy than Indigenous children in year 3. According to the National report on schooling in Australia 2006, the proportion of Indigenous children in the Northern Territory who meet the writing benchmarks falls from 33 per cent in year 3 to 26 per cent in year 7 and the proportion of Indigenous children who meet the numeracy benchmarks falls from 65 per cent in year 3 to 30 per cent in year 7. The proportion of Indigenous children who meet the reading benchmarks falls from 40 per cent in year 3 and 39 per cent in year 7. Compare this to the year 7 figures for all students, 89 per cent of whom meet the reading benchmarks, 92 per cent the writing benchmarks and 80 per cent the numeracy benchmarks—twice the rate of their Indigenous counterparts.

The situation in remote communities is worse still. In 2006 fewer than two in 10 children in very remote Territory communities passed the reading benchmark, less than one in 10 the writing benchmark and one in 10 the numeracy benchmark. We know that a child must attend school for at least four days of every week for 13 years to reach the national benchmarks for reading, writing and mathematics, but we also know that conservatively 20 per cent of Indigenous children are rarely going to school. The Department of Employment, Education and Training has estimated that there could be as many as 2,000 children aged six to 15 who are not enrolled in compulsory schooling at all. Despite some improvements, an enormous gap remains in retention rates for year 7 to year 12 between Indigenous and non-Indigenous students. Only four in 10 Indigenous students stay at school until year 12 compared with three out of four non-Indigenous students who stay on.
These significant disparities that remain between Indigenous and non-Indigenous outcomes limit the post-school options and life choices of Indigenous students and perpetuate intergenerational cycles of social and economic disadvantage. Without a doubt education is a central element of removing the disparities between Indigenous and non-Indigenous Australians, and more resources for education across the board are long overdue. The Indigenous population is young: 40 per cent of Indigenous people are under 15 years of age compared with 20 per cent of the non-Indigenous population. The Indigenous population is also growing at twice the annual rate projected for the rest of the population. Indigenous students represent an increasing proportion of all students, particularly in government schools. And the parents and grandparents of those Indigenous students struggled with the school system themselves. There is therefore an urgent need to tackle the view that the disparity in the educational outcomes of Indigenous and non-Indigenous students is ‘normal’.

But the terrible level of Indigenous educational disadvantage will not be tackled by simplistic solutions. While we strongly support more teachers, the Democrats have great concerns that adequate attention has not been given to the practicalities of implementing this initiative or to the additional resources that will be needed to make it a success. There is already a national shortage of teachers and strong competition amongst the nation’s schools to attract them. Rural and remote regions are already the hardest hit by the teacher shortage—a shortage that the Democrats have been drawing to the attention of governments for at least the last 10 years—and if the NT is to successfully attract and retain extra qualified teachers it will need to offer substantial incentives that make teaching in the communities that are involved in the emergency intervention attractive. Those incentives will need to include a variety of measures such as monetary incentives, additional leave entitlements for travel, subsidised travel, professional development and promotion opportunities and adequate subsidised housing.

I recall standing in a very small remote community in the Northern Territory called Djamada and asking a visiting teacher where exactly she stayed when she arrived there for four days of every fortnight or something like that. She said that she stays around here, and gestured to the general environment. I asked where exactly she meant, and it turned out that she brought a tent with her in the back of her utility vehicle and pitched a tent in order to teach Indigenous students. She was very young and no doubt did not mind those sorts of conditions, but I doubt very much that an experienced teacher would put up with that kind of thing. In particular, if there are to be more teachers, they will need to be experienced teachers who can mentor in schools to develop the skills needed to improve literacy and numeracy. There are still too many teachers with little preparation for teaching Indigenous students. We know that the majority of those teachers come straight from university and have little experience teaching, let alone experience teaching in Indigenous schools. So we need incentives to encourage experienced and accomplished teachers out into those schools.

We need better and more comprehensive teacher induction and in-service training—programs that cover cultural awareness and language diversity. This is a crucial issue. I have been in schools where no teacher in the school has even the most minimal grasp of the Indigenous language which is being spoken at home and most commonly by the students that attend that school. We cannot all learn Indigenous languages—I understand that—but it seems to me that if you are going to make education relevant within those
communities then something needs to change in terms of recognition of the language most often spoken by those children.

There is also a lack of recognition in this bill of the importance of building the Indigenous community’s own professionally qualified teaching workforce. There are very few Indigenous teachers in Australia. Even in the Northern Territory, where roughly 30 per cent of the population is Indigenous, only 3.6 per cent of the registered teachers identify as of Aboriginal or Torres Strait Islander descent. And many of these teachers have not completed the normal four-year qualification for teaching. In order to provide teachers for specific communities, to provide role models for Aboriginal students and to encourage diversity within the profession, there needs to be specifically targeted programs to recruit Aboriginal teachers. I know we have been trying to do this for some time but much greater effort needs to be made here. To do that we need to create special training programs that are located in remote communities. We need mentoring programs and specific support at the beginning of Aboriginal teachers’ careers. It is not easy but it must be something which is tackled with greater emphasis. But there is no provision in this bill, as far as I can see, to upgrade the qualifications of underqualified teachers to reach acceptable standards.

Increasing the number of Indigenous teachers in schools is key to expanding the educational opportunities of students. This would ensure that Indigenous students have access to teachers who understand their language, their culture and their learning needs. I think we need to revisit the merits of bilingual education, and Indigenous teachers are well placed to support bilingual schooling where it is seen as appropriate by those communities. Some Indigenous students start school speaking standard, so-called Australian English. However, the majority will speak a form of Aboriginal English, or a creole, one or more Indigenous languages or a combination of these as their first language. Learning in one’s own first language allows children to move from the known to the unknown in their schooling and enables them to acquire a second language with greater ease. At the very least, we should be looking at making sure that many more non-Indigenous teachers in Aboriginal schools have formal qualifications in English as a second language. As the Little children are sacred report points out, classes of 20 children with no English, or a bare minimum of understanding and whose teachers speak only English, are unlikely to engage students, particularly those students, I might add, who have experienced otitis media. As we all know, that infection causes deafness, which can be permanent in Indigenous students, and that is another reason why they typically do not last the year, or even the term, at those schools.

According to an Australian Education Union report five years ago, teachers with ESL experience estimated that an additional 100 positions were needed. But in 2007 it estimated that that figure would be 120 positions. And we cannot forget that, if we want all Indigenous children to attend schools and we want more teachers, then we need to make sure that the facilities are there for those students and their teachers. That means more classrooms, upgrading existing schools, more books, music and audiovisual equipment, and of course computers. It was some time, after going into several schools on various committee inquiries into Indigenous education, before I discovered a school in an Indigenous community which actually had computers. There is obviously a different rule for Indigenous schools than for others in the Northern Territory, at least.

We welcome the extra 50 teachers. They are clearly insufficient to seriously address the current needs, let alone future needs, so I
urge the government to think seriously about this. I also urge the Minister for Education and the government to look more broadly at the education needs of Indigenous communities in the Northern Territory and to do so with some urgency, because this matter has been allowed to fester by previous governments for far too long to be allowed by this one to continue. I would refer the minister to the many reports I have mentioned and to the many recommendations which were made, with Labor support at the time, so that we can implement those many important recommendations as quickly as possible.

Senator CROSSIN (Northern Territory) (11.19 am)—I rise to provide a contribution to the debate on the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008. It gives me some pleasure to rise today to speak to this bill, which will see a very small start in really helping to close the gap in education in the Northern Territory between Indigenous and non-Indigenous students. For many, many years we have seen the previous government pay little attention to Indigenous education, with minimum consultation of the parents and communities involved. Indeed, under the previous government, we saw many decisions made on what were pure economical grounds rather than sound, educational grounds. For example, they abolished the Indigenous parent groups in schools, ASPA committees, and took away in-class tuition in early childhood, where kids actually had to fail a year 3 MAP test before such tuition was made available. Such decisions were made with minimal real consultation with Indigenous parents and certainly, I think, with a very limited sound basis of educational research and rationale. They were indeed made despite findings in a DEST review that, while these programs might have been improved, there was in fact no justification for the massive changes that occurred in the programs.

As a result of these actions, Indigenous education severely suffered under the previous government. The executive summary of a national report to parliament on Indigenous education and training, which is dated 2005 but was tabled only some weeks ago, in 2008—so we are at least a year behind in this department under the previous government’s tabling of this report—states that the national literacy and numeracy benchmark test results show that Indigenous scores in 2005 were lower than the 2004 scores on eight of the nine benchmarks, and in eight of the nine cases the gaps between Indigenous and all student outcomes actually widened.

So, under the previous government’s 2005 reporting benchmarks, we see a situation that has worsened from the previous year, not improved. Further, that summary also states that the proportion of Indigenous students who achieved a year 12 certificate actually decreased to 49 per cent in 2005, while the proportion of non-Indigenous students increased to 87 per cent. At page 75, the national report states that progress against the 2005 IEP—Indigenous Education Program—targets are the lowest yet recorded, with only 16 per cent of all the total targets being achieved. Let us take stock and have a look. These brief figures from the national report demonstrate the lack of success of previous government policies in Indigenous education. It seems that all they achieved over the years was a reduction in spending on public education and a shuffling or reorganising of short-term programs with little chance of getting any results. There really is a need—and there is now a terrific opportunity with Labor being in government at the federal level and at the Northern Territory level under the ministership of Minister Marion Scrymgour—to have a really close look at what is happening in Indigenous education.
During the government’s Northern Territory intervention, we heard about an emphasis on the *Little children are sacred* report; we heard an emphasis on making sure that kids were checked, that health checks happened and that attention to kids’ health occurred. We talked about more policing and we talked about quarantining income support so that more money would be spent in shops on food for children. There has been a huge gap in the debate—that is, about Indigenous education. Very little has been said about Indigenous education. I spent last weekend scouring through probably 50 to 100 articles that have been written on the intervention since last August by a range of journalists, researchers and academics. I can find very few that link the lack of debate on education with the intervention in the Northern Territory. Everybody is talking about getting more kids to school and everybody is talking about the key to Indigenous education success in this country being raising the literacy and numeracy standards. But that is where the rhetoric stops. There is now a need in this country for a revolution in Indigenous education.

The figures that I have just read out show that what we have done in the past is clearly not working. I do not think that the former government ever took the time over its 11 years to do any analysis of that and to have the people in the department put to the minister that you cannot just keep churning out the same education dollars for schools in the Northern Territory, Western Australia, South Australian and Queensland under the same model. It just is not working. Senator Allison alluded to some of the problems that are out there. But, after 28 years or so in the industry, I believe that the major problem out there is quite simple: we, as a nation, have to start to fund Indigenous education as we fund education for people who come from a non-English-speaking background. We fund migrants who arrive in this country at a better rate per hour, on a lower teacher-class ratio, than we do Indigenous kids in the bush. We have to stop having classes of 22.

I was at the community of Finke—Apatula—about five weeks ago. There was a very experienced teacher there, with probably some 16 to 20 years experience. She was making playdough with the kids. Then they were going to write up the process of how the playdough was made. She was standing in front of a year 2-3 composite class of 28 kids. I put it to you that most experienced teachers in the suburbs of Melbourne and Sydney, who have in front of them kids who have English as their first language, would be doing a mighty fine job if they could teach 28 kids in a year 2-3 composite class, let alone out bush in a place like Finke, where those children have English as probably a second, or maybe even a third, language. What we should have seen in that classroom was a comparable, experienced teacher working with her—one teacher to 14 kids. There should have been two teachers in that classroom. In fact, it should have been two classrooms. But we are not funding the system to provide for that. If we do not put resources in to intervention at the bottom level of children’s education, we are never going to lift the literacy and numeracy rates.

I also think it is time that we had a national centre of research for Indigenous education in this country. I see it in health. I see the Centre for Remote Health; I see the Menzies School of Health Research; I see organisations from James Cook University in Queensland dedicating all of their time and energies to medical and health research. For example, what is scabies? Why is it that kids get otitis media by the age of six weeks? What is the link between having dogs in the community and poor health? This dialogue is constantly happening in our country. The research is coming at us thick and fast, and...
we learn from it. But, when I look at the research around Indigenous education, I see pockets of people doing some great work in some parts of this country, but it is uncoordinated, and very little of it is published and promoted. What we seriously need now, I believe, is a funded centre for Indigenous education research—a centre that will ask why it is that the literacy and numeracy rates are going backwards in this country. Is it because of class sizes? Is it because of the lack of experience out there? Is it the lack of resources? What is it that we are not doing in Indigenous education to achieve the results that we want?

While ever we keep funding it, which I applaud, and while ever we keep giving 200 teachers to places like the Northern Territory, it will all help, but unless we have some sound research I do not think we are really targeting our resources in areas where they are most needed or in areas where the research justifies what we continue to do. We need to ask ourselves what it is about a school in a community that does not engage with Indigenous parents. Is it because parents do not understand what education is about? We do it in health. We teach Indigenous parents why they have to buy healthy food, why it is important that you wash your child every day and the link between having dogs in your camp site and poor health. We educate people about health outcomes all the time, but we never educate Indigenous people about why it is that you must send your child to school every day for 40 weeks of the year. Teachers know the answer to that—that is, if the child is developing, to actually achieve the next stage of their learning development they need to have an intensive interaction with the teacher for at least 40 weeks of the year. We know that, but do we impart that knowledge to Indigenous parents so they get to understand it? I think not. We do not have community liaison officers at every school around this country engaging with Indigenous people. We ought to fund that.

I was at Kalkaringi just two weeks ago, and about eight kilometres from Kalkaringi there is a little community called Daguragu. We have had a massive rainfall in the Territory this year, and at Daguragu the Waddy Creek was up. That meant that the kids could not get across that river and were not able to go to school for that day. What is the problem there? The first problem is this: the school attendance records that are now online under the SAM system do not allow teachers to record that students are unable to attend because the infrastructure is so poor that they cannot get across the river. You are either sick or you are not sick. The system does not actually allow us to know who cannot get to school because they cannot get down the road or across the river.

I did ask the community: ‘How many times a year does this happen. How many days in a year would kids miss school because they cannot get across the river?’ They said: ‘Sometimes it is 15 days a year, on and off—three days here, two days there. It can be as many as 15 days.’ You think about that—three weeks a year over 12 years of a child’s life is at least one year in their education cycle when they miss out on school simply because they cannot get across the river. Do we need to build a bridge? Probably not. The community is saying to me that a walk-over would be fine. If we could just build a fly-over that the kids could walk across to catch the bus, that would be great. But we do not ask these questions as part of our educational debate and research in this country. We never ask those communities that are out bush what prevents their children from going to school in terms of infrastructure—roads, access to the school. We do not ask those questions. If we do not start to ask those questions, find the answers and fund
the answers then I do not believe the outcomes are going to improve over time.

So this government does have an opportunity—in fact a responsibility, I believe—to work for the future and to genuinely make the changes needed to improve Indigenous education outcomes. We will do so in partnership with both the Northern Territory government and Indigenous people themselves. I want to note and congratulate the Northern Territory government for finally appointing a new Indigenous Education Advisory Group. It is the only state or territory government around this country that had not done that. That has now been set up—the first time in many years that there has been such a body. The chair is Mark Motlop. I hope to meet with that advisory group soon. That is one step in a positive direction. Indigenous people in the Northern Territory voted overwhelmingly for the Australian Labor Party in the November election. They have put great trust in us to implement our policies in consultation with them, and this we are starting to do. We must be seen to continue this process, though, in an open and transparent way.

This bill is an example of a thoroughly practical measure for Indigenous education which will increase the overall resources available in Indigenous community schools. I want to congratulate the Australian Education Union, through its president, Nadine Williams, and Micaela Cronin, for producing a substantial piece of research that actually showed us what we would need if, under the intervention, the children in the Northern Territory that we think are not attending school—that is, about 2,000 of them—actually started to turn up to school. It sounds really simplistic, but they did the research that showed us how many classrooms would be needed, how many more chairs would be needed and how many more pencils would have to be bought if you suddenly had 2,000 children turning up on your doorstep to attend school. That is not the kind of work that had ever been contemplated by the previous federal government when the intervention was introduced.

Both the department and the Australian Education Union in the Northern Territory have long acknowledged the need for more teachers, and this funding can now make this a reality over the next four years. It will give schools a chance to use additional staff to improve staffing ratios and have smaller, more intensive classes in literacy and numeracy. It will enable schools to adopt a more appropriate English-as-a-second-language approach. When I was out bush the other week a teacher mentioned to me that, if you had smaller class sizes out there, you may well solve the retention rates and the occupational health and safety problems. And that is true. Smaller class sizes out bush would mean there would be more teachers in the school. More teachers in the school mean that you share the load. More teachers in the school mean that you have more colleagues to interact with and the isolation of a remote community may not seem as bad. So there are long-term benefits, not only in kids’ education but also in professional support for teachers if you were to adopt smaller student-teacher ratios.

This bill is educationally sound and it will make a positive contribution to Indigenous education over the years. However, we recognise it is only a start and that years of hard work will need to follow. This bill amends the Indigenous Education (Targeted Assistance) Act 2000 and appropriates around $7 million to recruit the first 50 additional teachers for the Northern Territory—this from an eventual total of 200 additional teachers over a four-year period.

It is estimated that this will ultimately assist in the education of a further 2,000 addi-
ional students of compulsory school age who are currently not enrolled at schools in the 73 communities affected in the Northern Territory. We have never done any research or asked ourselves why we have never seen any of those children present themselves at a school in the Northern Territory. We still really do not know why those kids are not even turning up to school in the first place.

The figures show that in those 73 communities there are some 10,000 school age children and, as of last year, only around 8,000 were enrolled at school. So the children who are not going receive no education and are not counted on any staffing formula or resourcing for those schools in their communities. In addition, attendance is not good in many schools, and so these poorly attending children too are falling short in education outcomes. What many non-Territorians may not realise is that, for these Indigenous students from remote areas, English is at best their second language. In some cases it may be even their fourth or fifth language. To achieve English literacy results with such a student requires a different staff-student ratio. It does require more teachers.

So we have a picture of many kids not even enrolled, whom we need to capture, plus some poor attendees, most of whom struggle to come to grips with what the education system means. These children require intensive support to not only get them to school but keep them at school and then ensure there are some sorts of meaningful outcomes. This funding will be provided to DEET in the Northern Territory, who will then recruit, deploy and house these teachers. The federal government is, however, providing some additional funding under the NT intervention for the extra classrooms that will be required.

Recruiting additional teachers in itself will be a challenging task in this time of shortages. But teacher numbers are only part of it. In finishing, I want to quote Mark Doecke in the February 2008 Teacher:

It takes a special person to work with Aboriginal students, one who understands that the most important concern of families is a child’s wellbeing and that the three most important things in a child’s life are family, family and family.

So we can provide additional teachers to communities but, unless we start to engage the families in the education process, educate them about education, then we will have wasted our time again. (Time expired)

Senator STERLE (Western Australia) (11.39 am)—I commend Senator Crossin on her fine words. I know, coming from the Northern Territory, her commitment is second to none. I rise to speak on the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008. The purpose of this bill is to amend the Indigenous Education (Targeted Assistance) Act 2000 and to appropriate additional funding to facilitate the provision of 200 additional teachers over four years. These teachers are desperately needed to assist in the education of up to some 2,000 students in 73 Northern Territory communities affected by the Northern Territory emergency response.

It is important to note that these kids are currently not enrolled in school and are not receiving any education. Put simply, they are not catered for in existing staffing formulas for Northern Territory schools. It is estimated that a further 2,500 enrolled students do not attend school for long enough to get anything out of their education. In total, therefore, up to 4,500 school age students living in Northern Territory remote communities require immediate and ongoing intensive support to remain at school and achieve meaningful learning outcomes. The bill makes appropriations for the 2007-08 and 2008-09 financial years to cover the provision of additional teachers for the 2008 calendar year. Further
funding support for this measure will be dealt with in the context of the upcoming 2008-09 budget.

This bill amends the Indigenous Education (Targeted Assistance) Act 2000 by appropriating additional funding of $7.162 million over the 2008 school year for the recruitment of 50 of these additional 200 teachers. Additional funding of $56.8 million will also be provided through subsequent acts for the remaining 150 teachers over the years 2009 to 2011. Funding will be provided to the Northern Territory education providers to recruit and employ the additional teachers. Northern Territory education providers will be responsible for deploying and housing the teachers employed through this initiative.

In February the Minister for Education announced funding for a number of complementary measures for Indigenous students in the Northern Territory, including a qualified teaching and accelerated literacy package. The Rudd Labor government has also committed to building three new boarding colleges for Indigenous secondary students in the Northern Territory and to expanding intensive literacy and numeracy programs. This bill contains the first of many practical measures this government will bring forward in a renewed spirit of reconciliation and partnership with Indigenous Australia to begin closing the gap in educational outcomes.

Education is recognised as the foundation upon which productive and rewarding lives are built. However, Australia’s system of school age education is clearly failing large numbers of Indigenous kids living in many communities in the Northern Territory. Regrettably, this is not a problem confined to the Northern Territory. Low levels of educational attainment amongst Indigenous kids is widespread throughout Australia. Indeed, evidence indicates that things are not improving. In some remote communities in the Northern Territory it appears that the situation may even be deteriorating. This issue rightly deserves the close interest and attention of the Australian government, regardless of the fact that school education systems are primarily the responsibility of state and territory governments.

The achievement of high levels of educational attainment amongst young Indigenous people is fundamental to the sustainability of Indigenous communities. The long-term achievement of higher levels of educational attainment is also fundamental to closing other gaps. If we look at the difference in life expectancy between Indigenous and non-Indigenous people, we see the divide is, shamefully, almost 20 years. For this reason alone, there are overwhelming arguments to support this bill. The Rudd Labor government has made a commitment to establish a new national objective of halving the gap between Indigenous and non-Indigenous students in reading, writing and numeracy levels within a decade. The government showed its commitment to this goal by including it in its historic apology to Australia’s Indigenous people delivered by the Prime Minister and the Australian parliament on 13 February 2008.

In Australia, only two-thirds of year 7 Indigenous students have been able to achieve the national reading benchmark. Sadly, this is well below the performance of all Australian year 7 students, 90 per cent of whom achieved the national year 7 benchmark for reading. There has been no improvement in the performance of Indigenous year 7 students against the national reading benchmark in recent years. Regarding the year 7 national benchmark for numeracy, not even half of Indigenous students in Australia were able to achieve the national benchmark. Compare this to 80 per cent of the total number of year 7 students in Australia who did reach
the national benchmark. Again, the performance of Indigenous students with respect to numeracy attainment has not changed in recent years. Australia’s education system has repeatedly failed generations of Australia’s Indigenous children.

The number of students attending schools in remote and very remote regions of Australia is not insignificant. In the Northern Territory, over 17,000 students attend schools in communities classified as remote or very remote. In my state of Western Australia, the figure is around 25,000. Across Australia, over 80,000 children attend schools in regions classified as remote or very remote. It goes without saying that Indigenous students make up a significant proportion of these students.

In the Northern Territory, statistics seem to indicate approximately 60 per cent of Indigenous school-aged children live in 73 communities affected by the Northern Territory emergency response. Further, it is estimated that, of the 10,000 children who live in these communities, some 20 per cent are not enrolled in school. It is likely that these children are at risk of spending their school-aged lives without receiving any or very little formal education. On top of the high rate of non-enrolment in school, it is estimated that over 30 per cent of these children are not achieving any meaningful educational outcomes. This is a terrible fate for the lives of the thousands of Indigenous children living in remote parts of the Northern Territory. What is perhaps even more startling is that, if the unenrolled students turned up tomorrow at their local schools, there would not be enough teachers to teach them. Statistics in Western Australia indicate similar shortfalls in educational attainment of Indigenous school-aged children.

The challenge for our government is to closely examine the performance of school-aged Indigenous children throughout the country. We must find a way forward that improves the lives of these Australians. Many Aboriginal communities, through no fundamental fault of their own, have become trapped in what you might call an economic and social malaise. They are trapped between a culture and historical heritage which has a rich and successful history dating back over tens of thousands of years and a modern world that, while depriving Indigenous people of much of their heritage, has offered very little in return.

We need to ask the question: why is it that Indigenous people of this country have had to give up so much of themselves and yet have not been offered a fair and equitable place in Australian society? The modern Australian nation has to be willing to take responsibility for having created a situation where our traditional owners of country have been effectively locked out of Australia’s prosperity. After well over 200 years as a nation, we have only now acknowledged the damage that has been visited upon Indigenous people since the first white settlement. Fortunately for all Australians, the demise of the Howard government removed the last bastion of conservative intolerance that stood in the way of reconciliation.

I also want to remark on recent comments made by members of the opposition about the government’s commitment to overcoming Indigenous disadvantage. Approximately three weeks ago, the Prime Minister invited the Leader of the Opposition to co-lead a joint policy commission to begin the work of closing the gap between the quality of life and standard of living between Australia’s Indigenous people and other Australians. The first job is to develop and implement an effective housing strategy for remote communities over the next five years. It is very much to his credit that the Leader of the Op-
position accepted this invitation in the spirit in which it was offered.

It is well known that there is a chronic shortage of adequate housing in many remote Indigenous communities. How do I know this? I have spent time in remote Indigenous communities. I have sat cross-legged under the mango tree talking to the elders in those communities. That is where I got my education on the problems that are facing Indigenous communities. Whether I am in Mowanjum, Imintji, Dodnun, Kupunggarri, Oombulgurri, Ngallangunda, and the list goes on and on, the message is the same. Indigenous people are a proud people. The Indigenous connection to country relies on respect for storytelling, history and education. It is very easy, unfortunately, for senators opposite to throw out off-the-cuff remarks about these communities and the sources of the problems they face. I say to those senators: there are worse things you could do than travel the Gibb River Road between Derby and Wyndham in the far north of Western Australia.

Sadly, it is very easy to sit in the pointy end of a Qantas jet heading for Broome and talk about Indigenous issues. It is very easy to sit around slurping an almond daiquiri while you watch the sun go down over Cable Beach. I must say, it is a beautiful part of the world, but that does not address the issues in Indigenous communities. You do not know anything until you actually get out there amongst the dust and the diesel.

Statistics published by the Australian Institute of Health and Welfare show that 34 per cent of Indigenous households in the Northern Territory live in overcrowded conditions. This alone is no doubt a significant contributing factor leading to poor performance at school. We know that severe residential overcrowding is not conducive to an orderly home life and presents significant obstacles to children taking advantage of their educational opportunities.

However, having said that, I would like to bring to the attention of senators what the member for Tangney, Dr Dennis Jensen, had to say about the Prime Minister’s commitment to closing the gap in Indigenous housing. On 18 February 2008, the member of the Tangney, in the other place, said:

I am very concerned with what appears to be this government’s first policy move on this front—more houses. More houses in the wrong areas, particularly in remote communities, will achieve nothing. You will simply end up with abandoned or destroyed homes.

I also bring to the attention of the Senate remarks made by Senator Cormann in this place on 13 February 2008:

In short, in my view, the government’s handling of this difficult issue has been arrogant, it has been divisive and it has been insincere. Here are two classic examples of Western Australian Liberals who need to take my earlier advice: saddle the horses, put Geeves on notice, cancel all leave and head north, young men. It would not do you any harm.

When we have unfortunate comments by the member for Tangney and Senator Cormann in the Australian parliament, it is very relevant that the Prime Minister had this to say as part of the apology:

Today’s apology, however inadequate, is aimed at righting past wrongs. It is also aimed at building a bridge between Indigenous and non-Indigenous Australians—a bridge based on a real respect rather than a thinly veiled contempt.

Unfortunately, as has been displayed in recent times by members of the Western Australian Liberal Party, it is not difficult to discern a thinly veiled contempt in respect of the apology to Australia’s Indigenous people. I would point out, however, that the Australian people have not been fooled by the mad ravings of Western Australian Liberals. In a
Newspoll conducted on 19 February 2008, results indicated that no fewer than 69 per cent of Australians supported the national apology to the stolen generations. It is also interesting to note that roughly three-quarters of Australians aged between 18 and 24 supported the apology. We are riding the wave of change and young Australians have embraced the Prime Minister’s vision. They want a fair and equal Australia. On that note, I commend the bill to the Senate.

Senator PATTERSON (Victoria) (11.54 am)—I was not going to speak on the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008, but having listened to the contributions from various senators I felt moved to make a few comments. I know that Senator Crossin has extensive experience and knowledge of the issues facing the Northern Territory, but I was very concerned when, as the Minister for Family and Community Services, I had responsibility for the COAG trial in Wadeye. When I inherited responsibility for that area, they had been granted funding for a school pool. Part of the rule was that, if you did not attend school, you could not use the pool. The pool was opened and children turned up to school. Of course, there were not enough classrooms, teachers or seats. In downtown Abbotsford, Lilyfield or Mosman Park in Western Australia, there would have been an outcry if hundreds of kids had turned up to school and there were not enough classrooms or seats for them. That is what happened. We talk about stopping the blame game, but it was evident that the Northern Territory government had not focused sufficiently on Wadeye or on providing sufficient school facilities. That is just one example.

I then went to the Northern Territory housing minister and said, ‘We’re trying to encourage people to build their own houses,’ and the then housing minister said to me, ‘Oh, are we still doing the COAG trial?’ The light had not dawned on him—or the lights had gone out. So I had a situation where the education minister had failed to provide the schools and the housing minister did not know we were still doing the COAG trial.

I had the wonderful experience—and Senator Sterle talked about this—of going out and sitting cross-legged on the ground. There are highlights in this job, and one of the highlights I had was when the women of Wadeye took me out to a very remote beach in their homeland and went out and caught mud crabs, longbumps and other shellfish. They cooked them over the fire, as they would have done 40,000 years before, and we ate them. I had a little trepidation, I must say, with the longbumps, which had green iridescent stuff on them. I was told by one of the women not to have too much of that because it could go through you! But I sat there with them for a day and they talked to me about some of the problems in that area. I hope that the new Indigenous advisory group will do the same thing. One of the things the women said to me was, ‘The school year doesn’t fit us very well, because during the wet, when you can’t get out of Wadeye for five to six months, that’s when the guys can’t get the grog. That’s when there’s a bit more peace and harmony in the community. That’s when our kids should be at school. When the dry comes, we want to take our kids out into homelands and teach them about our traditional ways. That’s when the guys can go out and get grog. If we could just change the school year for our people here, we reckon our kids would go to school more often.’ It is not very hard—no extra money involved; just a bit of creativity.

I did actually mention that to the relevant Territory minister. I said, ‘Could you talk to the women of Wadeye. They’re the ones who know. Listen to them. Listen to what they want in their education system.’ What we think works in Darwin, in Broome or at Cape
York in Far North Queensland might not necessarily work in a remote Indigenous community. So I hope that in this new spirit of bipartisanship people will listen carefully to all of us in here who, with passion, have visited these communities. It is not just on the other side that people have been to Indigenous communities; I spent a lot of time, both as health minister and as Minister for Family and Community Services, out in those communities. Also, former Senator Grant Tambling had taken me up there early on when I was a backbencher. He said, ‘You’ve got to understand what happens in the north. You can’t just represent Victoria; you’re a senator for the whole of Australia.’ I thank Grant for that because he took me to some very remote communities.

Out on one of the stations there, I saw a teacher who was working on her own in a ‘spaceship’. Those buildings have a special name but I have forgotten it. They are a spaceship type facility, where you have two spaceship-looking classrooms with a platform between them and a roof over it. This teacher hardly had any contact with people. The two Indigenous people who came and helped wash the kids’ clothes and get the kids’ lunches went back to where they lived, the kids went back on the school bus, and she was left there from when they left until when she got up the next day. She might have driven the four hours down to Tennant Creek at the weekend. I thought: why haven’t they got some rotating teachers who could go out and share some of the teaching with her so she does not go stir crazy or get cabin fever? I used to ring her from time to time just to talk to her, because I could not believe that she could be stuck out there for weeks on end with nobody knowing whether she was alive or dead from when school finished until when she got up in the morning. It seems to me we need to focus a lot more on the social and emotional needs of teachers in very remote communities. That is why they do not stay.

One of the teachers wanted to be rotated closer to Tennant Creek because she was pregnant, but the department said no. If you do not have that sort of understanding of the needs of these people working in very remote communities, they are not going to stay, and the message gets out. So we need to focus on and listen to those people, particularly to the women in those communities, when they ask for something that might be a bit different, something that does not necessarily fit with what we think is the way to go—for example, changing the school year—and we need to listen to teachers working out in those remote areas.

The other thing I hope that we can do in the spirit of bipartisanship—and I suppose it is because I am getting closer to retirement that I am thinking about this—is harness the resources of grey nomads. Have a look at how many of them are former teachers or have worked with children and could be very, very useful if they were to stop and work with a teacher, to give them time, give them some ideas about lesson planning or actually take some children for a month or two and give them some special attention. We had the Aboriginal volunteer program that was never used by the Northern Territory. We have people volunteering to go to projects overseas—senior volunteers—and it seems to me we should be harnessing the attributes and experience of that army of volunteers. We have got the baby boomers about to retire, and we could be harnessing those people, who have got experience and wisdom and understanding and patience, and working with them.

I sat with two young girls in Alice Springs who were starting nursing and I thought: if only somebody who had done a course in medical records could sit and talk to them...
about terms—for example, when you put an ‘a’ in front of something, it means ‘without’, so ‘anoxia’ means you do not have oxygen. ‘Dys’ means ‘a difficulty with’, such as in ‘dyslexia’, and then ‘alexia’ means without the ability to read. A couple of weeks with those kids before they started the medical course could make a huge difference to how they are going to perform. There are people around who have got those skills, who could take those young people and give them a kind of bridging course before they start off.

I felt desperate about these two young girls’ basic skills. Having taught health science students for 11 years before I came here, I felt that they were destined to fail and I felt badly about that. With some creativity—using some people with some background skills to go around before students start their courses and run some bridging courses, in English or in medical terminology or just in basic biology—how much of a better start would those young people have?

I hope that this bill is the beginning and not the end. I hope we see some really creative, thoughtful ways of harnessing all the resources and goodwill on both sides of this house and out there in the community to actually improve the lot of those people, particularly in remote communities, who deserve our assistance and will respond in spades to our assistance. I support this bill but I hope it is the beginning, not the end.

Senator LUDWIG (Queensland—Minister for Human Services) (12.04 pm)—I would like to thank all those who spoke on the Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008. The Rudd government is committed to closing the gap between the educational outcomes of Indigenous and non-Indigenous children. This bill will appropriate funding in the order of $7.162 million over the 2008 school year. This funding is for the recruitment of 50 teachers for employment in Northern Territory schools as part of the government’s commitment of 200 additional teachers. Funding of $56.8 million will also be provided, through subsequent acts, for the remaining 150 teachers over the 2009-11 school years.

Under this measure, funding will be used by Northern Territory education providers, who will be responsible for the recruitment, deployment and housing of the additional teachers. There are an estimated 10,000 school-age children in Indigenous communities who are part of the Northern Territory emergency response measures. Of these, the best estimates are that only some 8,000 are enrolled at school, leaving up to 2,000 school-age children not enrolled at all. A further 2,500 enrolled students do not attend school regularly enough to benefit from their educational experience. If we are to encourage these young Indigenous people to come to school, we need to have enough teachers ready to teach them. The government is, therefore, committed to providing funding for these additional 200 teachers in the Northern Territory over the next four years.

We are determined to play our part with practical measures such as this and to work with Indigenous people and the Northern Territory education providers. This commitment is underpinned by three guiding principles. The Prime Minister provided those and outlined them. They are: respect, cooperation and mutual responsibility. This partnership approach will ensure that these young people have every opportunity to receive the quality education they are worthy of. The measures complement the government’s broader education policy and align with a number of other measures for Indigenous students in the Northern Territory, including a quality teaching and accelerated literacy package to ensure that students benefit from a high-quality teaching workforce and additional classrooms to ensure that the existing infrastruc-
The government has also promised to build three new boarding facilities for Indigenous secondary students in the Northern Territory and to expand intensive literacy and numeracy programs. The Australian and Northern Territory governments will work cooperatively on these goals and have entered into a memorandum of understanding that ensures effective collaboration on the implementation of important education and training initiatives like this one, which have the potential to impact positively on the lives of these children.

While there are well-documented challenges to face when addressing the gap in education outcomes for Indigenous students, having enough skilled staff is a practical measure aimed at lifting the education standards of Indigenous students. This tangible measure is designed to contribute to improving literacy and numeracy outcomes for Indigenous children and closing this unacceptable gap between the achievements and opportunities of our Indigenous and non-Indigenous children. This bill for additional teaching funding is a small but important step towards these goals. I commend the bill to the Senate.

Question agreed to.

Bill read a second time.

**Second Reading**

**Senator LUDWIG** (Queensland—Minister for Human Services) (12.09 pm)—I move:

That this bill be now read a second time.

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

Leave granted.

*The speech read as follows—*

**SKILLS AUSTRALIA BILL 2008**

The Skills Australia Bill 2008 is an important piece of legislation. It will establish Skills Australia, a statutory body that will provide the Australian Government with independent, high quality advice to assist us to target government investment in training. It will give the Australian Government advice that we can use to assist businesses and workers across the country.

Skills Australia is an important part of our fight to reduce the skills shortages that have plagued business. It is part of the way forward in fighting inflation. It is an integral piece of the Australian Government’s five point plan to fight against inflation. This is a plan that addresses both the demand side and supply side pressures on inflation.

Under this plan the Australian Government will firstly ensure that we take the pressure off demand by running a strong budget surplus, through a hard-line attitude to fiscal restraint.

Secondly, in the period ahead the Australian Government will examine all options to provide real incentives to encourage private savings.

Thirdly, we will be unfolding our plan for tackling chronic skills shortages in the economy. I will talk more about this shortly.

Fourthly, we will provide national leadership to tackle infrastructure bottlenecks.

And fifthly, we will provide practical ways of helping people re-enter the workforce including
removing disincentives to work and helping increase workforce participation.

By exercising fiscal restraint our plan aims to do everything we can to ease the pressure on inflation. Our plan deals with the chronic investment deficits in the capacity side of the economy, particularly investment in skills and infrastructure. The skills agenda is clearly a vital part of this broad whole of government plan.

In the past, too much reliance has been placed on disconnected pieces of the skills puzzle. My Government recognises that we need a holistic policy focussed on workforce development to make sure individuals have the skills to be productive workers in a fast-changing economy.

Workforce development is a comprehensive approach to addressing skills and labour shortages. It addresses the supply side issues and includes the essential elements of training, in concert with workforce planning, to ensure the right intervention and investments happen at the right time. This is everyone’s business, not just the business of government.

The Australian Government will continue to align skills development policies and training delivery with industry priorities, and to position the training system to better meet the needs of individuals and industry. We will work with the state and territory governments to ensure that they are also travelling in the same direction.

Training organisations must be encouraged to play their part and respond flexibly to increasingly diverse industry and individual needs. Training providers must deliver customised, relevant training that is integrated with, and supported by, workplace learning opportunities, at a time and place that suit business needs.

I also encourage businesses, as a core part of their strategic business planning, to gain a better understanding of the essential links between the skills and career development needs of their workforce, and improved profitability and sustainability. Businesses must have human resource management strategies linked with their recruitment, training and career strategies.

Individuals also have a responsibility to recognise the benefits of gaining qualifications and commit to invest in and add to their own skills sets throughout their working lives.

My Government has also committed to the skills agenda through the Council of Australian Governments (COAG). At my Government’s first COAG meeting, in December 2007, all governments in Australia agreed to work together on increasing the productive capacity of the economy, addressing the inflationary pressures that are emerging and delivering higher quality services to the Australian community.

It is only with a long term productivity agenda that we can hope to achieve simultaneously high economic growth, low unemployment and low inflation.

There are many shared and real benefits to be achieved by working together. We can expect a better return on publicly funded training investment. We can also increase the capacity of enterprises to adopt high-performance work practices that increase productivity through supporting their employees to realise their potential.

Equally beneficial will be the enhanced capacity of individuals to participate effectively in the workforce. Training providers will have an increased capacity to assist enterprises, particularly small to medium size enterprises, to adopt workforce planning strategies, assess and act on skills development and training needs and change work practices.

The Skilling Australia for the Future policy released by the Australian Government prior to the election is the start of the journey. No one approach or any one government or agency on its own can solve the skills and labour shortage problems we are experiencing today and will continue to face in the future. We have to accept a shared responsibility for building a flexible, well-skilled workforce that will ensure that Australia remains productive, competitive and prosperous.

This Bill establishes a vital element of our skills strategy - Skills Australia. It will provide the Australian Government with independent, high quality advice to assist with better targeting of support for the workforce development needs of businesses and workers across the country.

Skills Australia will be comprised of seven experts drawn from a range of backgrounds includ-
ing economics, industry, academia and training providers. It represents an intellectual as well as a financial investment in the skills agenda.

Skills Australia will:

- Analyse current and emerging skills needs and forecast demands across industry sectors;
- Assess evidence from commissioned research and industry stakeholders to inform Australia’s workforce development needs;
- Widely distribute information from research and consultations with stakeholders to enable entrepreneurs, businesses and workers to have the necessary information to inform their training and employment decisions;
- Provide the Government with recommendations on current and future skills needs to help inform decisions to encourage skills formation and drive ongoing reforms to the education and training sector, including on priorities for the investment of public funds; and
- Establish and maintain relationships with relevant state bodies and authorities to inform its advice on current and future demand for skills and facilitate alignment of priorities for responses to skills needs.

The Skills Australia legislation establishes the operational arrangements to support the independent body, including provisions relating to conflict of interest issues, arrangements for the appointment and service of members, remuneration of its members, procedures about its conduct and arrangements for working groups to provide it with the capacity to investigate issues deeply, drawing on a wider range of stakeholders.

As an interim measure, while the legislation is being taken through Parliament, I am establishing the Skills Australia Implementation Group. It is intended that this group will meet for the first time in February. This group of eminent Australians will oversee consultations with key business, employer and employee association stakeholders as well as state and territory governments regarding the establishment of Skills Australia.

Skills Australia will play a pivotal role in boosting productivity and participation in the Australian economy by providing high quality advice to the Government. This will ensure that policies can be directed towards closing the skills gap – the gap between the demand for and supply of skilled workers.

Our Skilling Australia for the Future policy will increase and deepen the skills capacity of the Australian workforce and ensure demand for skills and skills training is matched. My Government’s plan for our future skilled workforce will close the skills gap in the Australian economy in three key ways:

Firstly, by funding an additional 450,000 training places over the next four years. Over the last three years the Reserve Bank of Australia has warned on more than 20 separate occasions that capacity constraints – including skills shortages – were contributing to inflation. The Australian Government is acting promptly by making 20,000 new training places for those outside the workforce available from April 2008. This will help many Australians gain employment and stimulate workforce participation rates.

Secondly, by ensuring that most of these places lead to a higher level qualification, such as at the Certificate III level or above. The new places will offer high-quality training opportunities which better suit the needs of our economy in the future. Evidence shows that Australia’s economy needs higher level skills and key employer groups – including the Business Council of Australia and the Australian Industry Group - agree.

Thirdly, and of great importance, we are placing industry demand at the heart of the skills training system – so that training providers equip Australians with the skills that industry needs.

Part of the problem in increasing our national skills levels has been that training has not sufficiently matched industry’s needs. Businesses have not been provided with enough assistance to enable them to diagnose, predict and tailor training to their future workforce needs.

The Australian Government’s major reforms will also help with better diagnosis of Australia’s skills needs and make new training places more responsive to industry needs.

New training places will be allocated according to industry demand. Drawing on the advice of
Skills Australia, strengthened Industry Skills Councils will connect employers to the new training places. Industry Skills Councils will work with employers to identify their skills needs and match those needs with nationally accredited training.

Industry Skills Councils will also work with Employment Service Providers to give people outside the workforce access to training which matches industry and employers' needs. Australia's training system must shift to a system that is driven by, and which responds to, the needs of business, industry and the economy.

More than one-third of the additional places will be allocated to people currently outside or marginally attached to the workforce, to equip them with the skills they need to gain employment. The remaining places will be targeted at training people who are currently employed but who need to upgrade their skills. Skilling Australia for the Future will also support up to 65,000 apprentice- ships over the next four years.

Skills Australia will provide the Government with advice about areas of skills shortages. Without wishing to preempt their advice, there are some clearly identified areas of skills shortages we can anticipate. For example, the mining and construction sectors are likely to be prime candidates.

The mining industry is currently experiencing the highest vacancy to employment ratio, with around 3.7 vacancies for every 100 people employed in the industry. Wages growth is strongest in the mining industry, at 5.4 per cent through the year to the September quarter 2007, compared to 4.2 per cent across all industries.

The construction industry is also experiencing labor constraints. Wages growth in construction is at 4.8 per cent through the year to September 2007. The industry also has the highest proportion of employees with a certificate as their highest qualification, at 45.7 percent. This means that it will benefit greatly from additional training places at diploma and above levels.

The Skills Australia Bill is the first element of the Australian Government's policy framework to fight inflation by addressing skill shortages. We are "Skilling Australia for the Future". It is a challenging plan that requires all parties to make an active contribution. It is only with all stakeholders actively engaged in the skills agenda that we can focus on our outcomes – to increase the productive capacity of the economy through a more highly-skilled workforce. The result will be an Australia where the career aspirations of individuals are recognised, nurtured and rewarded.

I commend the Bill to the Senate.

Senator MASON (Queensland) (12.10 pm)—The opposition will not be opposing the Skills Australia Bill 2008. Anything that will assist in the skilling of our nation is a good thing, but I might just make a few broad observations. I note what the Minister for Education, Ms Gillard, said in her second reading speech. Indeed, I have listened enough to my Labor colleagues haranguing the former coalition government for presiding over skills shortages and not doing enough, allegedly, to solve the problem. I have been in the Senate long enough to know there are two sorts of problems: there are good problems and there are bad problems. A bad problem was when the last Labor government had not enough work and too many people looking for jobs. We had a million unemployed. That is a bad problem. The problem we have today in this country is too much work for not enough people. We have a current skills crisis. That is a good problem. What do working families need most of all? They need work, and at least during the coalition government there were record levels of employment—higher than there had ever been in this nation. Under the previous Labor government, of course, more than one million people were unemployed. There were working families without any work.

There is a double irony in the current rhetoric of Ms Gillard and the Labor government. It is not just that during their last stint in government they did not seem to be too interested in jobs but, rather, they were not too interested in skills either. When La-
bor were last in government, between 1983 and 1996, they spoke a lot about higher education and promoted the idea that many more Australians should go to university—and I agree with them. I would be the last person to say that is not a good idea. I probably spent too much time there myself. However, it is also extremely important that Australians who, for all sorts of reasons, might not wish to go to university can pick up a trade and technical education. I think one of the great failings of the Hawke-Keating years was the disservice to those seeking a technical education and a trade. The previous Labor government did not do enough.

However, under the Howard government much was done. Under the Labor Party, men and women who today are in their late 20s or indeed 30s, who should have been undertaking apprenticeships or studying at TAFE in the late eighties or early nineties, often did not because of the Labor Party’s seeming denigration of a trade career. What happened was that there was a major gap in our skilled workforce, and these people are Labor’s lost generation of tradesmen and tradeswomen.

By contrast, the coalition government increased the number of apprentices in training by more than 2½ times, from over 154,000 in March 1996 to over 414,000 in March 2007. This was backed by an increase in investment in vocational and technical education from $1.1 billion to $2.9 billion—an 87 per cent increase in funding in real terms. That is an enormous increase in real funding. There are now more than 160,000 people aged 25 and older undertaking apprenticeships. There are now more mature age apprentices than the total number of apprentices when Labor left office.

I make this point: while it is okay for Ms Gillard and the Labor government to talk about the fact that there is a skills shortage in this country, when Labor were last in office they did not do enough, and it took the coalition government 11½ years to pick that up. It is all very well to talk about universities—and that is great; it is important that Australians be encouraged—but we now know there was not enough emphasis on technical and further education, and that is a glaring hole in the legacy of the Hawke and Keating years.

Senator McLucas interjecting—

Senator MASON—I do welcome Ms Gillard and Labor as recent converts to the cause of training and apprenticeships. I only wish that the key aspect of their training policy was not such a mess, as we now know it is from the estimates hearings. I heard Senator McLucas’s injection—let me just have a look at what Labor is proposing for technical and further education. The headline policy is federal Labor’s $2.5 billion Trades Training Centres in Schools Plan. This is what the ALP says on the website:

Federal Labor’s Trades Training Centres in Schools Plan would provide between $500,000 and $1.5 million to secondary schools to build or upgrade trade workshops, Information, Communications and Technology labs and other facilities such as:

- Metal or woodwork workshops;
- Commercial kitchens;
- Hairdressing facilities;
- Automotive workshop;
- Plumbing workshop;
- Graphic Design laboratories;
- Computer Laboratoires; and
- The technical facilities.

The program will also fund the purchase or replacement of a range of equipment such as:

- Safety equipment;
- Soldering and Welding equipment;
- Ovens;
- Wood and Metal turning lathes;
Grinders; and
Drills.

As the policy says, this is to happen at every one of 2,650 secondary schools for the one million students in years 9 to 12. That is what this policy relates to.

At what sort of standard? According to www.kevin07.com.au, Labor’s policy will mean that the infrastructure and equipment being used in schools is of the same standard as that being used by industry. Kids who want to pursue a trade at school are being told that on average less than $1 million will go to each school and that they will have an industry standard of training in all these areas in each school—metal or woodwork workshops, commercial kitchens, hairdressing facilities, automotive workshops, plumbing workshops and so on. There is no way that industry standard training facilities can be made available in 2,650 schools in this country. That is an impossibility—not for a million dollars.

You might say, as I would say: why don’t we consolidate some of this training and perhaps have specialist high schools, for example, in plumbing? You could consolidate the training in certain areas. You could do that.

Senator McLucas—Is that a policy?

Senator MASON—You might consolidate automotive workshops in one particular high school and have a cluster of four high schools. That is possible. Senator McLucas is right. But the problem then becomes: suppose I am at a school and I want to study, let us say, automotive workshops, but it is not offered at my school and I have to go to a different school. That is fine. You might say that kids in years 9, 10, 11 and 12 might have to change schools. But why not then have a specialist place where students can go, where the teachers are qualified, and where all the technical and further education is under one roof? You would think that was a good policy, wouldn’t you? Yes, and they are called Australian technical colleges, and that was the coalition’s policy, and that was done.

What the Labor government has done is very clever. The estimates process that we have just gone through was a fiasco. The government and the poor public servants having to defend the government had no idea how each school, for under $1 million, is going to be able to put forward this marvellous technical and further education program. Obviously a lot of work has to be done, and certainly the opposition will be looking very closely at what happens.

There is a teacher shortage in this country. There is a shortage of people qualified to teach woodwork, metalwork, automotive mechanics and plumbing, and so forth. Yet we are told that somehow, magically, all of these people are going to turn up—I do not know from where. The opposition does support this bill and the centrepiece of Labor’s technical and further education program will be watched very closely by the opposition. Let us just see if it works. I am very sceptical whether this new program will work, whether there is enough money and enough teachers to make it work. Certainly the opposition will be watching.

Senator GEORGE CAMPBELL (New South Wales) (12.20 pm)—As has been stated, the Rudd government is committed to increasing skills in this country. Throughout the election campaign and long before that, the Labor Party made skills and training one of its main priority areas. We know that Australia is in the midst of a skills shortage. Skills and training have been a major topic of debate in this place and in the media and community for many years. In fact, when I looked at the news service this morning I found an article there by Colin Brinsden, economics correspondent for AAP Canberra. The article is illuminating. It says:
CONTRARY to what the former coalition government led people to believe, WorkChoices and employment laws are the second largest hindrance to expansion, a major survey shows.

The survey by global business consultant Grant Thornton found that shortages of skilled workers remained the biggest problem affecting the expansion of Australian businesses.

The survey of 250 medium-sized to large Australian companies showed that regulation and red tape scored 32 per cent as a hindrance in expanding their business, up from 27 per cent in a similar 2007 survey.

This included 27 per cent saying employment laws have had the biggest regulatory impact on their ability to expand their business, followed by environmental regulation at 17 per cent and health and safety laws at 10 per cent.

The former Howard government promoted its controversial Work Choices laws as providing greater flexibility for business.

“Governments need to work more closely with business, and those organisations which understand the privately-owned business sector, to identify their future needs and aim to address the regulatory issues ahead of the need, rather than constantly playing ‘catch-up’,” Tony Markwell, national head of private business services at Grant Thornton said.

Still, regulation fell well behind the impact of skilled shortages as a constraint to growing a business at 58 per cent, which is almost identical to the 59 per cent recorded last year.

The report is part of a wider global study of 7,400 business owners across 34 countries which found an average of 37 per cent of businesses being impacted by skilled worker shortages, up from 34 per cent last year.

Businesses in Thailand were most affected by skills shortages, at 68 per cent, while the Philippines equalled Australia as the country second most constrained by skills shortages at 58 per cent.

This is the legacy that those on the other side have left this country and this economy. This is why the Reserve Bank is warning that this matter needs to be dealt with urgently. How did the opposition treat the issue of skills shortages when it was in power? When those on the other side sat on this side of the chamber, what did they do? We had an inquiry by the Senate Standing Committee on Education, Employment and Workplace Relations back in 2002. There was a virtually unanimous report with 52 recommendations on how to address the issue of identifying skills shortages—which is what this bill is about setting up—how to measure where the needs would be into the future and there were a series of proposals on how to address the training needs in those areas in order to deliver the skilled workers. What did the former government do? It virtually ignored the report. The minister could not even be bothered to respond to the recommendations. I think it took him something like nine months to actually respond to the recommendations. The government was not interested.

If you look at the history of how the Liberal-National Party government dealt with the issue of skills shortages, it was always about short-term fixes that looked good in the public eye. They were political fixes. They were never fixes that were meant to be enduring and to provide long-term solutions, which is what this bill is about setting up. It will create a body that will start to address from the ground up where the skills shortages are in our economy. It will address how those skills shortages can best be dealt with by meeting them in the longer term and ensuring that we never get caught in a set of circumstances like this again. We found in that inquiry back in 2002 that there are many examples of good systems that have been established around this country to provide skilled workers. One of them is in Brisbane, in Queensland—

Senator Mason—Hear, hear.
Senator GEORGE CAMPBELL—where Senator Mason comes from—

Senator McLucas—Me too!

Senator GEORGE CAMPBELL—and Senator McLucas. In fact, it was in the seat of the minister at the time, Mr Hardgrave. Mr Hardgrave never even visited the place and here is a facility that is training 3,000 building apprentices every year. Mr Hardgrave was so busy he could not walk down the street to see where the practical examples were. What is happening there? It is a training facility which is funded by the Queensland government, by Queensland TAFE and by the building industry themselves. It is training plumbers, riggers and even boat builders for the Gold Coast. It is training carpenters, tilers and bricklayers—it is doing the lot.

Senator Mason—Why don’t you build more, George?

Senator GEORGE CAMPBELL—It is built by the industry.

Senator Mason—You didn’t.

Senator GEORGE CAMPBELL—What did you do? Your response, Senator Mason, when you were in government—

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Order! You will respond to Senator Mason through the chair, Senator Campbell.

Senator GEORGE CAMPBELL—Through the chair, Senator Mason well knows what his mob did when they were in government. How did they set about to address the issue? They established 25 technical colleges. I think to this point there have been something like 10 apprentices who have gone through them.

Senator Sterle—That many?

Senator GEORGE CAMPBELL—that was the last figure I saw, it could be less, I do not know Senator Sterle. That was their response when in fact there were examples there. In combination with ignoring practical examples of good training facilities in place, what did you also do as a government? You cut TAFE funding. You cut $240 million out of the TAFE budget. You reduced the capacity of the states to actually deliver the trade training programs that were capable of meeting the skills shortages. That was your response as a government—to cut the education funding. A lot of it had nothing to do with the fact that there were not the resources to provide to the states. It had nothing to do with whether TAFE had the capacity to actually deliver the training—everyone knew it had. A lot of it was predicated on forcing the TAFEs in the states to adopt your work practices legislation, your Work Choices, to force them to put the trainers onto AWAs.

I have to say, from the point of view of people on this side of the chamber, that the best piece of legislation you ever introduced, Senator Mason, was Work Choices because that is why you are sitting over there. You were wedded to an ideological position and not a practical position in dealing with the realities of industrial relations.

Senator Mason—You copied 98 per cent of our ideology, George.

The ACTING DEPUTY PRESIDENT—Order, senators! I am asking you to come to order. Senator Campbell will direct his remarks through the chair and other senators will listen to the speaker in relative silence.

Senator GEORGE CAMPBELL—I am trying very hard to direct my remarks through the chair, Mr Acting Deputy President, but the constant interjections from the other side are too good to ignore. The reality is we have a crisis and that crisis is well identified. We know why the crisis is there. It is because of the lack of attention the former government gave to building a training envi-
environment that would provide long-term solutions to the training needs of this country. It is not as if it crept up on us. It has been known about for quite some time. They were belated converts to the issue and, because it had become acute, they tried to address it with quick fixes.

My understanding of the Skills Australia Bill 2008 is that it is about establishing Skills Australia, a body that will put in place the building blocks and the infrastructure to address the skills needs of the nation in the longer term. It will also ensure that we are forward looking in terms of the policies and the framework we put in place to provide the skills that will be required to meet the needs of the Australian economy into the future, and not be confronted again with a set of circumstances where we cannot provide those skills out of our own environment. In fact, many thousands of young Australians have been running around on the dole begging for the opportunity to get a trade and get into the workforce to set up a long-term career for themselves so that they can provide security for their future family lives. None of that has been available.

Some innovative training mechanisms were put in place; for example, I know of the Hunter Valley Training Company, which provides group training in the Hunter Valley. It is based at the old railway workshops in Midland. They had a scheme going with the local high schools under which they would bring in year 9 and year 10 students who were in danger of dropping out of school to teach them basic skills like how to use a hammer. It might seem that there is no technique to hitting a nail into a piece of wood, but let me tell you that when you have hit your thumb a few times you find out that there are some good techniques for hammering a nail into a bit of wood. I learned very early on in my apprenticeship that those techniques were very useful. They also taught them other basic skills such as how to use an oxyacetylene cutter and how to use a welder. Why did they do it? It was not because they were going to train these kids for five years. They did it to convince the kids that they should go back and complete year 10 because they needed mathematics at that level to provide the grounding for getting into a trade. Many of the young kids who were picked up in that environment are now serving apprenticeships around the Hunter Valley.

Those are the sorts of basic things that are being done all around the country by training companies and industry groups. Some of the schemes are being run by industry. In Cockburn Sound, for example, the aluminium shipbuilders there are running a school based apprenticeship system in conjunction with the local secondary schools—a FETS scheme—for bringing apprentices into the aluminium shipbuilding industry to help meet the skills needs of the industry in that state. Alcoa runs a similar scheme which again is with the local secondary colleges in the area in which they are located—I think it is in Rockingham or in that area, but Senator Sterle can correct me if I am wrong.

So there were real examples in place all around the country showing what needed to be done to provide a skills base. Most of it was simply ignored for quick fixes. People were more ready to deskill, to semiskill and to break down the skills, particularly in the building industry in Western Australia, in order to meet the shortages in the short term rather than looking at how to build skills that would last into the longer term and would provide workers with a skills base that gave them flexibility in the labour market. That is one of the ways in which you can address skills shortages.

Then we had the debacle of the 457 visas. That finished up as a mess and a fiasco in
terms of its use in dealing with skills shortages. In reality, it was used by many employers around this country to exploit foreign workers. That is essentially what the program has done, in the main, since its inception.

I believe that the Rudd government is committed to addressing the issue of skills shortages over the longer term. This bill is the first step in building an infrastructure that will meet training needs, not just in the immediate sense but it will enable us to identify what new skills will be required by our economy in the longer term. I believe that that is the correct way to approach the issue of skills development in this country or in any other country. I look forward to watching with interest how the Skills Australia proposal evolves and the types of infrastructure that will grow out of this process. I also look forward to seeing many thousands of young Australians, both male and female, coming out of those centres with a diverse range of skills making them capable of operating effectively and flexibly in the labour market.

Senator STERLE (Western Australia) (12.37 pm)—It is always very, very hard to follow Senator George Campbell, in whom we find a man who has committed many years of his life to the improvement of skills and training around tradesmen. I commend you, Senator Campbell.

I rise to speak in support of the Skills Australia Bill 2008. This bill will put in place a system which will support the needs of Australia and Australians in developing and maintaining an effective skills training system and by providing a response to the national skills shortage. This bill will ensure not only that adequate systems and support are provided to the people in the industry but also that there is appropriate investment in skills and training in Australia. We have seen over past years the neglect that vocational education received under the former Howard government; a government so out of touch that its eleventh hour response to the skills shortage which they created was a half-baked idea to fund Australian Technical Colleges, referred to as ATCs.

The ATCs were nothing other than the poor cousin of the already established and proven TAFE system, which was a system that had been pillaged during the Howard years by none other than the now dynamic leadership duo of the federal opposition—the member for Bradfield, Dr Brendan Nelson, and the member for Curtin, Ms Julie Bishop—who I may remind senators opposite were former ministers for education, science and training in the previous government. Obviously the rot had set in a long, long time ago.

If the last-minute announcements to fund Australian Technical Colleges had been invested in the TAFE system, they would by now have significantly addressed the skills shortage. Even in the final moments of the Howard era the ATCs were neither fully operational nor funded appropriately. The ATCs in 2006-07 did not create one additional training place or apprenticeship. The ATC bills introduced by the former government did not increase the overall percentage of federal money spent on vocational education and training. The Howard government botched its one and only policy response to the skills problem.

Of the 21 ATCs, only three were to be government run; the others were to be gifts to industry by the Howard government in an attempt to keep the companies silent on the neglect they oversaw in skills training and development. The Australian government was funding the establishment but not the operation of these ATCs. We saw the complete duplication of the states’ TAFE system.
and they were then handed to private corporations.

The Rudd Labor government, in 2007 as part of our plan to address the skills shortage, committed to delivering trades training centres to each of Australia’s 2,650 secondary schools. We have committed funding for this into the years ahead. It will be delivered because we are a government committed to honouring our undertakings to Australian people—unlike those who preceded us, who categorised their promises into those which were core and those which were non-core. We believe in the promises we give and we will deliver on them.

These trades training centres, in partnership with the states, will have a major impact in reducing skills shortages across Australia by building stronger partnerships between local industry and local education providers. A core aim must be to make sure that these training centres are relevant to the local context so that students have the sorts of skills and training that local employers are looking for. This is one way to ensure the long-term viability and success of trades training centres and is part of the Rudd Labor government’s plan for skills and training in Australia and ensures we invest in our future.

Public investment in post-secondary education under the Howard government fell by eight per cent between 1996 and 2008. In the same period, the average public investment in post-secondary education for the rest of the developed world had risen by 38 per cent. Why were we in Australia spending less and less? Why was this issue not given priority in the Howard cabinet room? I do not know. Maybe honourable senators opposite will be able to enlighten us because they were in the party room, not me.

Skills Australia through this bill will be allocated $1 billion, of which $14.6 million will be used to implement the Rudd Labor government’s 450,000 additional training places over the next four years. It is worth noting that 20,000 of these places will be made available from April 2008 as part of our commitment to immediately addressing the skills shortage. Skills Australia will incorporate representatives from industry, unions and government at all levels, state and federal. It will ensure a targeted and effective response to the skills shortage and see that we have a plan for the future of skills and trade training in this country. This new body will formulate skills policy and help create some of the extra training places announced during the election. Skills Australia will advise on current and future demand for skills and training.

During 2007, this government took a plan to the Australian people to deal with the skills shortage. As I said earlier, Labor committed to 450,000 vocational education and training places over the next four-year period, which was a great deal more than Australia was getting from the Howard government. Of these places, no fewer than 175,000 will be provided specifically for Australians entering and re-entering the workforce from unemployment. As mentioned earlier, this government has already acted swiftly to address the skills shortage. Twenty thousand of those training places will be rolled out between 1 April and 30 June this year. Skills Australia will be fighting the inflation challenge by ensuring that we have additional training places available to get people skilled up in the areas of the economy where they are needed the most.

The Rudd Labor government’s Skilling Australia for the Future policy will develop and consolidate the skills capacity of the Australian workforce and ensure that demand for skills and training is matched. The Rudd Labor government’s plans will close the skills gap in the Australian economy in three key ways: firstly, by funding an addi-
ional 450,000 training places over the next four years; secondly, by ensuring that most of the 450,000 places lead to a higher level qualification; and, thirdly, by placing industry demand at the heart of the skills training system.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

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

Industry Policy

Senator HURLEY (South Australia) (12.45 pm)—Today, I want to respond to an article in today’s Australian Financial Review by Alan Mitchell, the economics editor. The article makes the case that Labor Party policy seems to be heading towards the development of physical industry clusters. I do not know what the minister is thinking but, as the minister has established an inquiry into innovation and other inquiries, I think that the minister has an open mind on this as well. Having had a close association with the northern suburbs of Adelaide, which have a strong manufacturing focus and indeed account for something like 70 per cent of South Australian manufacturing output, I have taken a close interest in manufacturing in particular but industry policy in general.

I would like to take issue with Mr Mitchell on a couple of aspects of his criticism of cluster development. Cluster development is not only as he describes it. He talks about Silicon Glen in Scotland being formed to try to match Silicon Valley in California in the United States and indeed refers to the multifunction polis, which was a project, now defunct, that was mooted in Adelaide some decades ago. What I have taken a close interest in is a cluster strategy which does not require that companies be physically located together and for which there is no government funding put into building real estate, as he puts it, where companies can collocate. Rather, what has been particularly successful—in pilot form—in the northern suburbs of Adelaide has been the development of a cluster strategy whereby a number of companies are identified that could be brought together to form a knowledge intensive base which could be used to improve each other’s practices, technology and knowledge and that could often jointly bid for contracts, either domestically or overseas. The synergies invoked by this kind of cluster development have the ability to greatly improve the outcomes for those industries.

I have a close interest in the manufacturing industry and today I want to talk about a success story that has resulted from a cluster strategy that was developed in the northern suburbs through the sponsorship of Playford council and the work of Mr Rodin Genoff, who was a driving force behind this innovative network. The company is Priority Engineering Services. It was founded in 1984 with just three employees. After some expansion, the company moved to the city of Playford and in 1995 they began to export their core range product of metal stamping plant equipment to the Asia-Pacific region, leading to the establishment of a Malaysian office one year later.

The company has gone from strength to strength as a result of its involvement with several other companies in the Elizabeth West Innovation Network. The culmination of that was in 2005 when it launched Australia’s first industry based robotics training centre, which was developed as a result of a joint venture with a leading UK automotive production control system supplier. This centre enables local companies to work with state-of-the-art technology, leading to new applications in factory automation. This joint venture eventually led to the creation of the Beyond Automation consortium. This consortium includes Malaysian robotics experts,
a Malaysian financier and a global German engineering and automation firm. Between them, the partners provide know-how, capital and market position, especially in regard to access to Chinese markets.

This is the kind of thing that I would like to see happen. I am not looking to the past to the old type cluster developments. I recognise that we cannot artificially reproduce Silicon Valley type clusters. But, where we have such a strong a basis of a manufacturing industry as we do in South Australia and many small and medium enterprises that by themselves do not have the ability to take up new technology or to develop export regions, then it is entirely appropriate for governments to facilitate those companies being able to skill up their own employees and build their company knowledge and their ability to export. Indeed, I do not see where Australia can go without that kind of approach; without looking to the future for advanced manufacturing, a niche that Australia can fill. I am very proud of the way the northern suburbs of Adelaide have coped with the downturn in the manufacturing industry. I am very proud of how many small and medium enterprises have developed their own innovative technologies. Very often, they need a bit of extra assistance to cope with marketing and the dissemination of their marketing materials to fertile markets—and particularly to fertile export markets. This is where governments can come in and with a small amount of money assist companies like Priority Engineering to develop and enhance their skills.

I have only recently met with directors and staff of Priority Engineering. It is very exciting to be with them because they are very proud of their company, very proud of what they have achieved in a relatively short amount of time, and very proud of their product. Naturally, any company is happy to have a government subsidy, but they are proud to be using it in a very effective way to enable South Australia to continue to be a strong player in manufacturing industries. We all recognise that where there is cheaper labour and fewer rules and regulations, including environmental regulations, then we will not be able to compete in a number of areas of cheap, mass-manufactured goods, but we can still turn our innovation and ability into something that will continue to drive strong manufacturing exports.

In South Australia employment in the manufacturing sector is continuing to fall. I am not a believer in artificially propping up that industry. Subsidies such as tariffs and the multifunction polis type of strategy are strategies of the past and I do not want to revisit them. But that does not mean we should abandon an entire industry and that we should walk away from manufacturing. We have to look at innovative ways to address some support for industry without providing artificial supports such that, if they are withdrawn, the industry would collapse. I want to talk later in a little more detail, if I get the opportunity, about Mitsubishi, because in South Australia in some senses the manufacturing industry—the motor industry and the whitegoods and appliance industries—was formed on that kind of artificial subsidy, particularly tariffs.

I do not think too many people in South Australia are great believers in that kind of subsidy, particularly having been given the example of the multifunction polis, which did not even get off the ground. The manufacturing industry is still very important to South Australia, and there are manufacturing industries that are growing—in particular, structural metal product manufacturing, with a small average annual growth rate of two per cent; fabricated metal product manufacturing, with an average annual growth rate of 2.9 per cent; and electronic equipment manu-
facturing with an average annual growth rate of 5.7 per cent.

Those are the kinds of companies that are naturally clustered around the northern suburbs of Adelaide and I see it as a logical conclusion that we use the accident of that geographical clustering to create a kind of strategic clustering. People such as Mr Rodin Genoff have the intellectual ability and also the energy and enthusiasm to drive that. Mr Genoff was employed by Playford City Council, and I should congratulate local government in the northern suburbs for encouraging and supporting that innovative work. This all happened at a time when the former federal government provided very little support in terms of sustainable regions funding or any other funding to advance the work that was being done by local government. So I certainly congratulate local government in the northern suburbs for the work that they did nevertheless in promoting the manufacturing centre. Mr Genoff is now doing a consultancy for the European Union in Denmark. He has seen similar opportunities in those European countries.

In Australia we must always run to keep up in the manufacturing sector. We cannot continue to rely on raw exports of minerals or agricultural products, even though I recognise that those industries, although they are primary industries, do generate a reasonable level of technology and services which are extremely beneficial to our country and to my state of South Australia in particular.

In conclusion, I suppose I half agree with Alan Mitchell but I disagree with his view of what constitutes clusters. He says in his final paragraph:

Perhaps like me, you can feel an official cluster coming on. In which case, just remember Silicon Glen.

That was a cluster that was developed in Scotland. I would say to Mr Mitchell, who is a very respected economics editor, that the clusters we are looking at are of the future and will not require the type of heavy government subsidy which, if withdrawn, creates problems.

Again in South Australia, we had a recent example of that, when a Liberal state government encouraged a number of companies to come in, with significant subsidies in terms of providing real estate and buildings and all kinds of rent relief and free land and so on. When that continuing subsidy was pulled back, initially by the Olsen Liberal government, those companies lost their commitment to South Australia. Many of us—I was in the South Australian parliament at the time—learnt a very hard lesson then: that artificial subsidies are not the way to go and that we must work with industries which are embedded in the area or embedded in the state and which are keen to proceed. To me, the strategic cluster theory seems to be the way to go, and I look forward to the development of a pilot project in the northern suburbs, as was announced during the election campaign by the Rudd team.

Hon. Sir Charles Walter Michael Court AK, KCMG, OBE

Senator JOHNSTON (Western Australia) (12.59 pm)—When I first rose to speak in this place to deliver my maiden speech as a freshman senator in 2002, I had occasion to thank the many people who had contributed to my elevation to the Senate. Among those mentioned was a household name who I first met as a university student and who influenced and inspired me to perhaps, one day, also assume public office. This larger-than-life figure of Western Australian politics made his name as the proud father, promoter, and facilitator of the North West Shelf gas project. His efforts as a minister in the Brand Liberal government in the early seventies saw Western Australia start to develop as the
resource powerhouse it is today. Indeed, it would seem these days in Western Australia that the ‘sheep’s back’ is powered by LNG, coal, oil, gold and iron ore.

It will come as no surprise to senators to hear that I am talking about the late Sir Charles Court: the wonderful gentleman, soldier and Western Australian statesman of high integrity and international renown who died in Western Australia on 22 December 2007. It is my privilege to cement into the public record my personal gratitude, the gratitude of Western Australians, and the gratitude of the nation to Sir Charles for his vision and determination over a lifetime of public service.

The Court family emigrated from England to Perth in Western Australia in 1912, six months after Sir Charles was born. As a boy, Charles was known to ring a bell in the street to advertise meetings for a Labor member of the Western Australian parliament. With Sir Charles’s father being a plumber and an ardent trade unionist, no doubt his early political activity was, like that of many young Australians, a reflection of his parents’ views. However, by 1933 the young Charles Court had qualified as a chartered accountant and had set up his own accounting firm during the height of the Great Depression. He was the first from his family to enter a non-trade profession. Success followed, and in 1938 he became the founding partner of a very esteemed Western Australian firm, Hendry, Rae and Court—later to become known as Grant Thornton and Associates.

Through his own endeavours owning a small, then larger, accounting practice, there is little doubt that Sir Charles came to understand and appreciate the importance of small business to our economy. Then, like now, Liberals believe that small business is essential to the economic health of our nation. It is the powerhouse that provides the jobs, products and services we so desperately need in each of our communities.

While qualifying to become an accountant, Sir Charles also managed to succeed in becoming the ‘Champion of Champions’ as a cornet soloist in an Australian brass band competition, which I believe was held in Adelaide. He was 18 years of age at the time. Music would prove to be an abiding passion in Sir Charles’s life, and I recall fondly his 95th birthday party—the Liberal Party held a sizeable bash—where he took the baton and conducted a Perth brass band who had come to perform for the occasion. It was a wonderful sight. No-one who watched the ensuing performance was under any doubt that once again Sir Charles was calling the shots from the podium. That was the culmination of his music passion at 95 years of age. He chided us that we had held celebrations for him on his 80th and 90th birthdays, but we lacked the confidence to wait until he turned 100!

Like all young Australians between World War I and World War II, Sir Charles completed his national service training. He volunteered with the 44th Battalion, only to be seconded to the band due to his strong background as a musician, band trainer and conductor. Frustrated by his secondment and restrictions on ‘manpower release’ in Western Australia, Sir Charles was determined to serve in a fighting capacity by hook or by crook. Showing much of his now legendary courage and determination, he enlisted with the Royal Australian Army Service Corps as a private and rose rapidly through the ranks to sergeant, before receiving a commission as lieutenant, and then as temporary captain. It is well known that throughout this period he went to great lengths to avoid service in the band, which sought him out for his considerable skill.

After receiving his commission, he seized the opportunity to transfer as a lieutenant to
1 Australian Armoured Division at Puckapunyal, Australia’s first fully mechanised unit. No. 1 Armoured was under the direction of the influential and controversial military commander Sir Horace Robertson, then Major General Robertson—known in his day as ‘Red Robbie’. Major General Robertson was well known to ruffle a few feathers to get the job done—always to the benefit of the men under his command. Perhaps a young Lieutenant Court learnt a few tricks from this well-respected leader of men. Indeed, Lieutenant Court was soon promoted to captain, and adjutant of the division’s ASC Support Group, before successfully attending the junior wing of Staff College at Duntroon. He fulfilled a number of other divisional roles on his return to the unit until 1 Armoured was disbanded in September 1943 and its personnel reassigned.

Sir Charles was posted to the Northern Territory where, serving under Major General AS ‘Tubby’ Allen, he conducted a special military appreciation of the Northern Territory as a staging base for operations directly against the Japanese. Already a temporary major by this time, he went on to attend the senior wing of Staff College at Duntroon. He fulfilled a number of other divisional roles on his return to the unit until 1 Armoured was disbanded in September 1943 and its personnel reassigned.

Following the war, Sir Charles once again took up with his accountancy firm until he was elected as member for Nedlands in the Western Australian Legislative Assembly in 1953. He went on to hold a ministerial appointment in the Brand government—Minister for Industrial Development and the North West—before becoming Leader of the Opposition in 1972. Opposition was never to be Sir Charles’s destiny, however, and in 1974 he achieved that rarest of political feats: defeating a government after just one term in office. Sir Charles then led Western Australia as its 21st Premier for eight years before pulling off that other rare feat in politics: leaving the mantle of political leadership at the time of one’s own choosing.

But before I get too ahead of what I want to say about Sir Charles, it is worth filling in the details of this political career for which Sir Charles is most well known. Starting in the Brand government as Minister for Industrial Development and the North West, the newly appointed minister forged ahead with ambitious plans for developing the Pilbara region of Western Australia. Drawing upon his knowledge of Northern Australia from his time in the Army, his 18-hour days became the stuff of political legend in Western Australia. Not only did he champion the Pilbara, but he personally devised the agreements needed to facilitate exploration up there for oil and gas as there was no precedent. These agreements became known as ‘take-or-pay’ contracts. And may I say that in terms of domestic gas into Perth, down our Dampier to Bunbury pipeline, the take-or-pay contract is still today the foundation stone of the provision of gas for our vital domestic and commercial consumption.

With vision far beyond the time, he insisted on any agreement including the requirement for exploration companies to build vital infrastructure in local communities in the Pilbara, in the north-west. Sir Charles’s vision for developing Western Australia was a passion that he pursued throughout his parliamentary and, indeed, all his public life. I note that in his maiden speech to the Western Australian Legislative Assembly he was unapologetic about focusing on the big issues of the day facing that great state, rather than
the day-to-day issues within his electorate of Nedlands.

After the Brand government’s defeat in 1971, Sir Charles started to rebuild the opposition as leader, being anointed by his Liberal colleagues as Brand’s natural successor. Their faith in his abilities was not misplaced, and in 1974 the Tonkin government was defeated and Sir Charles’s bold agenda continued in great earnest. The next eight years saw Western Australia grow its resource sector, but with one eye to the development of the state for the people who lived there. During this time, Murdoch University was established. His Majesty’s Theatre was extensively renovated and restored, the Western Australian government bought the Entertainment Centre and opened the Art Gallery of WA. It is fair to say education and the arts flourished during this time of prosperity, a worthy model for the current Western Australian government to follow in this even more prosperous boom cycle.

Sir Charles’s active role in Western Australia did not cease when he retired from politics in 1982 at the age of 70. Well into his 90s, Sir Charles was the patron or life member of some 36 community organisations, including the Kalgoorlie Mining Hall of Fame. ‘Not bad for someone who is 93!’ I once heard him quip to a young staffer.

The contribution Sir Charles made to public life was well recognised and he stands as one of the most decorated figures in Western Australian civic history. His awards included being made an Officer in the Military Division of the Order of the British Empire in 1946 for distinguished service during World War II in the South-West Pacific; a Knight Bachelor in 1972, a Knight Commander of the Order of St Michael and St George in 1979 and a Knight of the Order of Australia in 1982. In 2001 Sir Charles was awarded the Centenary Medal for services to the community.

Insofar as the Liberal Party is concerned, he is one of only three holders of the Liberal Party’s Distinguished Service Medal, the others being Dame Pattie Menzies and Tony Eggleton. I was at the 1998 annual convention when Sir Charles made a 45-minute speech dealing with his life and experience, and you could have heard a pin drop.

He was of course most proud of his family, whom he adored. Sir Charles married Rita, his first wife, in 1936 and raised five sons—Victor, Ken, Barry, Geoffrey and Richard. All these men have had fine and very successful careers, and Richard succeeded his father as the member for Nedlands and himself became Western Australian Premier in 1993. I might also mention here that son Barry will on Sunday become the President of the Western Australia Division of the Liberal Party of Australia. Following Lady Rita’s death in 1992, Sir Charles married Lady Judith in 1996 and she has become extremely well loved and respected in her own right.

Sir Charles stands as a giant in the history of Western Australia and, indeed, of our country. Long may his legacy be noted by those who would walk in his footsteps. My great privilege is to have shared his political affiliations. He is the enduring benchmark of public service and parliamentary achievement in Western Australia and, may I say, here in Canberra. He is a truly great Western Australian.

Health Services

Senator ALLISON (Victoria—Leader of the Australian Democrats) (1.11 pm)—I rise to speak about the necessity for health reforms in this country. We all know that the Rudd Labor government and its successors will face major challenges in the funding and delivery of health care in the coming years.
and well into the future. Health is an enormously complex area and the issues that face the system are enormously varied, as indeed are the strategies needed to reform them. The government’s promised National Health and Hospital Reform Commission is a welcome and long overdue response to the many calls for fundamental reform of our health system. This reform is urgently needed if we are to meet the needs of a progressively ageing population and the concomitant increasing burden of chronic disease. But a commission will be of very limited use if it focuses too narrowly on issues such as waiting times for elective surgery, which is what the government has done so far.

It is true that waiting times are easily talked about, but the way that they are constructed and managed is very complex and they are not good measures of health outcomes in any case. Elective surgery waiting lists are affected by many, many factors. They are easily manipulated and they are tied into the health system’s bias towards procedural medicine. We do need to reduce the number of people who are waiting longer than is clinically appropriate for surgery—there is no question about that. But simply increasing the number of people who undergo surgical procedures will make very little long-term difference to the quality of the health system and its capacity to provide equitable health care. As the Australian Healthcare and Hospitals Association has pointed out, if the funding goes to achieving simplistic targets for increasing activities then we may see more straightforward operations done at the expense of the more complex and difficult operations. And of course there is the problem of finding staff to perform the necessary surgery and care for the patients, given the chronic medical workforce shortages that hospitals are already facing. These workforce shortages are across the public and private sectors, limiting the ability of private hospitals to help prune waiting lists. Buying services from private hospitals, if it is not managed carefully, also risks increasing health costs to individuals, to the government and across the board.

It is true that we need to transform the relationship between the public and private health sectors. The Democrats have been arguing for a long time that direct government funding of private hospital operators would be a much more efficient mechanism than the current expensive, inequitable and inefficient private health insurance rebate. It is disappointing that the new government has ruled out a review of the private health insurance rebate. The appointment of the chief medical officer of a private health fund as chair of the national health and hospital reform commission also rings alarm bells with us. We have long opposed the private health insurance rebate but we do acknowledge that it is now entrenched and just getting rid of the rebate without putting other measures in place is not a realistic option. Purchasing services from private hospitals to reduce the elective surgery waiting times does, however, present an opportunity to start down the road of direct government funding to the private sector.

But it is vital that the model used does not exacerbate the existing problems in our health system. Without an increase in the medical workforce, simply directing patients to the private sector will increase caseloads and drive up the fees that those working in private hospitals will charge—leaving patients with even higher out-of-pocket expenses or leaving the government to pick up the tab at an ever increasing cost to the public purse. In 1996-97 the average patient out-of-pocket cost associated with specialist consultations was $16.88. By 2006-07 that had risen to $37.18. Out-of-pocket costs for obstetricians rose from $11.64 to $69.65 across the same time span. If doctors in private sec-
tors can charge even higher fees, this in turn could exacerbate the exodus of staff from public hospitals, meaning more pressure on waiting lists in public hospitals rather than less.

The best solution is for specialists’ fees to be covered within the agreement between the government and the hospital operator. This would give private hospitals some power to negotiate and manage the billing practices of doctors—something that will save patients and the government money. Chest beating and threatening to take over public hospitals ignores the problems that exist within the private sector. Private hospitals now account for almost 40 per cent of all hospital separations and will no doubt remain strong providers of services into the future, but it is obvious that private health insurance funds are an inefficient way of funding health care and they hugely distort the way resources are spread across the health system. The private health insurance rebate is very expensive, it is inflationary and inefficient, and ultimately it is unsustainable. But for as long as the government subsidises the private health insurance industry through this rebate, it must regulate for greater efficiency, access and quality of care in the private sector.

There are many other areas within health that also need to be tackled. The new health minister has spoken favourably of hospital report cards, but there has been a deafening silence around the issue of national electronic health records. That is despite the fact that there is widespread agreement that electronic patient records that go with the individual would be safer and more efficient. They would cut huge amounts of duplication, save time on collecting basic information, cut down on repeating tests as people move from one doctor to another and results get lost or are not shared in a timely fashion, and they would improve medication adherence. A national system of shared electronic health records that protects patient privacy would not only support better clinical decision making and avoid waste in equipment, supplies and resources but also cut down on medical errors.

The needs of Australia’s health workforce also can no longer be ignored. The government’s election promise of more nurses for hospitals is welcome, but, as we know, it is not enough to build a workforce for the 21st century. By current estimates, Australia will be short 800 to 1,300 general practitioners by 2013. The Department of Immigration and Citizenship figures obtained by the Australian newspaper show there are currently 4,500 overseas trained doctors working in Australia on temporary visas and rural health services are increasingly dependent on these doctors. From 1995-96 to 2003-04 there was an 80 per cent increase in overseas trained GPs in rural and regional areas. We will need at least 470 extra registered nurses a year by 2010 and 1,500 dental health providers, mostly dentists, by 2010. There is already a nationwide shortage of about 2,000 midwives and figures from 2003 suggest that a quarter of Australia’s obstetricians were aged 60 or more.

This is obviously not sustainable. We are heading for a very serious problem in the health sector. We need national leadership prepared to take on vested professional interests that are more concerned with protecting their turf than working collaboratively to provide the best patient care. We need to reform our health workforce structures to remove the demarcations and the restrictive workforce barriers which stop current healthcare workers from expanding their roles and stop the creation of new types of workers. Updating the Medicare benefits schedule and the PBS arrangements to allow more professionals access to test ordering and prescribing authority as well as increasing the range of items which do not have to
be provided by doctors is long overdue. And we need to make good on the COAG promises for national registration schemes for health professionals. These would go a long way to ensuring national standards, reducing red tape and making it easier for health professionals to work across state boundaries. These are some of the many reforms that need to be considered by the new government. I am very pleased to see Senator McLucas here; I am sure she has lots of influence over our health minister and that these issues will be taken up in the not-too-distant future by the government.

Economy

Senator FIFIELD (Victoria) (1.21 pm)—If you watch good leaders, you will soon notice a common trait among them is their ability to stay positive and to motivate their teams. A motivated team in a positive frame of mind performs better because it expects to succeed and works to turn those expectations into reality. Likewise, a leader who is negative, downtrodden and pessimistic about their team's prospects will impact negatively on performance. It is the same with a Treasurer and an economy. Unfortunately, we have a Treasurer who is negative, we have a Treasurer who lacks the skill set to hold that office. Treasurer Swan is intent on constantly talking down the Australian economy. The most egregious example is Mr Swan's conduct on the issue of inflation. Any economist, or indeed any first-year economics student, will tell you that inflation is driven by expectations. This is because inflation expectations are in a sense self-fulfilling. If consumers think inflation will rise, they will more readily pay higher prices for goods and services. If businesses think inflation is rising, they will act by lifting their prices to cover anticipated extra 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 Mr Swan's comment that 'the inflation genie is out of the bottle' was so reckless and so irresponsible. Mr Swan and Mr Rudd say they want to fight a war on inflation, but their approach is akin to donating ammunition to the enemy. The Reserve Bank of Australia's latest quarterly Statement on monetary policy confirms the danger: A further risk is the possibility that inflation expectations could rise, which would make the reduction in inflation more difficult to achieve.

It is not only inflation expectations that are on the increase, thanks to Mr Swan, but the margin between the official cash rate and the mortgage rates of the domestic banks.

The big banks aced Wayne Swan while he was still warming up in the locker room. Wayne Swan's lame response to the first flurry of domestic bank rate rises earlier this year demonstrates a lack of mastery of the Treasury portfolio for which Australians with mortgages are paying and will continue to pay. Mr Swan failed his first test as Treasurer. The major banks had long wanted to widen the margin between the official cash rate set by the Reserve Bank and their own mortgage rates. The American subprime crisis which started some eight months ago was the latest pretext. The banks had only been held in check by the fear of former Treasurer Costello's response. ANZ chief economist Saul Eslake confirmed this earlier in the year when he admitted the reason the banks have not put up their mortgage rates earlier was because of Costello's jawboning. A new untested Treasurer arrives and the rates go up. With margins increased, Australians with mortgages will always be paying more than they should thanks to Mr Swan. The banks won the opening set with Mr Swan 6-0.
Bank behaviour is actually pretty straightforward. The banks will price their products at a level the market will bear and at a level they can sustain politically. An effective Treasurer needs to be respected and feared in equal measure by corporate Australia, particularly the domestic banks. Mr Keating was, Mr Costello was; Mr Swan is not. The banks do not fear Wayne Swan. And why would they? In the weeks following the election Mr Swan was silent on the possibility of mortgage rate rises and then actually defended the National Australia Bank rate rise. Before he would venture out to comment on the ANZ’s rise, he dragged the Reserve Bank and Treasury to Brisbane for a day of confidence-building tutorials and greetings. When he finally emerged to say something, it was too little, too late. The horse had bolted.

The fact is the domestic banks were confident they had Wayne Swan’s measure. They knew he was soft, lacked confidence and craved their approval. But it is not the Treasurer’s job to defend the pricing decisions of banks. It is the Treasurer’s job to challenge the banks to justify their decisions. It is his job to cause the banks pause for thought. Perhaps a timely reminder by Mr Swan to the banks as to why we have the four pillars policy would have been enough, but that may have required yet another round of regulatory briefings from officials.

Treasurers have many formal powers, but often their greatest power is the force of their personality and, sometimes, the bully pulpit. An example of this persuasive power occurred several years ago when one of the big four banks decided to retrospectively devalue its expensive and unsustainable credit card loyalty program. This decision, which was met by justified customer outrage, was promptly condemned by then Treasurer Costello and referred by him to the ACCC for investigation. The bank concerned then immediately reversed its decision, reinstating all loyalty points. The decision was reversed not because of fear of action from the ACCC, nor because it feared potential legal action, but because of the massive reputational damage an irate Treasurer can inflict.

Contrast this with Wayne Swan, who gave the green light to the banks to increase their rates separate from an RBA decision, and then gave the green light to the banks to increase rates above RBA movements. Labor have clearly failed to honour their election undertaking to tackle prices, whether it be groceries, petrol or mortgages. Mr Swan promised to be the cop on the beat. Instead, he is shaping up as the best friend the banks have ever had. And if Wayne Swan can’t handle the domestic banks, he has no hope of defending consumer interests in other spheres like telecommunications.

What is Labor’s plan to address pressure on inflation and interest rates? Mr Rudd returned to Perth earlier this year to deliver his first headline speech as Prime Minister. In it he outlined his five-point plan to tackle inflation. We all listened with bated breath. After all, for a year prior to the election we had been waiting for Mr Rudd to outline his economic plan for Australia. None came. In government, all we have heard is a plan to hit seniors and carers and a tax reform plan copied from the former government.

So what is Mr Rudd’s grand five-point plan? Point 1 is a target budget surplus of 1.5 per cent of GDP. Well, it sounds like a terrific idea. But think back. Labor racked up $96 billion in debt when they were last in government, and after a decade of Labor state governments racking up their own debt, Labor have suddenly decided to become converts to budget surpluses. The coalition delivered 10 budget surpluses, and whilst we were busy putting those budgets in surplus, looking for savings measures, Labor were opposing us every step of the way. So I think
we can take with a very large grain of salt Labor’s new-found interest in budget surpluses.

Point 2 is boosting national savings. So far, all we have heard is about the home savings accounts and, unfortunately for Australian taxpayers, we have also heard about Labor’s plan to hoard budget surpluses without any further tax relief for Australian taxpayers. The Australian of 8 February 2008 reported that Labor plans to hoard surpluses by quarantining them with either the Reserve Bank or the Future Fund. The article states:

Wayne Swan has called an end to the Howard government policy of returning excess budget surpluses as tax cuts ... So, Australian people, hear loud and clear: no more tax cuts under a Labor government. Wayne Swan is quoted as saying:

We will be banking any upward revisions to revenue, if they occur ...

The coalition has contributed much to encouraging a national savings culture. We all agree that it is a good and positive thing. We introduced a super co-contribution scheme to encourage people to add to their superannuation, and then we enacted the most revolutionary reform to superannuation in Australian history, with the complete abolition of taxes on the end benefits drawdown from taxed super funds. These two coalition measures encouraged an enormous increase in national savings, with superannuation assets rising from around $200 billion in 1995-96 to around $1,000 billion in 2005-06. The coalition also established the Future Fund, which Labor has already promised to raid.

Point 3 is to act decisively and effectively on the skills crisis. Labor’s contribution in this area so far has been twofold. Firstly, they are under pressure from their union backers to axe the 457 skilled migration visa program. Secondly, Labor state governments closed down tech schools, increased up-front TAFE fees and pursued a homogenous, one-size-fits-all school system. In doing so, they devalued trades education, and opportunities to learn a trade were diminished. The coalition in government lifted the total number of Australian apprentices by more than 250 per cent, established 28 Australian technical colleges and promised to build another 100 if re-elected. Yet Labor, in their wisdom, will hand these tech colleges back to the same state governments that closed them in the first place, so I hold very grave fears about Australian technical colleges.

Last month I was in Dandenong at an automotive manufacturing plant with the Leader of the Opposition and the shadow minister for education, and I heard firsthand from local business leaders just how important it is for them to access skilled workers. These business leaders, including the South East Melbourne Manufacturers Alliance, which represents the manufacturing sector in the Dandenong area, warmly welcomed the coalition’s announcement last November that an Australian technical college would be built in the Dandenong area. Naturally they are extremely disappointed that under Labor this college will not be built, despite Mr Rudd’s rhetoric that he doesn’t want ‘to be Prime Minister of a country that doesn’t make things anymore.’

Point 4 is dealing with infrastructure bottlenecks—again, an area in which Labor has an appalling record. Perhaps the worst example is that of the Dalrymple Bay coal terminal in Queensland. In the course of last year there were occasions when up to 40 or 50 ships were waiting offshore to load coal for export but were forced to sit and wait, thanks to the port’s inefficiency. The coalition in government offered to take over the port from the Queensland government, but was rebuffed. In time-honoured Labor tradition, Mr Rudd’s solution is to set up another glorified committee—this one, Infrastructure...
Australia. For a bloke who likes to proclaim ‘the buck stops with me’, Mr Rudd sure likes to outsource. And what sort of infrastructure policy, and indeed what sort of encouragement to national savings, is Labor’s plan to force superannuation funds to invest in infrastructure? It must send a shiver down the spine of those near retirement to know that Labor plans to grab their money and throw it at a pet project of some sort.

Point 5 is boosting workforce participation. The coalition has an outstanding record when it comes to workforce participation. Labor’s plans to take it further remain to be seen, other than delivering on the tax cuts package that they copied from the coalition. But we do know that for there to be workforce participation, there needs to be jobs—something you do not hear Labor talking about anymore. Furthermore, Labor refuse to guarantee that their inflation-fighting plan will not lead to an increase in unemployment. A case in point: I picked up the front page of the Age on 4 March this year and read an article headed ‘PM told: you must cut growth to beat inflation’. This is what it had to say:

An economist who is set to become a key adviser to Kevin Rudd has warned that Australia will have to sacrifice economic growth to beat inflation.

That is code for ‘unemployment must rise’. So there it is: Mr Rudd’s approach to managing the economy is to cut growth and hike unemployment. They actually have the same plan to solve the skills shortage. The government say that this is the sacrifice that we have to make in order to fight inflation, but let us look at the facts. The coalition presided over 11 years of the longest economic expansion in Australia’s history. At the same time inflation, be it the headline rate or any of the underlying measures, averaged two and a half per cent over the cycle for the entire period of the coalition’s term in office. We were able to contain inflation as well as achieve record growth and record unemployment. That was the dividend of tough decisions and hard work.

The job of Treasurer of Australia is a tough one. Australians are no doubt very concerned to hear the Treasurer, when asked a basic question about issues like state government debt and the impact on inflation and interest rates, answer:

Sometimes I will have the details on hand and sometimes I will not ...

If Wayne Swan cannot quickly master his role and infuse his treasurership with some authority, he will go the way of John Kerin. John Kerin was the Labor Treasurer in 1991 whose lack of command of the portfolio saw him deliver just one budget and serve only six months. It is not that Wayne Swan is asleep at the wheel; it is that he does not know how to drive. For the sake of Australia, he had better learn damned fast or do us all a favour and hand over to the guy who really is running the Australian economy and who knows what he is doing: Dr Ken Henry. We have a government for a reason; the buck stops with them. Labor wanted the gig, so stop whingeing, stop complaining and do your job. (Time expired)

Dr Val Plumwood

Senator Bob Brown (Tasmania—Leader of the Australian Greens) (1.36 pm)—I want to celebrate the life and contribution to this nation of the great eco-philosopher and feminist, Val Plumwood. I am indebted to have with me the obituary from her friend Joan Staples, who said:

She is a giant of a thinker, who wrote the seminal book in 1973 which opened all our eyes to what was happening to Australia’s forests. I attended the same school, sent her to Kakadu where she was attacked by a croc, and fought many environmental battles with her. But she is of ENORMOUS significance to Australian intellectual thinking on the environment.
I draw from Joan’s words now. We have lost a great creative thinker, an activist and a fun musician with the sudden death of Dr Val Plumwood, who died from a massive stroke alone at her forest property, Plumwood Mountain, near Braidwood last weekend. Val Plumwood was an independent, uncompromising, original thinker. She was a founder of the international study of environmental philosophy, producing one of its major classics, *Feminism and the mastery of nature* in 1993. As both an ecofeminist and ecophilosopher, she played a key role in putting Australian scholarship in these areas onto the international stage. As a speaker and writer, she has been much in demand internationally, and her works have been translated into numerous languages, including Chinese and Turkish. In 2002, her book *Environmental culture: the ecological crisis of reason* cemented her international reputation.

Yet Val Plumwood’s scholarship was only a small part of her passion, as she put her environmental beliefs into practice with multiple campaigns to save the forests of her beloved Clyde River catchment, as well as environments much further afield throughout Australia. In 1973, as Val Routley, she and her former husband, Richard Routley, who was later Richard Sylvan, wrote the seminal environmental book on Australian forestry, *The fight for the forests*. The book was an important catalyst for the ensuing Australian environmental forestry battles of the late seventies, and into the eighties, the nineties and beyond. Attempts by forestry interests associated with the Australian National University to have the book banned at the time of its publication were indicative of the controversy often swirling around this rigorously honest writer. Val received popular notoriety when attacked by a crocodile in Kakadu National Park in 1985. Although taken in a death roll—if I recollect correctly, it was three death rolls—she managed to escape, and the story was later recreated in a film. She requested that the offending crocodile not be killed—a reflection of the philosophical analysis she was developing, which attempts to integrate the role of humans and nature.

Val Plumwood published over 100 papers and four books. One reviewer of her ecofeminist classic *Feminism and the mastery of nature* described it as ‘shaking philosophy to its foundations’. Her work drew on modern and ancient philosophy, as well as modern feminist scholarship, in revising our conceptions of human identity and interspecies relations. In her latest book, *Environmental culture: the ecological crisis of reason*, she challenged the separation between humans and nature found in the dominant traditions of the west, and argued that tackling the environmental crisis requires deep change in our dominant culture. A measure of Val’s intellectual contribution is that she features in the Routledge study *Fifty key thinkers on the environment*, edited by Joy Palmer. This volume moves chronologically through 25 centuries, beginning with the Buddha and including philosophers such as Bacon, Spinoza, and Rousseau, as well as more modern scientists such as Darwin, and Rachel Carson. Val Plumwood appears towards the end of the list as it moves into key thinkers of the modern age who have made significant contributions to international environmental thought.

At the time of her death, she was the visiting fellow at the Fenner School of Environment and Society at the Australian National University. Amongst her many international appointments, she has held visiting professorships at the University of California-Berkeley in the US, McMaster University in Ontario, Canada, the University of Lancaster in the UK and the University of Frankfurt in Germany. Val Plumwood was due to go on a lecture tour of Canada later this year and was
close to completing a new book, entitled *The eye of the crocodile*. According to her colleague Deborah Bird Rose, *The eye of the crocodile* is:

...an explanation of the philosophical implications of being prey and thus being a participant in ecological relationships that expose human vulnerability.

As a determined independent thinker, Val Plumwood was often uncompromising, but as a complex woman struggling to express her intellectual, creative, feminine energy, she represents much that is admirable in human endeavour. Her personal life held much tragedy in relation to her two children. Her relationship with them, and their loss, meant that she carried great pain known only to those who got close to her. Val Plumwood was a regular fun-loving attendee at folk festivals and never missed an opportunity to join with fellow folk music fans in making music. Her beautiful hand-built stone home, which she and Richard built at Plumwood Mountain near Braidwood, is surrounded by environmentally valuable cool temperate rainforest and includes a rare collection of all the varieties of Australian waratahs. Her relationship with that place expressed her nurturing love of nature. Her spirit will live there with her beloved wombats and lyrebirds.

I conclude by saying that in Val Plumwood, we had a magnificent Australian thinker, a great feminist and ecological philosopher of the age on the global stage. We can but celebrate her contribution to human thinking in an age of environmental crisis, when the whole of the human world has to come back to grips with the truth of the matter, which is that we depend totally on the living fabric of this planet. I personally thank Val Plumwood for the remarkable contribution she has made to world ecological thinking and to giving us a lead to that rapprochement with the natural planet which is so essential for our own survival.

Sitting suspended from 1.44 pm to 2.00 pm

QUESTIONS WITHOUT NOTICE

Pensions and Benefits

Senator BERNARDI (2.00 pm)—My question is to the Minister representing the Assistant Treasurer, Senator Conroy. Will the minister guarantee that the reinstated lump sum bonus payments for carers and pensioners will not be taxable?

Senator CONROY—I thank the senator for that. That is quite a detailed question. I appreciate the question and I am happy to take it on notice and get back to him.

Senator BERNARDI—Mr President, I ask a supplementary question. I do note the minister’s commitment to getting back to us. If he could table the answer by the end of Senate business today, or perhaps by the end of question time, that would be greatly appreciated.

Senator CONROY—we are happy, if it is possible, to give the answer in writing, but my understanding is that there is no change contemplated. If there is any further information, we will get it and, if possible, get it in writing as quickly as we can.

Economy

Senator HURLEY (2.01 pm)—My question is also to the Minister representing the Treasurer, Senator Conroy. Can the minister outline Australia’s recent productivity performance. Can the minister advise the Senate how the government intends to increase productivity to deal with the inflation challenge?

Senator CONROY—I thank the senator for her question. Productivity is the key to achieving sustained improvements in living standards. The higher our productivity levels, the faster our economy can grow without fuelling inflation and causing higher interest rates. But neglect for the long-term drivers of growth and the existence of capacity con-
The previous government lacked the foresight to invest in our future economy. They neglected education and skills and refused to lead on critical national infrastructure. This has contributed to current inflationary pressures. The coalition has always put their short-term political interests ahead of the national economy and the long-term economic interests of this country. Their short-term political gains and reckless spending were pushing even harder on the accelerator when they should have been directed towards finding a higher gear.

Either that or they were in blatant denial about the existence of the problem in the first place. The former Treasurer flat out denied that the downward trend in productivity growth actually existed. Can you believe that? He actually tried to mount the argument that it did not matter. There is no need to take my word for it; reports released by two of Australia’s leading business associations highlight the damage done to the economy by the misguided priorities of the previous government. I know it hurts some on the other side, but let me quote to you from the budget submission of the Business Council of Australia highlighting in stark terms the former government’s wasteful spending. It said:

Spending, buoyed by record revenue, has risen rapidly, but it has largely failed to be directed at meeting the needs of a capacity-constrained economy.

The recent report from the Australian Industry Group highlighted the effect of the coalition’s failure to invest in the drivers of productivity. Let me quote to you from that:

The most comprehensive measure of Australian productivity growth presents a profoundly depressing picture of sustained retreat from the sparkling performances of the 1990s.

That is from the AiG report, *How fast can Australia grow?*, released in February this year. Everyone could see that the productivity growth was in decline and needed to be addressed. The RBA could see it. The Treasury could see it. The BCA could see it. The AiG could see it. Everyone but those opposite could see that complacent denial is no way to run an economy.

The Rudd government will not make the same mistake. Improving productivity is at the heart of our economic agenda to address our long-term economic challenges and to deal with inflation. The government’s first budget will restore fiscal discipline to cut wasteful spending and create room for more critical promises. The establishment of Infrastructure Australia will prioritise and fast-track a more productive economy. Our plans to roll out an additional 450,000 skilled training places will make—(Time expired)

**DISTINGUISHED VISITORS**

*The PRESIDENT*—Order! I draw the attention of honourable senators to the presence in the chamber of a parliamentary delegation from Vietnam led by His Excellency Mr Trong, President of the National Assembly of the Socialist Republic of Vietnam. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

With the concurrence of honourable senators, I propose to invite His Excellency to take a seat on the floor of the Senate.

*Honourable senators*—Hear, hear!
QUESTIONS WITHOUT NOTICE
Indigenous Communities

Senator SCULLION (2.07 pm)—My question is to Senator Evans, the Minister representing the Prime Minister. Does the minister agree that one child sexually abused is one child too many? If so, will the minister now repudiate the comments made by Labor Senator Crossin when she said in relation to the number of children saved from sexual abuse by the coalition’s Northern Territory intervention:

... when you have only 50 ... we really need to redefine what we are trying to achieve through this intervention ...

Senator CHRIS EVANS—I thank Senator Scullion for the question, although I do not think it does him much credit.

Senator Abetz—That’s outrageous!

Senator CHRIS EVANS—I do not know of any senator in this place, Senator Abetz, including you, who supports child abuse or is not committed to fighting child abuse with every measure available to federal government. I think an attempt to score some sort of political point by trying to make some sort of allegation that Senator Crossin is not committed to the fight against child abuse, as I say, does you no credit. Senator Crossin has had a long interest not only in Indigenous affairs but in children’s services, and she has followed those interests throughout her career in the Senate.

What you do know, Senator Scullion, and what the Senate knows is that there was bipartisan support for the Northern Territory intervention. The Labor side of politics, prior to the last election, offered bipartisan support to the then Howard government immediately it came up with its plan to intervene in the Northern Territory to try and combat child abuse. We offered total bipartisan support immediately and we supported you through all the measures aimed at intervening.

Senator Crossin has been part of that Labor commitment to combat child abuse in the Northern Territory, and when we took government we continued that plan. There have been a couple of minor adjustments, but in large part the intervention has proceeded along the same lines. To come into this Senate and somehow try to take one part of one comment that the senator may or may not have made—I have not actually seen the comments that you refer to, and I would like to see them before I pass any judgement on the veracity of what you have said—I think does the opposition no credit.

What we have seen in the last few days is the Liberal opposition in the Senate take the low road. We saw it yesterday with Senator Ronaldson. He made accusations in this place that the Liberal Party were not prepared to make in the House of Representatives. That is the amount of bottle they had—they were not prepared to carry their allegations against a Labor member of the House of Representatives there. They did not have the bottle.

Senator Abetz—Mr President, I rise on a point of order. The Leader of the Government’s embarrassing discourse at the moment shows that he is unable to answer the particular allegation put to him. The point of order is clearly on relevance. The relevance is what Senator Crossin said so disgracefully yesterday. What Senator Ronaldson may have asked yesterday—which was a very good question, might I add—is completely irrelevant.

The PRESIDENT—Order! Senator Abetz, you are starting to debate the point of order. The Leader of the Government’s embarrassing discourse at the moment shows that he is unable to answer the particular allegation put to him. The point of order is clearly on relevance. The relevance is what Senator Crossin said so disgracefully yesterday. What Senator Ronaldson may have asked yesterday—which was a very good question, might I add—is completely irrelevant.

Senator CHRIS EVANS—I note the only embarrassment to this chamber is the behav-
ior of some of those Liberal senators as they become accustomed to opposition.

The PRESIDENT—I would like you to come back to the question, Senator Evans.

Senator Minchin interjecting—

Senator CHRIS EVANS—Senator Minchin, I do not know whether you have taken any interest in question time tactics, but obviously you have to take responsibility for this approach.

The PRESIDENT—Order! Senator Evans, you will answer the question and not comment on other matters.

Senator CHRIS EVANS—Thank you, Mr President. As I say, I do not think this is a very constructive road for the senator to go down. As I say, Senator Crossin has a long commitment to Indigenous people in the Northern Territory and to children in the Northern Territory and works extremely hard at promoting their interests. I think to come into the chamber and allege that somehow she is not serious about tackling child abuse does Senator Scullion no credit. I know Senator Crossin participated in the petrol sniffing inquiry and in a whole range of inquiries looking at protecting and enhancing the opportunities for Indigenous children. The Labor government has committed to a whole range of initiatives, including early intervention initiatives and preschool intervention, to provide better opportunities and protections for Indigenous children. We will continue the Northern Territory intervention. We will continue the commitment to assisting Indigenous children. We had bipartisan support; I hope this is not a sign that Senator Scullion is retreating from what we thought was a very important bipartisan measure.

Senator SCULLION—Mr President, I ask a supplementary question. I accept from the Leader of the Government that sometimes these quotes are taken out of context, and I was also surprised to read this. Perhaps I should just provide Senator Evans with the full quote. This is from Hansard:

The dramatics and the charades and the attention that was sought by the previous government in relation to child sexual abuse and child neglect, I believe, were severely overstated. I am not denying they are there, but when you have only 50 out of 6,244, we really need to redefine what we are trying to achieve through this intervention...

In light of this disturbing view within the government ranks, will the minister now guarantee the government will not in any way further water down the Northern Territory intervention and repudiate the remarks of the senator?

Senator CHRIS EVANS—I thank Senator Scullion for the supplementary question. It seems to me that the debate that was occurring was about whether or not we have the evidence and what we are finding in the intervention in the Northern Territory. One of the things that the Labor government has committed to is a review, 12 months after the intervention, to assess the evidence. I was one of those at the estimates hearing—Senator Scullion, I do not know whether you were there—when people in charge of the intervention talked about their attempt to build better evidence of what is occurring on the ground: the amount of sexual abuse, who is being abused and how we combat those things. They are important public policy issues, and I think to take us down this road is really quite disgraceful. The Northern Territory intervention is committed to by the Labor government. We will continue the intervention, and all Labor senators will give their best efforts to ensure its success.

Skills Shortage

Senator McEWEN (2.15 pm)—My question is to Senator Carr, the Minister representing the Minister for Education. Can the minister inform the Senate about the causes of the skills crisis Australia now faces and about the government’s response?
Senator CARR—I thank Senator McEwen for her question. It is quite clear that Australia faces a skills crisis right across the board. It is worse in some industries than in others, but the situation is bad everywhere. Everybody understands this—the Business Council of Australia, the Australian Industry Group, individual business operators, and, of course, the government. The only people who do not seem to understand this are those on the opposition. The Reserve Bank warned them on 20 occasions when they were in government that the skills shortages and other capacity constraints were impeding growth and fuelling inflation. Those warnings were shrugged off by a government that had completely lost touch with reality. They were out of touch in government and they are still out of touch in opposition. How else can we explain how it is that the member for Wentworth was quoted in the Financial Review yesterday as saying that Australia does not have a chronic skills crisis? If that is the opposition’s view, then they clearly are out of touch, because that is clearly not the view that Australian business would put forward.

In the latest global survey by consultants Grant Thornton International, 58 per cent of Australian businesses complained that they were being held back by skills shortages. They put us in the same league as emerging economies such as the Philippines and Thailand and way above the global average of some 37 per cent. The survey found that skills shortages were the single biggest constraint on business growth in this country. This is the same skills shortage that the opposition now says does not exist.

Indeed, how many times have they been told? As part of my experience in the Senate, some eight years ago I was part of a Senate inquiry into the quality of vocational education and training in Australia. We found that, after looking down the barrel of a serious shortage of skills in the traditional trades, the government of the day chose to do absolutely nothing. Of course, on 24 November 2007 the Australian electorate said it was time to do something about it. The then government had a long time to amend their ways and they chose not to do it.

We now have a situation where the electorate are looking for a government to meet the long-term challenges facing this country. They want a government that is able to deliver prosperity and security for working families. They are demanding action from the government and they are entitled to receive that. That is why the government is providing 450,000 extra training places, starting with 20,000 next month. There will be 65,000 extra apprenticeships, to start closing the gaps created by the previous government’s indifference.

During the Hawke-Keating years, Australia trained 137,000 apprentices a year. Under those opposite, we have only managed to train 120,000 apprentices, despite the fact that our economy and population have grown so dramatically. Unlike our predecessors, this government has a vision for the future, and skills are central to our future. We promised an education revolution and we are delivering it. Those 450,000 training places are just the beginning: we are also spending $450 million to boost early childhood learning, $2.5 billion over 10 years to build trades training centres and $1 billion on national secondary schools computer training. (Time expired)

Senator McEWEN—Mr President, I ask a supplementary question. Can the minister also inform the Senate how the skills crisis is affecting working families?

Senator CARR—The tragedy is that, while Australians are crying out for skilled employees, we still have some half a million men and women out of work. Thanks to the previous government’s short-term focus and
lack of leadership, much of the training provided over the past decade has been inappropriate. No-one could be bothered to sit down and think about what skills were actually needed. As a result a lot of Australians have wasted their time acquiring skills they have not been able to use. Their frustration and disenchantment is understandable. When Australia needed to develop a culture of lifelong learning, the previous government discouraged people from upgrading their skills by denying them opportunities, support and a sense of direction. Those 450,000 training places that I mentioned earlier include some 175,000 places for people who are unemployed. (Time expired)

Schools

Senator MASON (2.21 pm)—My question is to Senator Carr, the Minister representing the Minister for Education. Does the minister agree with Professor Barry McGaw, Labor’s hand-picked head of the National Curriculum Board, who was recently reported as saying that faith based schools created division and threatened national cohesion?

Senator CARR—No. The answer is clear. I am not certain of what Mr McGaw has said or has not said. What I can say is that the government is committed to ensuring that people do have the opportunity to send their children to the schools of their choice. There has been no suggestion anywhere in the government that people are not entitled to send their children to religious based schools. We do expect schools to meet the criteria of all schools in Australia. We do expect the quality assurance mechanisms to be available for all children in Australia. We do expect that state governments will play their part in ensuring the maintenance of those quality assurance mechanisms. But under no circumstances has anyone anywhere within this government suggested that there be a prohibition on people sending their children to a particular school based on their religious beliefs.

Senator MASON—Mr President, I ask a supplementary question. Let me quote from the Melbourne Age:

“These people often form a narrowly focused school that is aimed at cementing the faith it’s based on … If we continue as we are, I think we’ll just become more and more isolated subgroups in our community,” Professor McGaw told The Age—on 25 February 2008. Was the government aware of Professor McGaw’s prejudices against hundreds of thousands of students at faith based schools before he was appointed to head the national curriculum board?

Honourable senators interjecting—

The PRESIDENT—Order! The minister is waiting to respond.

Senator CARR—Professor McGaw—and I apologise for getting his title wrong—has made some comments, you allege. I have not seen those comments. I am not aware of whether or not those reports are accurate. Professor McGaw has a well-established reputation for his expertise in schools policy. I do not know whether or not the comments attributed to him are accurate. What I can say is that the Australian government has not made those comments and has not in any way subscribed to those views.

Kangaroo Culling

Senator BOB BROWN (2.24 pm)—My question is to the Minister representing the Minister for the Environment, Heritage and the Arts, and it regards the impending death of 400 kangaroos at the Belconnen Naval Transmission Station and the comment by the minister for the environment that, ‘I don’t intend to take any other actions other than to just observe those processes as they unfold.’ I ask the minister why the minister for the environment has washed his hands of this
issue. Will he urgently review the translocation option of removing the kangaroos to acceptable farmlands in New South Wales? Will the minister give a guarantee, moreover, that the grasslands in question are to be permanently reserved and their environmental values protected?

Senator WONG—I did hear those reports. I do not have a detailed brief on the three issues you raised. I will attempt to assist you as far as I can. The first point I would make is that, as you know, in relation to a great many matters of this sort the jurisdiction of the Commonwealth and of Minister Garrett is as outlined under the EPBC Act, an act with which you are well familiar. It is in relation to events which have a national environmental significance that the provisions of the EPBC Act are triggered and, if so, then Minister Garrett, as the minister responsible, has a statutory discretion to exercise in relation to certain decisions.

I am not aware—I have not been advised—of the Commonwealth having any jurisdiction in relation to this issue, but I will undertake to obtain information as far as I am able to. That also relates to the translocation option which you raised, but again I make the point that these may well be decisions which are not necessarily within the purview of the Commonwealth. Finally, and again in relation to the grasslands issue, I am not aware on what basis you assert Minister Garrett has authority over that issue.

Senator Bob Brown—It’s Commonwealth land.

Senator WONG—if it is Commonwealth land, and if it is an issue over which we have some jurisdiction, I will, as I said, obtain appropriate advice and respond accordingly.

Senator BOB BROWN—Mr President, I ask a supplementary question. I draw your attention to the fact that this is front-page news, with photograph, in the Canberra Times today and the minister ought to have been briefed. That having been said, I ask again of the minister—

Opposition senators interjecting—

The PRESIDENT—Order on my left!

Senator BOB BROWN—And the issue is drawing international attention. I ask: will the minister urgently review the translocation option, which has not been looked at with the rigour that one would expect by the ACT authorities, with a view to taking that option rather than having the 400 kangaroos put down?

Senator WONG—I really would refer the honourable senator to my primary response, but I would make the point that in his supplementary question he referred to actions of the ACT government, so I reiterate the point I was making in relation to what role the Commonwealth may—

Senator Bob Brown interjecting—

Senator WONG—Yes, but, Senator Brown, you yourself referred to the ACT.

Senator Bob Brown—And the defence department.

Senator WONG—that is what you referred to.

Senator Ronaldson interjecting—

Senator WONG—Sorry. You are quite right, Senator Ronaldson. I will take your advice in this regard and refer through the chair. Through the chair, Senator Brown obviously referred to the ACT authorities. I reiterate: I will take advice as to what aspect of this, if any, Minister Garrett has responsibility for.

Climate Change

Senator BIRMINGHAM (2.28 pm)—My question is also to the Minister for Climate Change and Water, Senator Wong. I refer to the ministerial statement made yesterday pertaining to the meeting of the Kyoto
targets, and in particular to the minister’s most excruciating interview on Lateline last night, where the minister and the government tried to falsely claim credit for Australia being on track to meet its Kyoto target. Can the minister name just one policy or just one initiative that the government has actually introduced or put in place in its time in office to put us on track?

Senator WONG—Thank you to Senator Birmingham for the question. I assume from the question he does not fall into the Senator Minchin camp of those who think climate change is exaggerated, or perhaps he is in that camp—I am not sure. As I indicated yesterday to the chamber, we tabled two reports. The first was the report which related to our obligations under the Kyoto protocol, and I do make the point again that the government has put that report in place a year early. So not only was the first act of the government the ratification of the Kyoto protocol but the report was provided a year early.

As I indicated on Lateline and in other interviews yesterday, Senator Birmingham, the advice I have received was that the previous government’s measures would have had us missing our Kyoto target by one per cent. This government is tracking to the Kyoto target of 108 per cent and is on track.

We always understood that Kyoto was the first step, but of course that was the first step those opposite were never prepared to take, and they are still all at sea on. That is the step they were never prepared to take and they are still divided on it. We have Dr Nelson grasping at the ratification in the vain hope of increasing—

Senator Ian Macdonald—I raise of point of order, Mr President. This minister seems to be incapable of answering the simplest question. She was asked to name one initiative of the Labor government towards reducing greenhouse gases. It is a very simple question, Mr President. Could you direct the minister to answer the question and not just rabbit on about something that she might be interested in?

Senator Chris Evans—On the point of order, Mr President, the minister was making progress in a very comprehensive answer to the question. I ask you to take heed of the fact that when opposition senators are now seeking to make points of order they are making a speech, debating the issue and not coming to the point of order. I ask you to bear that in mind when you dismiss this frivolous point of order.

The PRESIDENT—Order! Senator Evans, I have at times reminded people taking a point of order that they should not debate the question. In this case, Senator Macdonald, I cannot direct the minister to answer any part of the question other than in the manner that she sees fit. I just draw the attention of Senator Wong to the question.

Senator WONG—Thank you, Mr President. As I was saying, one of the most important things in the reports that we tabled yesterday—and I would encourage Senator Birmingham to listen, if he is interested in this issue and is not one of the brigade on the other side who still thinks that climate change is something that is not happening—is the impact of the Rudd Labor government’s renewable energy target. That report shows the significant reduction in Australia’s greenhouse gas emissions by 2020 as a result of the 20 per cent renewable energy target.

Those opposite seem to misunderstand the nature of this modelling. They seem to understand the nature of tracking where we are going. We recognise Kyoto was a first step and we recognise that much more needs to be done. We also recognise that those opposite had 11 years to deal with these issues and that they were part of the problem of climate change; they were not part of the
solution. The difference is that this government is prepared to be part of the solution, as was indicated in the reports. The increase to 20 per cent of the renewable energy target will take out 20 million tonnes by 2020.

Senator Cormann—That’s just hot air!

Senator Wong—I will take that interjection. He says ‘hot air’. On that side of the chamber you really are Kyoto critics, aren’t you, and climate change sceptics?

The President—Senator Wong, please address your remarks to the chair.

Senator Wong—They cannot help themselves, Mr President. Fundamentally, too many of them over there on the front bench—Senator Bernardi, Senator Minchin and others—simply do not believe that this is real. Climate change is real and finally the Australian people have a government which is prepared to take action on climate change. We recognise that this is a complex task. This is a whole-of-government responsibility and a range of policy measures across a range of portfolios will need to be put in place.

Senator Birmingham—Mr President, I ask a supplementary question. I thank the minister for another excruciating performance in relation to this issue. The only initiative she cited was the renewable energy target, which the minister will not legislate for until next year. So I ask the minister: what initiatives has the government put in place in its 109 days in government that actually contribute to this target? Will the minister acknowledge that in fact it was the previous government that put Australia on track to meet the Kyoto targets?

Senator Wong—I can tell you that I absolutely acknowledge that on the other side they had 11 years to something on climate change.

Senator Conroy—Eleven and a half!
has impacted on financial markets. We have seen that evidenced not just in Australia but also worldwide with the market volatility of recent times. The events of recent months have shown that Australia is not immune from such turbulence as has occurred in the United States. The Rudd Labor government remains alert to the impact of global credit market conditions on the Australian economy—

Senator Kemp—That’s a relief.

Senator SHERRY—and I will have some more to say, Senator Kemp, in detail about these associated issues in the coming months. There is an increasingly difficult global economic set of conditions that reinforce the Rudd Labor government’s determination to modernise our economy.

We also face strong domestic demand in our economy. We are facing capacity constraints, in large part because of the neglect of the former Liberal government, in areas such as infrastructure, education and training. Because of that neglect we are experiencing significant inflationary pressures. Inflation is our most pressing domestic challenge. The simple reality for those opposite is that they failed to appreciate the seriousness of the situation when they were in government. For the months of October, November and December underlying inflation for the year was running at 3.6 per cent. That is the highest in 16 years and well above the Reserve Bank’s band on which it is required to take action. We have seen an extended period of increase in underlying inflation and the new Rudd Labor government is not going to ignore this, unlike the now opposition who simply ignored 20 warnings from the Reserve Bank of Australia on inflation. We do know that higher inflation leads to upward pressure on interest rates. This hurts hard-working Australian families, it erodes living standards, it harms business and it threatens future growth and job creation.

Unfortunately, as I have already indicated, our predecessors lacked the foresight to deal with issues around infrastructure, education and training. I note that Senator Minchin, the new Liberal leader in the Senate and former Minister for Finance and Administration, has to bear some responsibility for the lack of fiscal discipline that was applied by the former Liberal government, particularly in the last year as it disintegrated.

Senator Minchin interjecting—

Government senators interjecting—

The PRESIDENT—Order! Order on my right.

Senator SHERRY—Although I was about to say it is difficult, I would not attribute all the blame to Senator Minchin, the former finance minister, because he did face a particularly challenging job with the level of disunity in that last year of the Liberal government. That disunity of course has continued. It seems to be that treasurers—in this case Mr Turnbull, the shadow Treasurer—always have their eye on the top job, which makes—

The PRESIDENT—Order! Senator Sherry, I would draw your attention to the question.

Senator SHERRY—it particularly difficult for finance ministers to do their job in an atmosphere of general collapse of discipline and disunity, which we continue to see amongst the Liberal Party now in opposition. So the Labor Party intends to be fiscally disciplined. We intend to increase the budget surplus from one per cent of gross domestic product to 1.5 per cent of gross domestic product. We quite proudly boasted in the run-up to the last election, and we continue to quite proudly boast, that we are fiscal conservatives. (Time expired)
Workplace Relations

Senator FISHER (2.41 pm)—My question is to the Minister representing the Minister for Employment and Workplace Relations, Senator Wong. Will the minister guarantee that no individual Australian worker will be worse off under Labor’s industrial relations proposals?

Senator WONG—I will tell you what I can guarantee, Senator, through you, Mr President. That is, workers under our system will not be subjected to the wage stripping, condition stripping Australian workplace agreements that those opposite put through whilst in government. I can guarantee that this government will proceed with its policies to implement the abolition of AWAs and the abolition of Work Choices.

So the real question is: what will the position of those opposite be? Yet again, we see that the coalition is not clear about what its policies are. The coalition is all over the shop, divided and disunited because they do not know what they believe in anymore. What they do believe in is trying to get political support.

Senator Abetz—Mr President, I rise on a point of order. The level of decibels emanating from the minister bears no relationship to relevance. I would invite you to remind the minister of what the question was and ask her to remain relevant to it.

Senator Faulkner—Mr President, I rise on a point of order to note that the senator who took the point of order talked about decibels. Most of the decibels I believe are coming from his side of the chamber.

The PRESIDENT—Senator Faulkner, that is not a point of order, as you well know. Senator Abetz, Senator Wong has been replying to the question for just one of her four minutes and I am sure that she is about to come to the thrust of the question.

Senator WONG—As I said, what I can guarantee is that this government will proceed with its election commitments to abolish Australian workplace agreements and it will be a question for the opposition in this chamber when those issues are debated—I understand it will be next week—as to what they do. Are they going to hold fast to Work Choices or are they going to sell out because they actually believe the Australian people have rejected it?

It is instructive, given that the senator has talked about workers being worse off, to consider just what the impact of the Australian workplace agreements was on Australian workers and their families.

Senator Ian Macdonald—Full employment!

Senator WONG—Here we go; we have Senator Macdonald interjecting, again justifying the Howard government’s condition- and wage-stripping AWAs. It simply reminds us that those opposite are all at sea when it comes to industrial relations. What we know is that data released in May 2006 showed that employees were losing their core conditions at astonishing rates: 64 per cent of agreements cut annual leave loading, 63 per cent cut penalty rates, 52 per cent cut shift work loadings, 51 per cent cut overtime loadings, 48 per cent cut monetary allowances and 46 per cent cut public holiday pay. In fact, in April 2007 it was revealed that 75 per cent of agreements cut shift work loadings, 68 per cent cut penalty rates, 57 per cent cut monetary allowance and 52 per cent cut public holiday pay. I do want to emphasise this, and I can go on as there are a lot of statistics about what occurred under your regime.

Opposition senators interjecting—

Senator WONG—Through you, Mr President, it is clear that those opposite presided over a regime where a great many em-
ployees were significantly worse off, substantially worse off.

Senator Minchin—It substantially increased real wages and employment!

Senator WONG—They cannot bear now to let go of that legacy, as the interjection from the Leader of the Opposition demonstrates, but the reality is that the system that we will put forward will provide a far fairer system, a system where workers will not have their wages and conditions stripped—unlike that which was provided under the previous government.

Senator Fisher—Mr President, I ask a supplementary question.

Opposition senators interjecting—

The President—Order on my left! I cannot hear the question.

Senator Fisher—I note that the minister has failed to provide that guarantee to individual Australian workers, the very same guarantee that Labor sought from the former coalition government about its workplace relations reforms. Given that the minister cannot provide a guarantee that no individual Australian worker will be worse off under Labor’s laws, does the minister agree with concessions reported today and made by her Labor Senate colleagues Senator Marshall and Senator George Campbell that Australian workers will be worse off under Labor’s workplace relations proposals? Mr President, I seek leave to table the articles.

Leave not granted.

Senator Wong—I make two points. Firstly, I would invite honourable senators, if they have not done so, to look at the reports in relation to the comments by Senators Marshall and Campbell. Secondly, I can assure the Senate that we on this side are quite happy to have full and frank exchanges in Senate committee processes—unlike the previous government when they rammed through the Work Choices legislation, as those of us who were here will recall. I also want to make this point: under the system of the previous government, between May and June 2007 a sample of 670 AWAs showed that half of them were between $50 and $199 a week below the required rate. That was allowed; that was perfectly legal under the system that you implemented when in government.

Wool Industry: Mulesing

Senator Bartlett (2.48 pm)—My question is to the Minister representing the Minister for Agriculture, Fisheries and Forestry. I draw the minister’s attention to the growing boycott of Australian wool by retailers in Europe, following on from a number of US based retailers who have taken similar boycott action against Australian wool because of consumer concerns about the cruelty involved in the mulesing of sheep in Australia. Does the government support the calls of the New South Wales Farmers Association for an immediate end to mulesing to bring this crisis to an end rather than run the risk of it escalating further? If not, what steps will the government take to ensure the industry fulfils its public commitment to stop mulesing within two years and to ensure that the more than 60 companies already refusing to buy Australian wool can buy wool produced by the many Australian farmers who have already stopped this practice?

Senator Sherry—Thank you, Senator Bartlett, for your question. This is an important issue and it has received some widespread media coverage in recent days, particularly about aspects of mulesing in some overseas jurisdictions in the fashion industry. Australia is the world’s largest supplier of apparel wool. It produces about half the total wool sold on the world market, and most of the wool is used for clothing.Exports of
Australian wool are worth more than $2.5 billion a year and there are an estimated 40,000 woolgrowers in Australia.

As I mentioned, this matter has received some extensive media comment both here and overseas—particularly in Sweden. There is increased pressure to phase out mulesing by 2010. I understand Swedish retailers are working with the local industry task force to urgently source unmulesed wool. I am advised that the minister, Mr Burke, does welcome moves from the industry to examine alternatives. The industry remains committed to research to fast-track alternative ways to protect sheep from what is known as fly strike. The Australian government and the industry have done research that has occurred over a number of years—and I do acknowledge the attention the previous government did pay to this issue.

Senator McGauran—You’re breaking ranks there—radical!

Senator SHERRY—Unlike those opposite, if there is something positive that was carried out by the former government, I am pleased to acknowledge it. Through you, Mr President, unlike you, Senator McGauran, I do not have to change parties to acknowledge it. We know that retailers are working with the industry to implement systems that allow them to access wool that meets their ethical requirements in the lead-up to 2010. The minister strongly supports and commends the wool industry in meeting these needs.

There is not a European boycott of Australian sheep or wool. The minister notes that there are up to 13 retailers in Sweden who have stated they now require garments sourced from wool from unmulesed sheep. The minister understands that industry is in discussions with these retailers about how best to meet these requirements. The minister, Mr Burke, is also aware of media reports that some firms in Denmark have also expressed concern. There are reports that Mr Laurence Modiano of wool trading company G Modiano has called for the use of relief measures in conjunction with mulesing. A pain relief product is currently available for use by wool growers, and the minister understands it has been used with some success in the industry.

Mr Burke acknowledges that there are differing views within the wool industry about how to respond to the PETA campaign and urges all in the industry to work together to resolve what is a very important issue in terms of both animal welfare and the future of the interests of Australian wool growers. Mr Burke also notes reports that the Swedish agriculture minister recently made some comments critical of Australia’s handling of this issue. The minister has written to him to outline why mulesing in this country is still necessary. In doing so the minister noted the AVA’s recent reports of the progress to develop alternatives and the RSPCA’s acceptance that mulesing is necessary in the absence of any less painful alternative. (Time expired)

Senator BARTLETT—Mr President, I have a supplementary question. I thank the minister for that answer. I note the minister’s statement that the government or the minister believes that mulesing is still necessary, to use his words, in some circumstances. Given that belief, can the government indicate its firm support for not just pressure to phase out mulesing by 2010 but a clear, unequivocal public commitment to end mulesing by 2010 to reassure consumers and buyers overseas? In the interim, will the government at least ensure that the analgesic or pain relief which the minister has said is available is used compulsorily so that many consumers who are concerned about unnecessary suffering can be reassured that all is being done to eliminate it?
Senator SHERRY—I am happy to seek the specific assurances that Senator Bartlett wants from the minister, Mr Burke. But I would point out that it is not easy to switch overnight a particular industry practice, not easy to shift it quickly. It does require consideration of the difficult practical issues and, in this case, of the development of particular anaesthetics et cetera that are required, if that is the correct term.

Senator Ronaldson—It’s commercially available now.

Senator SHERRY—Of course it is commercially available. I do not know whether you are a wool grower but we do have to be a little bit sensitive to the commercial considerations that wool growers need to take into account. I do understand that the Liberal Party is not particularly interested in the man on the land, but I think that interjection from the Liberal Party front bench displayed a gross insensitivity to the need to handle this decision for wool growers in a practical manner. (Time expired)

Superannuation

Senator COONAN (2.55 pm)—My question is to the Minister for Superannuation and Corporate Law, Senator Sherry. Can the minister guarantee that the government will not cave in to union demands to lift the compulsory superannuation levy from nine per cent to 12 per cent?

Senator SHERRY—It gives me great pleasure to further talk about issues relating to superannuation, including the matter that the minister has raised quite specifically—

Senator Coonan—Shadow minister.

Senator SHERRY—shadow minister—

The PRESIDENT—Senator Sherry, ignore the interjections, please. Continue with your answer.

Senator SHERRY—including the matter the shadow minister has raised. As I mentioned yesterday, the Australian Labor Party when in government until 1996 had a proud record with respect to introduction of superannuation in this country. The former Labor government under Mr Hawke and Mr Keating introduced compulsory superannuation, with the initial contribution level at some three per cent back in 1987. That was done for good reason. Up until that time, the retirement income system had a significant element of unfairness. Those who had superannuation over and above the age pension were obviously more advantaged in terms of retirement income than those who did not have superannuation. So the then Labor government took the very long-term and very important economic and social policy decision to introduce compulsory superannuation, initially at three per cent. It is often forgotten that that first three per cent, which is now part of the nine per cent superannuation guarantee, was a direct wages trade-off with employees through the then centralised wage bargaining system. That is often forgotten in the context of this debate.

I do not forget that the then Liberal opposition vehemently opposed the introduction of compulsory superannuation in Australia. The then Labor government saw this as a very important fairness measure to ensure that low- and middle-income earners, workers in retail, hospitality and trucking, did have some extra superannuation to provide additional retirement income. The far-sighted Labor government, under the leadership—

Senator Minchin—We don’t need a history lesson. Just answer the question.

Senator SHERRY—The difficulty is, Senator Minchin, that you do not like superannuation. You do not like your pathetic record of opposition to compulsory superannuation and its development in this country. I know that is a significant difficulty for the Liberal Party today even to come to grips
with: the fact that they opposed compulsory superannuation and its introduction in Australia.

The nine per cent superannuation guarantee is directly relevant to the issue that Senator Coonan is raising. The decision was taken to introduce the nine per cent superannuation guarantee, and of course that was phased in by 1 July 2002. The nine per cent superannuation guarantee is seen as representing a contribution from the employer. I have reminded the Senate that three per cent of the nine per cent was effectively—

The PRESIDENT—Senator Sherry, you are starting to stray from the original question. I remind you of the question that was asked by Senator Coonan.

Senator SHERRY—So we had nine per cent paid for from and by employers in this country. The question of the Assistant Treasurer went to whether or not we are going to increase the super guarantee, which is paid directly by the employer. As I, and I know the current Treasurer, indicated during the election campaign—we will—(Time expired)

Senator COONAN—Mr President, I ask a supplementary question. We have all really enjoyed the wander down memory lane with Senator Sherry, even to the point where he still thinks I am the Assistant Treasurer. Will the minister now guarantee that business will not be slugged in an increase in the superannuation levy to 12 per cent?

Senator SHERRY—I do enjoy questions on superannuation and I am very pleased to receive questions on superannuation from the current opposition. But, before I get to the critical point that I was about to get to, I want to remind the Senate that it is a very serious issue, because contributions should have been lifted to 15 per cent—three per cent from the employee and three per cent from the employer. That was the Labor promise in 1995 and the then Liberal opposition, led by Mr Howard, promised to support the delivery of that. Of course, when they were elected in 1996, they refused, in the 1997 budget, to deliver on that particular promise, which they had actually signed up to. In terms of increasing the nine per cent superannuation guarantee, as I was about to say, I and the Treasurer on a number of occasions, including in the election campaign, indicated that we will not be increasing the nine per cent super guarantee.

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

QUESTIONS WITHOUT NOTICE:
ADDITIONAL ANSWERS

Pensions and Benefits

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy) (3.02 pm)—I will add to and confirm my answer to Senator Bernardi relating to the carers payment. The answer is that the carers payment is tax free.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Indigenous Communities

Senator SCULLION (Northern Territory—Leader of the Nationals in the Senate) (3.02 pm)—I move:

That the Senate take note of the answer given by the Minister for Immigration and Citizenship (Senator Evans) to a question without notice asked by Senator Scullion today, relating to the Northern Territory intervention and comments made by Senator Crossin during the debate on the address-in-reply to the Governor-General’s opening speech on 11 March 2008.

I asked quite a simple question of the Minister for Immigration and Citizenship in the Senate today. I simply asked him to repudiate the outrageous remarks of Labor’s Senator Crossin. It was a very simple question. It may have even gone to an error. She was a little bit excited with the hubris of winning
the election and may have made an error, I am not sure. The context of this particular remark does need some sort of explanation. She said:

So the dramas and charades and the attention that was sought by the previous government in relation to child sexual abuse and child neglect, I believe, were seriously overstated.

Well, that can be a belief—I do not have too much of a problem with that—but I think she is sadly mistaken. I am not denying that is there, but when you have only 50 that statement clearly diminishes. Whether it was accidental or not, I hope that Senator Crossin takes the opportunity in this place to correct the record.

In the answer given by Senator Evans, he indicated that we have a completely bipartisan approach in these matters and that I should simply just get on the program. Labor, of course, completely supports the intervention! With respect, I understand that that was with a couple of particular points that they made, and they made those through the election. But basically they would completely support the intervention. I have to say that, during the election campaign, I met a considerable number of intervention sceptics. In fact, pretty much wherever I went I found people—

Senator Crossin—I didn’t meet too many who voted for you, Nigel.

Senator SCULLION—We have more interjections from Senator Crossin. She says—and I quote again:

And I think that the resounding results at the polling booths in the Northern Territory show that. Aboriginal people clearly rejected the methods of the intervention.

I can assure you that not all of Labor believes that they have a bipartisan approach to the intervention. I can tell you that. We have a very serious sceptic in Senator Crossin. I have to say that it seems that, wherever I went in the Northern Territory, she was quite right. There were people saying, ‘Down with Broughie; out with Howard; I’m not going to vote for them,’ because they had been told that a vote for Labor meant a vote against the intervention, make no bones about it. It happened everywhere I went. We make no bones about it; there was not a great deal of support for the intervention in those communities. Labor promised that they would unwind the intervention if they supported Labor. So we have very much a watching brief. We will watch this phase to see whether the rhetoric actually follows the actions.

Of course, in the speech yesterday there was continual gloating about the election win and about the fact that Labor won the vote because they did not support the intervention. That is not a bipartisan approach. In this place Labor has said, ‘We have an absolute bipartisan approach.’ But I can tell you that, out there on the ground, there was nothing like a bipartisan approach. Individuals came to me and said, ‘Well, I’m not voting for you, Nigel, because there is too much change at once,’ and that may have been the case. Individuals were very confused; it was very difficult. They were saying, ‘Labor has said they’re not going to support the intervention so we’re supporting them.’ They are the facts of the matter as I saw it.

In terms of the previous government’s actions, we were never about winning votes in Indigenous communities. It was an act of leadership, a pact of leadership. It was a pact that came from this place because we had bipartisan support. Now, those individuals in the previous government—and I was one of them—were quite proud of the movement of the intervention, because I think it will make a great deal of difference. Senator Crossin bagged the Little children are sacred report. I certainly do not think that she has any support for the outcomes of that. That report was commissioned by the Northern Territory
government, and the report was the basis of evidence taken by individual people in communities.

**Senator Crossin**—Mr Deputy President, I rise on a point of order. I think I just heard Senator Scullion say that I had ‘bagged’ the *Little children are sacred* report. My point of order is that Senator Scullion ought to be accurate in his comments and perhaps provide some quotes as to where that is the case, because that is certainly not the case, and never has been the case.

**The DEPUTY PRESIDENT**—There is no point of order.

**Senator Scullion**—There is no point in Senator Crossin being in denial about the intervention, and in being in denial about what she said yesterday. It is quite clear—and I will send around the *Hansard*, I cannot quote for her now—where she says, ‘I will be publicly calling for some more work to be done on the statistics’, which is clearly—*(Time expired)*

**Senator Crossin** (Northern Territory) (3.08 pm)—I rise to provide some comments on the pathetic and sad contribution by Senator Scullion today. In taking note of answers to questions—I actually thought that was what we did in this chamber—I thought that the opposition’s time in this half-hour was to make comment about answers to questions provided by senators, not to have a personal attack on members of the backbench, or to comment on speeches that had been made the day before. The comments Senator Scullion referred to are in my address-in-reply speech. If the coalition in this chamber are grappling so desperately with what it is like to be in opposition, well, so be it. If these are the tactics they want to endorse, let’s go for it. I am happy to stand here hour after hour and debate what is happening at the moment in the Northern Territory in relation to the intervention. What you cannot accept, Senator Scullion, and your party cannot accept—

**The DEPUTY PRESIDENT**—Senator Crossin, your remarks should be addressed through the chair.

**Senator Crossin**—is that, in the Northern Territory seat of Lingiari, we obtained a 52 per cent endorsement for the Labor Party and its policies at the last election. Your vote plummeted to 35 per cent. So I say to you, Senator Scullion, ‘Get over it, and move on.’ There was a resounding endorsement for the Labor Party and its policies at the last election. At the Yirrkala booth, 292 voters to four; at Galilwinku—where your minister had flown in and out of that community day after day—they were lined up 50 deep, hour after hour. You were there and witnessed—

**The DEPUTY PRESIDENT**—Senator Crossin, your remarks are to the chair.

**Senator Crossin**—hour after hour, people lining up, hundreds at a time. When handed CLP ‘how to vote’ cards, what did they do? They threw them on the ground. Why did they support us? They supported us because we said we would change the intervention. There were aspects of the intervention we took to the election. We said that we would retain CDEP—and we have done that. We said we would look at the permit system—and we are doing that, although I read today that you cannot cop that. You are going to block that legislation, despite that fact that Indigenous people in the Territory voted to change the permit system back to the way it was. We put a set of policies to Indigenous people in the Northern Territory, and they were endorsed.

What did I say yesterday? You are so poor at doing your research for question time that you just cannot deliver the blow, can you? My comments yesterday were quoted from the estimates transcript—from Lesley Pode-
sta, who is the head of OATSI. Senator Adams asked Ms Podesta how many people had had the health checks. Nearly 6,000. How many of those had been referred to Family and Community Services? The answer was 50. Why have they been referred to Northern Territory FACS? In the Northern Territory, there is a range of issues. We do not break it down. Is it child sexual abuse? Maybe. But generally, Ms Podesta said, it was to find alternative care or because there were problems within the family unit.

Therefore, you have to say to yourself, the Howard government intervened in the lives of Indigenous people in the Northern Territory in such an abrasive and drastic manner on the basis of the Little children are sacred report. Research shows you and evidence shows you that, to date, that may not have been, and probably is not, the case. It was never the case. The intervention was there for political reasons, but we supported it because people in Indigenous communities in the Northern Territory do need the support; they do need this commitment; they do need assistance to have more houses, to have more children checked; to have in those communities the massive injections of funds that you so sadly neglected in your 11 long years in government.

Senator ADAMS (Western Australia) (3.13 pm)—Senator Crossin spoke about estimates. We had a very good discussion on the Northern Territory intervention at estimates. I believe that the intervention team has consulted very well. The health checks have surely helped Northern Territory people and the children in these communities. In their update of 7 March 2008, the intervention team states that 65 remote communities have had child health checks undertaken. Eleven town camp regions have been visited by the child health check teams. Surely, this is all about consultation. As at 5 March 2008, there have been 7,622 Northern Territory child health checks completed, and a total number of child health checks—including medical benefits scheme checks—of approximately 9,300. This must be helping. There are seven child health check teams deployed, and the child health checks are being performed by local Aboriginal medical services in various regions.

We also have the general business managers in there helping the communities. As of this month, there are 52 general business managers employed. When all of them are employed, 72 communities will be serviced by a general business manager. This must help the population, including the children. With regard to welfare reform, there are currently 26 community employment brokers in place providing services to 45 communities. Income management is in place in 25 communities and associated outstations in four town camp regions. Six thousand, five hundred and forty-three people are currently being income managed. This must be an improvement for those families and for those children who have gone without. There are a total of 28 community stores licensed, with 20 stores operating under store-specific licences and eight stores operating under one Outback Stores corporate licence. A total of 636 Australian government jobs have been created to date. This is very good news and I believe consultation has helped to achieve this. We have a new police presence in 18 communities, and there are currently 35 new interstate and 18 new Northern Territory police deployed. There are also the community clean-ups. The clean-up program has commenced in 40 remote communities. One thousand, six hundred and sixteen properties have been surveyed and made safe, and 351 minor repairs have been completed. There are currently 32 project management and trade contractor teams engaged under the community clean-up program. In consulta-
tion, Northern Territory towns are really being looked after.

Through you, Mr Deputy President, I do have a concern about the permit system being reinstated. The Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, said that restoring the system was important because it helped keep grog smugglers and paedophiles out of remote Indigenous communities. Well, they were there when the permit system was in use. Surely the system that we as a government had in place would have opened up the community so that other people could come in and ensure that these practices did not continue. I feel the permit system did not protect Indigenous communities, so why go back to it? Also, the ban on pay TV porn in remote Indigenous communities should not be voluntary, as Labor’s legislation intended.

According to the Little children are sacred report, pay TV porn was readily accessed by kids and was a significant part of grooming kids for sexual activity. In conclusion, I do believe that we are going forwards and not backwards and I commend all those involved with the Northern Territory intervention team.

Senator LUNDY (Australian Capital Territory) (3.17 pm)—How interesting that in its first 100 days the government finds itself facing questions in question time from opposition senators making up stories about Senator Crossin’s quotes. To me, it is sad evidence that the opposition, the coalition, are now trying to reconstitute this issue in a way that is divisive. I find it quite hard to believe that in the current circumstances, where we have a commitment from the coalition in opposition to work with us on the development of policy for our Indigenous people, we have such a tardy and shallow effort here in the chamber today to use the plight of many Indigenous children in such a divisive way, particularly evoking comments by Senator Crossin which, if taken in context, are entirely correct in her analysis and her contribution to this important debate.

I think it is important to note the progress that the Rudd Labor government has made with respect to Indigenous Australia. In its first 100 days, the Rudd Labor government has many, many things to be proud of, not least being the delivery on behalf of the Australian parliament of a national apology to Indigenous people, particularly the stolen generations. We have also announced—and this is a very critical point for Senator Scullion to take note of—the proposed establishment of a joint policy commission, to be chaired by the Prime Minister and the Leader of the Opposition, to develop remote Indigenous housing solutions.

Another initiative is the establishment of the Indigenous Australian Early Development Index, which will enable assessment of key aspects of children’s early development essential to their readiness for learning at school. Legislation introduced to the parliament on 14 February will target improvements to Indigenous education, including a commitment to an additional 200 teachers in the Northern Territory and funding for an additional 18 classrooms. There will be an additional $49.3 million for substance and alcohol rehabilitation and treatment services for Indigenous communities, particularly in remote areas—and so on.

What we have from the opposition, unfortunately, is a very tacky ploy today to once again introduce the politics of division, of the wedge, on this critical issue. I thought we were past that. I do recall Dr Nelson saying on the day of the apology that the opposition was past that. Sadly, the senators representing the opposition in this place did not get that message. To take up another point raised by the opposition in this taking note debate: there were differences in the Labor Party
position on the Northern Territory Indigenous intervention leading up to the election. I find it quite astounding and misleading that Senator Scullion would say in this place that somehow there had been a change in our position. We had key differences. We did say we would retain CDEP, we did say we would look at the permit system—and we note that the coalition is going to oppose that legislation that has now been introduced—and we did say we were going to review it after one year. They are all legitimate issues, no doubt voted on by Northern Territory voters with the intervention issue on their minds. I say to my colleagues in the Senate: this is not an issue for tacky division to be played out. We are past that. It is the obligation of any senator in this place to approach this very challenging and critically important issue with due gravitas, considering the bipartisan nature of the challenge that now sits before us all.

Senator HUMPHRIES (Australian Capital Territory) (3.21 pm)—To take up the last point made by Senator Lundy, I agree that tacky divisions, as Senator Lundy put it, need to be avoided if we are to proceed on a bipartisan basis to address the problems of disadvantage and child sexual abuse in the Northern Territory. But what is obvious from the remarks that have been made today in the chamber by Senator Crossin, yesterday in the chamber by Senator Crossin and previously on the public record by Senator Crossin is that there are obviously divisions within the Australian Labor Party about exactly what the Northern Territory intervention actually represents.

Let us be perfectly clear: there are widely divergent views within the Labor government about just what this intervention is all about and, indeed, about whether the intervention itself is a good thing. We can see that plainly on the record from what Senator Crossin has had to say. I quote the words that she has used—this is not making up what she has had to say; this what she actually said: ...

... the dramas and the charades and the attention that was sought by the previous government in relation to child sexual abuse and child neglect, I believe, were severely overstated. She thinks that our concern about child sexual abuse and child neglect in the Northern Territory was overstated. What does Minister Macklin think about it? On 16 June last year, just after the Little children are sacred report was tabled, she had this to say: I don’t think anyone knew just how serious it was. What’s so important about this report is that it really has lifted the lid on just how horrific the levels of child abuse are. If there is one good thing that has come out of this report, it really does expose the dreadful level of child abuse that’s taking place.

Which is the Labor Party’s view? Is it the view of Minister Macklin or the view of Senator Crossin? These are not, under any reasonable reading, consistent views about the basis for the Northern Territory intervention.

The fact is that there is a subterranean view within the Labor Party, which occasionally comes to the surface in comments like those made by Senator Crossin yesterday and again today, that fundamentally rejects the basis on which the Northern Territory intervention has been mounted. The fact is that there are some in the government who would like—right now—to backslide on the intervention, who would cheerfully trash the entire exercise if they could. And what Senator Crossin had to say were not just the remarks of a single senator. They were the remarks of a senator who represents a vein of opinion within the government which needs to be, with great respect, understood and, if that view is going to prevail, that needs to be indicated now.

I want there to be bipartisan support for the policies of intervention which the previ-
ous government put in place. But I also think that the opposition and the government and all of their members need to commit in total-
ity to what it is that was proposed and executed in that intervention. And it means the kinds of comments that Senator Crossin has made in this place, which, frankly, severely undermine the very basis for the intervention, need to be repudiated by the chamber itself and particularly by the leadership of the government. What Senator Evans had to say in the chamber today was to reaffirm that the government believes in the Northern Territory intervention and the basis for it. I welcome those comments, but I ask Senator Evans and the leadership of the government to indicate clearly whether that is the view of the government as a whole.

Senator Crossin made this remark yesterday:
Aboriginal people clearly rejected the methods of the intervention.

In doing so she drew attention to the vote by Indigenous people against the coalition in the federal election. The question raised by that remark is: if she thinks that Aboriginal people rejected the methods of intervention, does she reject the methods of intervention as well? I do not think there is any doubt that she did, that she does and that others in the Labor Party do.

We are entitled to know whether those views are minority views which are not representa-
tive of the government or whether they represent what is going to change the policy of this government as this intervention is rolled out. That is my fear—that we are seeing here the signalling of a change in government policy as this intervention proceeds. And we need to know now whether that is actually going to be the case or whether this is simply the wild and inaccurate remark of a single senator, made in haste and repented at leisure.

Question agreed to.

Kangaroo Culling

Senator SIEWERT (Western Australia)

(3.27 pm)—I move:
That the Senate take note of the answer given by the Minister for Climate Change and Water (Senator Wong) to a question without notice asked by the Leader of the Australian Greens (Senator Bob Brown) today relating to the proposed culling of kangaroos in the Australian Capital Territory.

The Greens are quite distressed that it appears from Minister Garrett’s comments that he is just going to wait and see what happens throughout the culling process. Over 400 kangaroos are going to be culled, as we understand it. Of course, if you wait and see, there is nothing you can do about it once the kangaroos have been culled. We believe that this issue has developed through a lack of proper response and inattention and inaction by both the ACT government and the Commonwealth government through the Depart-
ment of Defence. It is Department of De-
ference land, and we therefore believe that the Commonwealth should have had a much greater role and involvement in this issue from the beginning. The fact is that their level of inaction and procrastination has re-
sulted in the situation we face now and, if action had been taken earlier, we would not see the need for culling and addressing the issue of the impact of so many kangaroos. The numbers would not have built up and the grasslands and threatened ecological com-

We understand that the expert panel that made a report on this issue considered the alternative option of moving the kangaroos or, as we call it, translocation. The expert panel apparently rejected this option because it did not consider that dart capture followed by release into the wild would be a better
option. I am quite surprised about this, because translocation would surely be a better option than being dead, for a start. As I understand it, the translocation practices have improved—

Senator Humphries—Listen to the experts, Rachel!

Senator SIEWERT—The point is that other experts have very clearly said—and further research has been undertaken since the earlier work on translocation which has shown this—that the mortality rate in translocation has significantly decreased. As I understand it, it is down to a level of only five per cent mortality, which we believe is a much better option than actually culling the kangaroos. Culling kangaroos has to be the absolute last resort. We do not believe enough effort has been put into looking at the translocation option and we would certainly like to see at least a pilot program undertaken on it.

Other forms of control are apparently now being considered after preliminary work has been done around fertility control. We very strongly support non-lethal methods of control into the future. We very strongly suggest that consideration be given to at least a trial of translocation. That is much preferable to culling the kangaroos and it needs to be looked at as a matter of urgency. We urge very strongly that translocation be reconsidered because we are deeply concerned that decisions have been made on old science whereas there is now a lot of new science around translocation of kangaroos.

Question agreed to.

PETITIONS

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

Nuclear Waste

The Honourable President and Members of The Senate Assembled in Parliament:

We, the undersigned, call on the Senate to commit to keeping Western Australia free of nuclear waste. We ask that you consider the burden that we will be leaving our children, and future generations of Western Australians, who will be forced to live with the results of our actions.

by Senator Webber (from 35 citizens)

Petition received.

NOTICES

Presentation

Senator Sherry to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend the law relating to superannuation, and for related purposes—Superannuation Legislation Amendment (Trustee Board and Other Measures)(Consequential Amendments) Bill 2008.

COMMITTEES

Selection of Bills Committee

Report

Senator O’BRIEN (Tasmania) (3.31 pm) I present the second report of 2008 of the Selection of Bills Committee.

Ordered that the report be adopted.

Senator O’BRIEN—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE REPORT No. 2 OF 2008

(1) The committee met in private session on Tuesday, 11 March 2008 at 4.28 pm.

(2) The committee resolved to recommend—That—

(a) the provisions of the Tax Laws Amendment (Personal Income Tax Reduction) Bill 2008 be referred immediately to the Economics Committee for inquiry and report by 1 May 2008;

(b) the Poker Machine Harm Reduction Tax (Administration) Bill 2008 be referred immediately to the Community Affairs
Committee for inquiry and report by 25 June 2008 (see appendix 1 for a statement of reasons for referral);

(c) the Renewable Energy Legislation Amendment (Renewable Power Percentage) Bill 2008 be referred immediately to the Economics Committee for inquiry and report by 30 May 2008 (see appendix 2 for a statement of reasons for referral);

(d) the Rights of the Terminally Ill (Euthanasia Laws Repeal) Bill 2008 be referred immediately to the Legal and Constitutional Affairs Committee for inquiry and report by 1 May 2008 (see appendix 3 for a statement of reasons for referral);

(e) the Stolen Generation Compensation Bill 2008 be referred immediately to the Legal and Constitutional Affairs Committee for inquiry and report by 16 June 2008 (see appendix 4 for a statement of reasons for referral); and

(f) the National Market Driven Energy Efficiency Target Bill 2007 [2008] be referred immediately to the Economics Committee for inquiry and report by 30 May 2008 (see appendix 5 for a statement of reasons for referral).

(3) The committee resolved to recommend—

That the following bills not be referred to committees:

• Classification (Publications, Films and Computer Games) Amendment (Assessments and Advertising) Bill 2008
• Commonwealth Authorities and Companies Amendment Bill 2008
• Cross-Border Insolvency Bill 2008
• Defence Amendment (Parliamentary Approval of Overseas Service) Bill 2008
• Defence Legislation Amendment Bill 2008
• Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008
• Higher Education Support Amendment (Removal of the Higher Education Workplace Relations Requirements and National Governance Protocols Requirements and Other Matters) Bill 2008
• Higher Education Support Amendment (VET FEE-HELP Assistance) Bill 2008
• Indigenous Education (Targeted Assistance) Amendment (2008 Measures No. 1) Bill 2008
• Infrastructure Australia Bill 2008
• Lands Acquisition Legislation Amendment Bill 2008
• Marriage (Relationships Equality) Amendment Bill 2008
• National Film and Sound Archive Bill 2008
• Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2008
• Screen Australia and the National Film and Sound Archive (Consequential and Transitional Provisions) Bill 2008
• Screen Australia Bill 2008
• Social Security and Veterans’ Affairs Legislation Amendment (Enhanced Allowances) Bill 2008
• Therapeutic Goods Amendment (Poisons Standard) Bill 2008
• Trade Practices Amendment (Access Declarations) Bill 2008
• Tradex Scheme Amendment Bill 2008.

The committee recommends accordingly.

(4) The committee deferred consideration of the following bills to its next meeting:

• Australian Securities and Investments Commission (Fair Bank and Credit Card Fees) Amendment Bill 2008
• Cluster Munitions (Prohibition) Bill 2006 [2008]
• Constitution Alteration (Appropriations for the Ordinary Annual Services of the Government) 2001 [2008]
• Constitution Alteration (Electors’ Initiative, Fixed Term Parliaments and Qualification of Members) 2000 [2008]
Electoral (Greater Fairness of Electoral Processes) Amendment Bill 2007 [2008]
Electoral Amendment (Political Honesty) Bill 2003 [2008]
Euthanasia Laws (Repeal) Bill 2004 [2008]
Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008
Genetic Privacy and Non-discrimination Bill 1998 [2008]
Horse Disease Response Levy (Consequential Amendments) Bill 2008
Horse Disease Response Levy Bill 2008
Horse Disease Response Levy Collection Bill 2008
Ministers of State (Post-Retirement Employment Restrictions) Bill 2002 [2008]
Parliamentary Charter of Rights and Freedoms Bill 2001 [2008]
Patents Amendment Bill 1996 [2008]
Peace and Non-Violence Commission Bill 2007 [2008]
Privacy (Data Security Breach Notification) Amendment Bill 2007 [2008]
Privacy (Extension to Political Acts and Practices) Amendment Bill 2006 [2008]
Protecting Children from Junk Food Advertising Bill 2006 [2008]
Public Interest Disclosures Bill 2007 [2008]
Qantas Sale (Keep Jetstar Australian) Amendment Bill 2007 [2008]
Repatriation of Citizens Bill 2007 [2008]
Republic (Consultation of the People) Bill 2001 [2008]
Same-Sex Marriages Bill 2006 [2008]
Same-Sex: Same Entitlements Bill 2007 [2008]
Skills Australia Bill 2008
State Elections (One Vote, One Value) Bill 2001 [2008]
Tax Laws Amendment (2008 Measures No. 1) Bill 2008
Taxation Laws Amendment (Scholarships) Bill 2005 [2008]
Telecommunications (Interception and Access) Amendment Bill 2008
Telecommunications Legislation Amendment (Communications Fund) Bill 2008
Textbook Subsidy Bill 2003 [2008]
Trade Practices (Creeping Acquisitions) Amendment Bill 2007 [2008]
Uranium Mining in or near Australian World Heritage Properties (Prohibition) Bill 1998 [2008]
Workplace Relations (Guaranteeing Paid Maternity Leave) Amendment Bill 2007 [2008].

(Kerry O’Brien)

Chair
12 March 2008
Appendix 1

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill:
Poker Machine Harm Reduction Tax (Administration) Bill 2008

Reasons for referral/principal issues for consideration

Poker machines are a major community concern in Australia today. Family First’s Poker Machine Harm Reduction Tax (Administration) Bill 2008 would introduce a new federal tax on poker machines in pubs and clubs to push pokies out of these community venues and restrict them to casinos and racetracks, which are dedicated gambling venues.

Poker machines are no good for families:

- About 293,000 people have a significant gambling problem in Australia and about 85% of problem gamblers use poker machines;
- About 52% of problem gamblers said they had borrowed money and not paid it back, 36% said they had sold property to raise money to bet and 43% said they sometimes went without food to pay for their addiction. One in four suffered divorce or separation.
and one in 10 had seriously contemplated suicide;

- On average around seven other people are affected by a severe problem gambler’s behaviour. That’s around 2 million Australians;
- More than 50% of regular poker machine users are problem gamblers or at risk of becoming problem gamblers.

Possible submissions or evidence from:
- Relationships Australia
- Dr Charles Livingstone, Monash University
- Dr Richard Woolley, University of Western Sydney
- Professor Jan McMillen, Australian National University
- Tim Costello, CEO World Vision
- Gambling Research Australia
- Peter Holmes a Court and Russell Crowe, South Sydney Rugby League Club
- Gambling and Betting Addiction Australia
- Lifeline, Canberra, Kellie Jones
- Gabriela Byrne, Free Yourself Programme
- Gamblers Anonymous
- Dr Mark Zirnsak, Chair, Interchurch Gambling Taskforce
- Anglicare Victoria
- Centrecare

Committee to which bill is to be referred:
- Senate Standing committee on Economics

Possible hearing date(s):
- 10-12 June

Possible reporting date:
- Wednesday, 25 June 2008

Reasons for referral/principal issues for consideration
To examine the provisions of the bill relating to the expansion of the Mandatory Renewable Energy Target from 2008 rather than the current government’s planned expansion of the target from 2011. Examine the impacts on the ongoing development of renewable energy industry, capacity or the renewable energy industry to meet an expanded 2008 target, employment and additional greenhouse emissions abatement of 30 million tonnes above business as usual.

Possible submissions or evidence from:
- Origin Energy
- Truenergy
- AGL
- Australian Greenhouse Office
- Department of Industry Tourism and Resources
- Business Council for Sustainable Energy
- Energy Performance Contracting Association of Australia

Committee to which bill is to be referred:
- Economics Committee

Possible hearing date(s):

Possible reporting date:
- 30 May 2008

Reasons for referral/principal issues for consideration
(1) In the decade since the national parliament overturned the Northern Territory Rights of the Terminally Ill Act 1995 community support has grown for citizens to choose to die
with dignity if they are terminally ill or in intractable pain

(2) All opinion polls indicate the majority (80% in February 2007) of Australians want to have this legal option

(3) A referral provides an opportunity to properly review the views of individuals and organisations on this issue and the need to reinstate the Northern Territory’s law and provide an opportunity for the Act to introduce similar law

Possible submissions or evidence from:
Northern Territory and ACT Government representatives, medical professionals and organisations, voluntary euthanasia support organisations, academics, other organisations and individuals

Committee to which bill is to be referred:
Senate Committee on Community Affairs

Possible hearing date(s):
Darwin, Canberra, other capitals

Possible reporting date:
1 May 2008

Whip/Selection of Bills Committee member
Appendix 4

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
Stolen Generations Compensation Bill 2008

Reasons for referral/principal issues for consideration
To examine the provisions of the bill, including:
• Examining the viability of the proposed compensation model, including examining existing domestic and international compensation models; and
• Reviewing any relevant unimplemented recommendations of the Bringing Them Home Report

Possible submissions or evidence from:
HREOC’s Social Justice Unit
Tasmanian Government
Caxton Legal Service
Northern Territory Stolen Generations Corporation
Central Australian Stolen Generations and Families Aboriginal Corporation

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

Possible hearing date(s):
- 

Possible reporting date:
16 June 2008

Whip/Selection of Bills Committee member
Appendix 5

SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee
Name of bill:
National Market Driven Energy Efficiency Target Bill 2007

Reasons for referral/principal issues for consideration
The National Market Driven Energy Efficiency Target Bill 2007 is a private Senator’s bill which was referred to the committee on 16 August 2007 for report by 22 October 2007. Nine submissions were received, however no hearings were conducted.

The committee sought and received an extension of time from the Senate on 17 September 2007 to report on these bills by the last day of the 41st Parliament, 11 February 2008. However, the intervening federal election prevented the committee from further examining the bills.

The Bill was restored to the Notice Paper on the 14 February and re-referral to the committee is sought in order to complete the examination of the Bill—specifically the provisions of the bill relating to definition of energy efficiency activities, monitoring and verification of energy efficiency savings, the energy efficiency improvement potential of the economy, the level of the energy efficiency target and the impacts to the economy and productivity benefits including im-
pacts to GDP, inflation, employment and technology innovation.

Possible submissions or evidence from:
Adjunct Professor Alan Pears
Hydro Tasmania
Green Building Council of Australia
Australian Conservation Foundation
Mr Matt Brazier
Energy Retailers Association of Australia (ERAA)
Australian Substantial Built Environment Council (ASBEC)
Szencorps Sustainable Development

Committee to which bill is to be referred:
Economics Legislation Committee

Possible hearing date(s):
Possible reporting date:
30 May 2008
(signed)
Senator Andrew Bartlett, Australian Democrats Whip

NOTICES
Postponement

The following items of business were postponed:

General business notice of motion no. 26 standing in the name of Senator Bartlett for today, proposing the introduction of the National Commissioner for Children Bill 2008, postponed till 13 March 2008.

General business notice of motion no. 32 standing in the name of Senator Murray for today, relating to donations to political parties, postponed till 18 March 2008.

General business notice of motion no. 37 standing in the name of the Leader of the Australian Democrats (Senator Allison) for today, relating to Gaza, postponed till 13 March 2008.

General business notice of motion no. 40 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, proposing the introduction of the Drink Container Recycling Bill 2008, postponed till 13 March 2008.


VIENNA FORUM TO FIGHT HUMAN TRAFFICKING

Senator ELLISON (Western Australia) (3.33 pm)—I move:

That the Senate—

(a) notes that at the first ever global forum to fight the crime of human trafficking, the Vienna Forum to Fight Human Trafficking was held from 13 February to 15 February 2008 and convened by the United Nations (UN) Global Initiative to Fight Human Trafficking, an initiative launched by UN Office on Drugs and Crime and several UN partners in 2007; and

(b) urges the new Government to continue the initiatives of the previous Government to combat human trafficking:

(i) by ensuring that Australian agencies are properly funded in the upcoming budget to fight human trafficking and continues to be a world leader in this important area,

(ii) developing initiatives with regional partners to address this important issue, and

(iii) requiring the new Government to report to the Senate on the measures it will take to ensure that Australia is at the forefront of combating human trafficking.

Question agreed to.
COMMITTEES
Environment, Communication and the Arts Committee

Reference
Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.33 pm)—I, and also on behalf of Senator Ronaldson, move:
(1) The following matter be referred to the Environment, Communications and the Arts Committee for inquiry and report by 23 June 2008:
The sexualisation of children in the contemporary media environment, including radio and television, children's magazines, other print and advertising material and the Internet.

(2) In undertaking the inquiry, the committee, in particular:
(a) examine the sources and beneficiaries of premature sexualisation of children in the media;
(b) review the evidence on the short- and long-term effects of viewing or buying sexualising and objectifying images and products and their influence on cognitive functioning, physical and mental health, sexuality, attitudes and beliefs; and
(c) examine strategies to prevent and/or reduce the sexualisation of children in the media and the effectiveness of different approaches in ameliorating its effects, including the role of school-based sexuality and reproductive health education and change in media and advertising regulation such as the Commercial Television Industry Code of Practice and the Commercial Radio Codes of Practice.

Senator LUDWIG (Queensland—Minister for Human Services) (3.34 pm)—by leave—At the request of Senator Conroy, I move:

Paragraph (1), omit ‘radio and’.
Omit paragraph (2), substitute:

(2) In undertaking the inquiry the committee, in particular:
(a) review the evidence on the short- and long-term effects of viewing or buying sexualising and objectifying images and products and their influence on children; and
(b) examine strategies to prevent and/or reduce the sexualisation of children in the media and the effectiveness of different approaches in ameliorating its effects.

Question negatived.
Original question agreed to.

ALCOHOL ABUSE
Senator MURRAY (Western Australia) (3.34 pm)—I move:
(1) That the Senate, noting concern in the community at the abuse of alcohol, asks that the Government refer the following matter to a parliamentary committee, an appropriate body or a specially-established task force for inquiry and report:
The need to significantly reduce alcohol abuse in Australia, especially in geographic or demographic hot spots, and what the Commonwealth, states and territories should separately and jointly do with respect to:
(a) the pricing of alcohol, including taxation;
(b) the marketing of alcohol; and
(c) regulating the distribution, availability and consumption of alcohol.

(2) That, in undertaking the inquiry, regard is to be had to:
(a) economic as well as social issues;
(b) alcohol rehabilitation and education;
(c) the need for a flexible, responsive and adaptable regulatory regime; and
(d) the need for a consistent, harmonised Australian approach.

Question agreed to.
COMMITTEES
Rural and Regional Affairs and
Transport Committee
Reference
Senator LUDWIG (Queensland—Minister for Human Services) (3.35 pm)—At the request of Senator Sherry, I move:
Question agreed to.

State Government Financial Management Committee
Extension of Time
Senator PARRY (Tasmania) (3.35 pm)—At the request of Senator Ian Macdonald, I move:
That the time for the presentation of the report of the Select Committee on State Government Financial Management be extended to 18 June 2008.
Question agreed to.

KPMG ABC FUNDING REVIEW REPORT
Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.36 pm)—I move:
That there be laid on the table by the Minister for Broadband, Communications and the Digital Economy, no later than 4.30 pm on Thursday, 20 March 2008, a copy of the KPMG ABC Funding Adequacy and Efficiency Review report.
Question negatived.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN
Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.37 pm)—I, and also on behalf of Senator Stott Despoja, move:
That the Senate—
(a) notes that:
(i) 8 March was International Women’s Day,
(ii) Australia trails other comparable economies in the area of gender equity,
(iii) despite achieving the universal right to equal pay more than 35 years ago, Australian women still experience a pay gap of 16 per cent compared with their male counterparts, and
(iv) the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) was established more than 8 years ago to ensure the full and equal enjoyment by women of all human rights and fundamental freedoms; and
(b) calls on the Government to stand by its promise and ratify the Optional Protocol to the CEDAW as a matter of urgency.
Question agreed to.

SPECIAL BROADCASTING SERVICE AMENDMENT (PROHIBITION OF DISRUPTIVE ADVERTISING) BILL 2008
First Reading
Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.37 pm)—I move:
That the following bill be introduced: A Bill for an Act to prohibit disruptive advertising in SBS television programs, and for related purposes.
Question agreed to.
Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.37 pm)—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) (3.37 pm)—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 Special Broadcasting Service (Prohibition of Disruptive Advertising) Amendment Bill 2008 will prohibit the interruption of programs by advertisements and station promotions on SBS television.

The bill puts the prohibition into effect by amending Section 45 (2) (a) of the Special Broadcasting Service Act (1991) to omit the phrase ‘or during natural program breaks’. It does not prevent SBS from generating advertising revenue nor from running advertisements and station promotions between programs.

Beginning in the 1970s under the Fraser Government, the Special Broadcasting Service was the first multicultural broadcaster in the world. From the outset SBS was a public, tax-payer-funded broadcaster to niche audiences. It did not chase ratings and advertising was not permitted.

In 1991 a Labor Government introduced the Special Broadcasting Service Act, permitting commercial advertising and SBS became a corporation with a board and a charter.

The charter of SBS as provided under the Act states: ‘the principal function of SBS is to provide multilingual and multicultural radio and television services that inform, educate and entertain all Australians and, in doing so, reflect Australia’s multicultural society’.

Advertising to a maximum of five minutes was permitted under the Act but confined by the then SBS Board to between programs.

Members of the SBS Board were initially appointed as representatives of the community that SBS was established to serve. However, over time the decline in real terms in government funding and the appointment of more board members for their business credentials has shifted SBS to a more commercial footing.

The switch to mid program advertising was approved by the SBS Board in June 2006 and was estimated to increase advertising revenue by approximately $10 million in the first full year of its operation. According to the SBS media release of 1 June 2006 the change will ‘… enable a boost to its news and current affairs programming and increase the production of Australian multicultural drama and documentaries.’

The Chair of the Board, Ms Carla Zampatti said “This decision has been under consideration for some time as part of SBS’s on-going review of its business model and reflects the significant changes in the broadcast market.”

In the current financial year SBS will supplement the $188 million it receives in Federal Government funding with around $46 million of advertising revenue, all of which, according to SBS, is spent on program content. Again quoting the media release, the Board said:

‘With additional [in-program] advertising revenue, SBS will:

• Launch an expanded one hour nightly news bulletin (6.30pm-7.30pm), with increased Australian and international news coverage, commencing in early 2007; and
• Increase its commissioning of Australian multicultural drama and documentaries and other programs in accordance with its Charter obligations.’

However, it is argued by critics that SBS Management’s recent decision to use most of this $10 million to produce a local version of the cult British motoring program Top Gear would not appear to be consistent with SBS’s charter obligations of providing multilingual and multicultural services.

The danger with expanding advertising on a public broadcaster such as SBS is that the integrity of its programs will be undermined, not just by advertising per se but because many of the programs run by SBS are produced by non-commercial entities such as the BBC that were not intended for commercial television and so do not have scheduled breaks. SBS has been criticised for inserting in-program advertising and station pro-
motions in these programs at points where there is no real break, scheduled or ‘natural’.
Over 7,500 people have signed petitions in protest at the new SBS advertising policy. The new Communications Minister, Senator Conroy suggested when in Opposition that such changes may be illegal under the terms of the SBS Act.
It is hoped that the Rudd Labor Government will not only support this bill to prohibit in-program advertising but increase its funding to SBS to remove the need for any advertising and index the rate to ensure this remains the case well into the future.
SBS is unique but while its radio and television services are broadcast in more languages than any other network in the world its character is under threat from the shortfall in public funding. Australia already has a myriad of commercial radio and television alternatives. To ensure SBS remains a global leader in public broadcasting it must be protected from the creeping commercialisation that is now evident.

Senator ALLISON—I seek leave to continue my remarks later.
Leave granted; debate adjourned.

COMMITTEES
Electoral Matters Committee
Reference
Senator RONALDSON (Victoria) (3.38 pm)—I move:
(1) That the following matter be referred to the Joint Standing Committee on Electoral Matters for inquiry and report:
   All aspects of the 2007 Federal Election and matters related thereto, with particular reference to:
   (a) the level of donations, income and expenditure received by political parties, associated entities and third parties at recent local, state and federal elections;
   (b) the extent to which political fundraising and expenditure by third parties is conducted in concert with registered political parties;
   (c) the take up, by whom and by what groups, of current provisions for tax deductibility for political donations as well as other groups with tax deductibility that involve themselves in the political process without disclosing that tax deductible funds are being used;
   (d) the provisions of the Act that relate to disclosure and the activities of associated entities, and third parties not covered by the disclosure provisions;
   (e) the appropriateness of current levels of public funding provided for political parties and candidates contesting federal elections;
   (f) the availability and efficacy of ‘free time’ provided to political parties in relation to federal elections in print and electronic media at local, state and national levels;
   (g) the public funding of candidates whose eligibility is questionable before, during and after an election with the view to ensuring public confidence in the public funding system;
   (h) the relationship between public funding and campaign expenditure; and
   (i) the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.

(2) That in conducting the review the committee undertake hearings in all capital cities and major regional centres and call for submissions.

Question agreed to.

Senator O’BRIEN (Tasmania) (3.39 pm)—by leave—I ask that the government’s opposition to this motion be recorded in Hansard.
Consideration of Legislation

Senator ALLISON (Victoria—Leader of the Australian Democrats) (3.39 pm)—At the request of Senator Bartlett, I move:

That the Senate—

(1) That so much of standing orders be suspended 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:

- Migration Legislation Amendment (Migration Zone Excision Repeal) Bill 2006
- Migration Legislation Amendment (Migration Zone Excision Repeal) (Consequential Provisions) Bill 2006
- Migration Legislation Amendment (Temporary Protection Visas Repeal) Bill 2006
- Migration Legislation Amendment (Provisions Relating to Character and Conduct) Bill 2006
- Migration Legislation Amendment (End of Mandatory Detention) Bill 2006
- Migration Legislation Amendment (Complementary Protection Visas) Bill 2006

Question agreed to.

Committees

Environment, Communications and the Arts

Reference

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy) (3.40 pm)—I seek leave to make a statement in relation to the notice of motion by Senators Allison and Ronaldson on the sexualisation of children in the media.

Leave granted.

Senator CONROY—I want to put on the record the government’s position in relation to the motion moved by Senator Allison and amendments that the government moved. The government takes community concerns about sexualised images of children in the media seriously. The use of sexualised images of children in magazines, retail catalogues, advertising brochures and the electronic media is a source of concern to many Australians.

Last year the Senate passed a resolution calling for the Australian Communications and Media Authority, ACMA, to report on this issue. The scope of ACMA’s statutory functions are not, however, broad enough for it to address the full breadth of the issue of sexualisation of children. For example, content in the print media and consumer retail catalogues falls clearly outside the scope of the Broadcasting Services Act 1992 and outside ACMA’s responsibilities.

The government supports the proposed establishment of a Senate inquiry into the sexualisation of children to ensure that the issues for all types of media are appropriately addressed. However, the government has some concerns about elements of the proposed terms of reference in this motion before us today for referral of this matter to the Senate Standing Committee on Environment, Communications and the Arts. It is the government’s view that the inclusion of radio in
the terms of reference for the inquiry is inappropriate and unnecessary. The majority of community concerns relate to the use of visual images considered to present children in a sexualised manner. This inquiry should concentrate on what needs to be done to protect children in relation to inappropriate visual images.

The government also questions the relevance of including an examination of the sources and beneficiaries of premature sexualisation of children in the media. It is not clear what this is intended to achieve. As I have said, the concern is about the impact of the use of sexualised images on children and the possible impact on their health and well-being.

The government also has concerns about the inclusion of specific references to the commercial broadcasting industry codes of practice. As I noted in my opening remarks, the use of sexualised images of children in printed material has been of particular concern, and this type of content is not subject to these codes. Additionally, proposing possible changes to media regulation from the outset may unintentionally limit the scope of the Senate inquiry. It is also the case that advertising, including on television, is subject to specific advertising industry self-regulatory codes of practice which are overseen by the Advertising Standards Bureau.

In conclusion, while the government supports an inquiry into this matter, we have suggested a number of changes to the terms of reference which in our view will make the inquiry more focused and productive.

Scrutiny of Bills Committee Report

Senator ELLISON (Western Australia) (3.43 pm)—I present the first report of 2008 of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills Alert Digest No. 1 of 2008, dated 12 March 2008.

Ordered that the report be printed.

Senator ELLISON—I move:

That the Senate take note of the report.

I seek leave to incorporate a short statement in Hansard.

Leave granted.

The statement read as follows—

In tabling the Committee’s Alert Digest No. 1 of 2008 and First Report of 2008, I would like to draw the Senate’s attention to the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008. This bill is very similar to a 2007 bill of the same name, which the Committee commented on in Alert Digest No. 12 of 2007.

At that time the then Chair of the Committee, Senator Ray, drew particular attention to the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2007 when he tabled the Committee’s Alert Digest No. 12 of 2007. Senator Ray highlighted the Committee’s concern that the explanatory memorandum to the bill failed to live up to its name and actually explain the rationale behind various provisions.

I regret to report that the explanatory memorandum to the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008 is similarly flawed.

Of particular concern to the Committee are numerous provisions that create offences of strict liability. Under the Criminal Code, if a law that creates an offence provides that the offence is one of strict liability, there are no fault elements for any of the physical elements of the offence. This means that, for example, the prosecution only has to prove that the person committed the act in question, not that they intended to do so.

The Committee is of the view that fault liability is one of the most fundamental protections of criminal law and to exclude this protection is a serious matter. Where legislation seeks to apply strict liability to an offence, the explanatory memorandum to the bill should explain, on a case-by-case basis, why strict liability is considered appropriate in the particular circumstances of
that offence. Such explanations should clearly demonstrate that the principles outlined in the Guide to the Framing of Commonwealth Offences, Civil Penalties and Enforcement Powers have been taken into account.

In the case of the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008, the explanatory memorandum seeks to justify the creation of strict liability offences on the basis that they are ‘offences for non-compliance with basic regulatory requirements that should be complied with by all persons’ and that the use of offences of strict liability ‘is designed to enhance the effectiveness of the enforcement regime in deterring contravention of key prudential requirements.’

In its Sixth Report of 2002, the Committee acknowledged that strict liability may be appropriate where it is necessary to ensure the integrity of a regulatory regime. However, it also indicated that strict liability should only be introduced after careful consideration on a case-by-case basis of all the available options, rather than by applying a rigid formula.

The Committee is of the view that the justification provided in the explanatory memorandum for the imposition of strict liability appears to be a generic one, which fails to demonstrate that consideration has been given to its application on a case-by-case basis.

It is of particular concern to the Committee that these bills are not the only occasion on which explanatory memoranda have included generic justifications for the application of strict liability. The explanatory memorandum to the Financial Sector Legislation Amendment (Simplifying Regulations and Review) Bill 2007 also sought to justify strict liability offences on a similar basis.

The Committee commented on that bill in its Alert Digest No. 8 of 2007 and the then Treasurer responded on 18 September 2007. A copy of that response is included in the Committee’s First Report of 2008. The response provides a clear rationale for provisions in that bill that create offences of strict liability. Had a similar explanation been included in the explanatory memorandum to the bill, the Committee may not have had to trouble the Treasurer for advice.

It is disappointing to the Committee that, having raised this issue on numerous occasions, bills continue to come before it supported by poorly articulated explanatory material.

The Committee has sought the advice of the Treasurer about the Financial Sector Legislation Amendment (Review of Prudential Decisions) Bill 2008. Pending receipt of that advice, I draw these provisions to the attention of Senators.

Question agreed.

BUDGET
Consideration by Estimates Committees

Additional Information

Senator O’BRIEN (Tasmania) (3.44 pm)—On behalf of the chair of the Senate Standing Committee on Foreign Affairs, Defence and Trade, I present additional information received by the committee relating to the hearings on the 2007-08 budget estimates.

MINISTERIAL STATEMENTS

Fertility Policy

Senator LUDWIG (Queensland—Minister for Human Services) (3.45 pm)—On behalf of the Minister for Families, Housing, Community Services and Indigenous Affairs, Ms Macklin, I table a statement on the Productivity Commission’s inquiry into paid maternity leave. I seek leave to incorporate the statement in Hansard.

Leave granted.

The statement read as follows—

The Australia many of us grew up in can seem like a different place to the one that exists today. The pressures of increasing costs of living and too little time are the driving force in working Australian’s lives. The ways Australians work, live and plan for the future have radically changed. Australians are working harder than ever but they have been seeing little return for their toll. There is less and less time for the things that make us Australian – community, family, friendship – as working Australians are caught up in a constant
cycle of financial stress and work and family strain.

One of the harsher aspects of these changes relates to the place of children. Children - Australia’s most precious asset and the light that brightens us so much - are increasingly seen as a burden. Children are increasingly being viewed as carrying an impossible level of responsibility and compromise for parents.

Working families are choosing not to have children because they believe the obligations of children exceed their capacity to meet those obligations.

The birth rate dropped from 3.5 babies per woman in the early 1960s to 1.84 a decade ago. It has increased a little to 1.86 babies per woman in 2006.

Research published just last month from the Australian Institute of Family Studies reveals that the ongoing pressures on working families are preventing many women from having children. Australian families are not having babies. Not because they don’t want to, but because they don’t have the confidence. They don’t believe that social and labour systems will support them if they do have another baby.

The Fertility and Family Policy in Australia study reveals that fertility rates are at close to the lowest ever in Australia and are below the level required for population replacement.

This is not news of course. Everyone in this house knows that Australia has a fertility problem. And they’re aware of the potentially damaging long-term economic and social consequences. Australia’s falling fertility rate is a massive challenge that has been facing Australia for years. The former government became aware of the issue and that is why we saw a flurry of reports, and were subjected to the repeated battle cry that ‘demography was destiny’ from the former Treasurer.

However, for all the chest-thumping, it seems that the former Government fundamentally misunderstood the basis of the policy challenge before them.

Measures like the Baby Bonus provide some financial support to help with the initial costs of having a baby but are not enough for effectively tackling low fertility rates.

What the Fertility and Family Policy in Australia study reveals is that most of the people surveyed actually want to have more children. Very few considered no children or one child their ideal number of children.

Their decision to not have children was also influenced by other factors including difficulties in accessing childcare, job insecurity and the cost of housing.

But even in economic good times, couples lacked confidence in their ability to create and maintain a family environment which provides emotional and financial support for children.

Working families want to have more children. They just don’t have confidence in their ability to cope.

What this shows is that old-style policies and the old way of doing things have not worked. Old style policies and the old way of doing things have created a baby-intolerant society.

We have to design policy settings that make having children possible. Working families are crying out for better support during life transitions so that they have the confidence to have more children, if that’s what they want.

Old-style polices have not worked. Support systems need to address the realities of modern Australian life. We need fresh ideas and perspectives on how to tackle this problem.

This Government isn’t afraid of testing new ideas; or exploring new options for addressing hard challenges.

We are committed to building a modern Australia to meet the challenges of the future. Key to this is ensuring a child-centred approach to family policy. The best interests of children must be at the very centre of social and family support policy.

That’s why we have been hard at work implementing our election commitments and ensuring that children are at the centre of Australia’s family and income support system.

That’s why the Deputy Prime Minister, Treasurer and I have asked the Productivity Commission to
chamber

examine ways the Government can provide improved support to parents with newborn children. Any policy reforms in this area will be aimed at ensuring strong and sustainable economic growth, take into account our ageing population and the importance of early childhood development, and support Australian families balance work and family responsibilities.

We want to explore ways to make it as easy as possible for working mums and dads to balance their employment with the important job of raising a new generation of Australians.

The Productivity Commission is uniquely placed to advise the Government on the best way to balance economic considerations with the aspirations of working families.

The Productivity Commission will be asked to look at the economic and social costs and benefits of paid maternity, paternity and parental leave.

We know that fertility issues do not start and end with paid maternity or paternity leave. There is no one-size solution and no magic bullet. Working families need a range of options to suit their needs.

The Commission will conduct a thorough examination of these issues and provide an opportunity for public participation. The Commission will be asked to report by February 2009. Public hearings will be held and submissions from the public will also be sought, with a report produced for the Government to release publicly.

The findings of the Inquiry will feed into the Government’s plan to build a modern Australia. Family support must be geared to the best interests of children and stronger families. The Government is hard at work implementing our commitments and testing ideas for making sure that occurs.

**DELEGATION REPORTS**

**Parliamentary Delegation to the 53rd Commonwealth Parliamentary Conference**

**The DEPUTY PRESIDENT** (3.45 pm)—I present the report of the Australian parliamentary delegation to the 53rd Commonwealth Parliamentary Conference held in India and a bilateral visit to the Republic of the Philippines which took place from 24 September to 5 October 2007. With the concurrence of the Senate, I ask that a tabling statement be incorporated in *Hansard*.

Leave granted.

The statement read as follows—

I present the report of the Australian Parliamentary Delegation which attended the 53rd Conference of the Commonwealth Parliamentary Association in India in September 2007, and then made a bilateral visit to the Philippines. The delegation consisted of myself, Senators Macdonald and Kirk and the Member for Scullin, Harry Jenkins, who was Deputy Leader.

The annual conference of the Commonwealth Parliamentary Association is a key activity in furthering the Association’s aims of improving understanding and cooperation among Commonwealth parliamentarians and promoting the study of, and respect for, parliamentary democracy. The conference theme was Delivering Democracy and Sustainable Development. Six workshops and three plenary sessions addressed a wide range of topics around this theme. I had the honour of leading discussion on the Role, Rights and Responsibilities of the Opposition and Mr Jenkins led discussion on Global Water and Energy Use.

As well as the value of the formal sessions the conference provides an opportunity for delegates to talk informally, share experiences and build understandings that can form the basis of future cooperation and the advancement of democratic practices across the Commonwealth. I congratulate the Hon Somnath Chatterjee, Speaker of the Lok Sabha, and the Indian Parliament as a whole for the success of the Conference.

My colleague the Deputy President has previously raised concerns [Senator Hogg — *Report in Dec 2004 on the 50th conference*] about the resources required to run the CPA conference every year, and the need to ensure that funds are also available for regional activities. The need to ensure the financial stability of the Association and to retain a highly skilled and professional secretariat was an important issue which was discussed at the Executive Council meetings which I attended as the Australian representative. With
some of my Pacific Rim colleagues I also explored the idea of forming a grouping of members from our region which might meet to explore issues of mutual interest, and further discussions will be held on this proposal.

In the Philippines the Delegation visited Manila and the island province of Bohol. Meetings were held with senior members of the Philippines Congress, including our host the President of the Senate, Senator Manny Villar, and the Speaker of the House of Representatives, Jose De Venecia. We also met a range of national and local officials. Key issues which were discussed were the bilateral economic relationship between Australia and the Philippines, including opportunities for increased Australian investment in mining and agriculture, development assistance, and security issues, including the threat from Islamic extremists in the southern Philippines. The Delegation found the opportunity to explore these and other issues with our hosts extremely valuable.

The Delegation also welcomed the opportunity to reaffirm the mutual friendship and respect between our two countries. The depth of goodwill was clearly evident, not only in official meetings but also in the Delegation’s contact with members of the Philippines community in general.

The Philippines is the fourth largest recipient of Australian bilateral development assistance, with approximately $100 million allocated in the 2007-08 budget. In Bohol province the Delegation visited projects supported by these funds and was also privileged to have a comprehensive briefing from Governor Erico Aumentado and his staff on development plans for the province.

One of the projects we visited was the Villa Aurora Permaculture Project at Bilar in southern Bohol. The project benefits 60 farming families through capacity building, agroforestry development, enterprise development and watershed management. We were greeted very warmly by community members, who expressed their thanks for the Australian Government’s assistance. For our part, we were very pleased to see Australian aid funds being spent so effectively in providing not just immediate material and technical assistance but also in providing people with the skills to continue successful initiatives into the future.

An important meeting was with the Department of National Defense. There is significant high-level defence cooperation between Australia and the Philippines, and between specific agencies of the two countries. More than 120 Philippines defence personnel train in Australia each year. Australia is also contributing a $10 million counter-terrorism assistance package over a five-year period. We also met Eduardo Ermirita, Executive Secretary of the Philippines and Chair of the Anti-Terrorism Council. The reality of the terrorist threat in the Philippines was dramatically illustrated a month after the Delegation’s visit when two people, including a Member of the House of Representatives, were killed in an explosion at the House of Representatives.

The Philippines’ rapid population growth and its continuing inability to meet the demand for food from domestic production will lead to increasing opportunities for Australian agribusiness exports. Areas of potential include the supply of live cattle, sugar, fruit, vegetables, grains and cotton.

The Delegation was very interested in the environmental challenges facing the Philippines, which is one of the most mega-diverse countries in the world but which is also one of the worst hot spots for habitat destruction, with loss of forest cover being a major issue. Land-use changes, over-exploitation of resources, invasive species, pollution and climate change are all significant issues and Australia is assisting with the development of strategies to address habitat loss. The Philippines was one of the first countries to sign and ratify the Kyoto Protocol and has introduced a number of initiatives to combat climate change.

A major challenge for the Philippines is balancing care for the environment with the exploitation of its considerable mineral resources. Increasing world demand has seen a recent renewal of interest in the sector and Australia is one of the major foreign investors. Australia is a leading exponent of environmentally sensitive mining practices and opportunities for further investment in the sector were noted in several meetings the Delegation had during its visit.

Before I conclude I would like to thank my colleagues – Mr Jenkins and Senators Macdonald and Kirk for their active and enthusiastic participation and for making the delegation such a posi-
tive experience. I also thank the delegation secretary Mr Richard Selth from the Department of the House of Representatives, as well as the Parliamentary Relations Office, the Parliamentary Library and the Department of Foreign Affairs for the assistance they provided to the Delegation. In India the staff of the Australian High Commission, led by High Commissioner John McCarthy, and in the Philippines the staff of the Australian Embassy, led by Ambassador Tony Hely, provided excellent support and advice. I also wish to thank the many Indian officials who contributed to the smooth running of the CPA Conference and the staff of the Philippines Senate who managed our program so efficiently.

MINISTERIAL STATEMENTS

Fertility Policy

Senator BERNARDI (South Australia) (3.46 pm)—by leave—I move:

That the Senate take note of the document.

I thank the Senate for its indulgence. The Minister for Families, Housing, Community Services and Indigenous Affairs, the Hon. Jenny Macklin, has released a fertility policy statement today in which she refers to how Australians are working harder than ever but are seeing little return for their toil. She has referred to children as being increasingly seen as a burden. I quote: ‘Children are increasingly being viewed as carrying an impossible level of responsibility and compromise for parents.’ As a parent, I have some disagreement with this particular statement and a number of others that are in this document. Children are undoubtedly an obligation, but they should never be referred to as a burden. They are an obligation in which parents rejoice; parents rejoice in their ability to help foster and nurture the development of our future generations.

I understand that Minister Macklin has made these comments in reference to what had hitherto been a declining birth rate in Australia. Over the decade in which the previous government was in power, the birth rate actually climbed, however subtly. That demonstrated that support for working families and for parents was very much forthcoming. The fact is that Australian people are choosing to have fewer babies than they would have had in generations past. But that does not mean that they are not having children. Yes, mothers are often having children later in life, but that is simply because they have other opportunities available to them. Those opportunities are available by virtue of increasing education among women. More women are now committed to careers and to the workplace environment.

The minister talked about how a declining birth rate has not been arrested. That is simply not true. The birth rate increased under the previous government. It is now approximately 1.86 children. I am not sure how you have 0.86 of a child, but the fact is that the birth rate is slowly increasing over the course of time. This is a tribute and a credit to the policies of the previous government.

In reference to some of the suggestions that the minister has made, she has asked the Productivity Commission to look at the economic and social costs and benefits of paid maternity, paternity and parental leave. Paid maternity leave would certainly benefit working women. But the baby bonus, as it is referred to, is paid as a lump sum to individuals irrespective of their work status. In effect, they are getting many weeks worth of the average wage, which will assist them in bringing home their children and with the initial costs associated with child care. The extension of this into paternity and parental leave is quite a vexed issue. It relates directly to the environment in which women find themselves. Often, they want to pursue their careers. If they choose to pursue their careers and choose not to have children, no amount of money will change their minds, quite frankly, because that is what they are committed to. We should not force people to have
children by any stretch or try to bribe them to have children. All we need to do is to ensure that children are born into an environment in which there are sufficient resources to get them through to school age and through school, where they can be taught to grow up into responsible and well-educated citizens who have opportunities.

I am a bit worried about this because the minister has acknowledged that the Productivity Commission’s report will not come up with a magic bullet—words which in fact bear a remarkable similarity to what the former Treasurer, Peter Costello, said in a press interview in 2002. In fact, they were the words: ‘There is no magic bullet.’ But Treasurer Costello acknowledged that support for parents does not limit itself to paid maternity leave or maternity leave full stop. There are any number of women who choose to stay at home and look after their children or who choose not to enter the workforce on a full-time basis. These are the people that this statement by the minister completely overlooks. That is what concerns me. We should not be forcing people back into the workforce if they do not want to go into the workforce and look after their children. There is no more honourable profession, in my opinion, than that of staying at home and helping to raise your children and providing them with the guidance that is necessary. And those people need to be given the appropriate support for this.

This is what I think the government has overlooked. It is so obsessed with giving people opportunities to return to work that it is overlooking those who are pursuing the equally valuable and important task of staying at home and looking after children. Over the course of time these sorts of costs—maternity leave and such—will be borne either by the taxpayers of Australia or by individual businesses. The real test will be how we implement that whilst maintaining prudent fiscal responsibility and support for mothers—and fathers, quite frankly—who choose to stay at home and raise their children, thus relieving our childcare centres of overcrowding and thus relieving the public purse in many instances from having to look after their children.

I welcome any inquiry that is going to support families and encourage children but I have concerns about the scope of the reference that the minister has proposed. I think the government would do much better to consider in a much broader approach the potential benefits of maintaining support for non-working mothers. There needs to be further encouragement along this line because no child is better off than when they have a parent at home with them for as long as possible until they start at school.

Question agreed to.

COMMITTEES
Membership
The DEPUTY PRESIDENT—The President has received letters from party leaders seeking variation to the membership of committees.

Senator LUDWIG (Queensland—Minister for Human Services) (3.54 pm)—by leave—I move:

The Minister for Human Services (Senator Ludwig), by leave, moved—That senators be appointed to committees as follows:

Community Affairs—Standing Committee—
Appointed—Participating members:

Economics—Standing Committee—
Appointed—Participating members:
Senators Carol Brown, Crossin, Forshaw, Hogg, Hutchins, Kirk, Lundy,

**Education, Employment and Workplace Relations—Standing Committee—**

**Environment, Communications and the Arts—Standing Committee—**

**Finance and Public Administration—Standing Committee—**

**Foreign Affairs, Defence and Trade—Standing Committee—**

**House—Standing Committee—**
Appointed—Senator Heffernan

**Housing Affordability in Australia—Select Committee—**

**Legal and Constitutional Affairs—Standing Committee—**

**Procedure—Standing Committee—**
Appointed—Senator Ellison

**Publications—Standing Committee—**
Appointed—Senators Bernardi and Parry

**Rural and Regional Affairs and Transport—Standing Committee—**
Appointed—Participating members: Senators Bishop, Carol Brown, Campbell, Crossin, Forshaw, Hogg, Kirk, Lundy, Marshall, McEwen, McLucas, Moore, Polley, Ray, Stephens, Webber and Wortley

**State Government Financial Management—Select Committee—**

Question agreed to.

**ADVISORY COUNCIL ON AUSTRALIAN ARCHIVES**

**PARLIAMENTARY RETIRING ALLOWANCES TRUST**

**Appointment**

The **DEPUTY PRESIDENT**—The President has received letters from a party leader nominating senators to fill vacancies on two statutory authorities.

**Senator LUDWIG** (Queensland—Minister for Human Services) (3.55 pm)—by leave—I move:

(1) That, in accordance with the provisions of the **Archives Act 1983**, the Senate elect Sena-
tor Lundy to be a member of the Advisory Council on Australian Archives for a period of 3 years, on and from 12 March 2008, in place of Senator Faulkner.

(2) That, in accordance with the provisions of the Parliamentary Contributory Superannuation Act 1948, the Senate appoint Senator O’Brien as a trustee to serve on the Parliamentary Retiring Allowances Committee Trust on and from 12 March 2008, in place of Senator Faulkner.

Question agreed to.

COMMITTEES

Membership

Message received from the House of Representatives informing the Senate of the appointment of members to joint committees as follows:

Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—Mr Pyne and Mr McGauran

Australian Crime Commission—Joint Statutory Committee—Mr Wood and Mr Pyne

Broadcasting of Parliamentary Proceedings—Joint Statutory Committee—Mr Hawker and Mr Lindsay

Corporations and Financial Services—Joint Statutory Committee—Mr Keenan and Mr Robert

Public Accounts and Audit—Joint Statutory Committee—Mr Georgiou, Mr Baldwin, Mr Morrison and Mr Robert

Public Works—Joint Statutory Committee—Mr Lindsay, Mr Forrest and Mr Slipper

Electoral Matters—Joint Standing Committee—Mr Morrison and Mr Scott

Foreign Affairs, Defence and Trade—Joint Standing Committee—Mr Hawker, Mr Robb, Mr Macfarlane, Mr Scott, Mr Baldwin, Mrs Mirabella, Mr Robert and Mr Ruddock

Migration—Joint Standing Committee—Mrs DS Vale, Mr Randall and Mr Georgiou

National Capital and External Territories—Joint Standing Committee—Mr Seeker and Mr Neville

Parliamentary Library—Joint Standing Committee—Mr Hawker, Mrs Mirabella and Mr Broadbent

Treaties—Joint Standing Committee—Mr Andrews, Mr Forrest and Mr Simpkins.

THERAPEUTIC GOODS AMENDMENT (POISONS STANDARD) BILL 2008

TRADE PRACTICES AMENDMENT (ACCESS DECLARATIONS) BILL 2008

First Reading

Bills received from the House of Representatives.

Senator LUDWIG (Queensland—Minister for Human Services) (3.58 pm)—I indicated to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the Notice Paper. I move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator LUDWIG (Queensland—Minister for Human Services) (3.58 pm)—I table a revised explanatory memorandum relating to the Therapeutic Goods Amendment (Poisons Standard) Bill 2008 and 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—

THERAPEUTIC GOODS AMENDMENT (POISONS STANDARD) BILL 2008

This Bill makes a number of amendments to the Therapeutic Goods Act 1989 to address the legal consequences arising from a recent decision of the Federal Court in Roche Products v National Drugs and Poisons Schedule Committee on 30 August 2007. In that case the Federal Court held that decisions made by the National Drugs and Poisons Schedule Committee under subsection 52D(2) of the Therapeutic Goods Act 1989, which include decisions to amend the Poisons Standard, are legislative in character.

On the basis of that decision, it is likely that the Poisons Standard and its amendments are legislative instruments for the purpose of the Legislative Instruments Act 2003. As such, they are required to be registered in the Federal Register of Legislative Instruments, known as FRLI, to be enforceable. However, as they were treated as non-legislative instruments prior to the Federal Court decision in Roche, the Poisons Standard and amendments made to it up to the time of the Roche decision have not been registered in FRLI. Furthermore, as certain amendments made to the Poisons Standard were not registered within the periods specified by the Legislative Instruments Act, that Act operates to repeal the amendments. It is therefore necessary to reinstate those amendments, and provide for the integrity and enforceability of the Poisons Standard up until the Roche decision.

The Poisons Standard consists of decisions made by the National Drugs and Poisons Schedule Committee, established under the Therapeutic Goods Act 1989, regarding the classification of drugs and poisons into different schedules, from schedule one to nine, signifying the degree of risk. The Poisons Standard also contains a number of appendices which supplement the schedules by setting out additional controls, qualifications and exemptions affecting substances contained in the schedules. The higher the schedule, the higher the risk attributed to a relevant substance. Substances are then regulated under relevant State and Territories legislation depending upon in which schedule the substances are included.

The Poisons Standard is also relied upon by the Commonwealth under the Therapeutic Goods Act for regulatory and enforcement purposes, such as for regulating advertising and labelling in connection with certain medicines.

Scheduling and rescheduling decisions by the Committee are made based upon considerations of public health and safety, balanced with the need for public access to a substance. The Committee may, for example, reschedule a “prescription only” medicine to a “pharmacist only” medicine on this basis, or vice-versa; or prohibit a substance from general access by the public to reduce the risk of abuse or dependence. It is therefore necessary in the interest of public health and safety to ensure that regulatory actions taken in reliance upon scheduling decisions made by the Committee continue to operate.

To this end, the Bill reinstates any scheduling decisions that may have been repealed, and puts beyond doubt that scheduling decisions made before the Roche decision are enforceable because they are deemed to have complied with the requirements of the Legislative Instruments Act.

The retrospective effect of the amendments will not add any new regulatory requirement. Rather, the retrospective effect of the amendments is necessary to preserve the status quo of the Poisons Standard, and amendments made to it, before the Roche decision. Decisions and actions taken by both the regulator and business relied upon the enforceability and integrity of the Poisons Standard and its amendments, and the retrospective effect of the Bill is necessary to provide certainty for those decisions and actions.

The Bill also makes it clear that the Poisons Standard and amendments made to it are exempt from the Parliamentary disallowance process. This exemption recognises that it is inappropriate for Commonwealth instruments forming part of an intergovernmental scheme to be unilaterally disallowed, and the exemption is consistent with the operation of subsection 44(1) of the Legislative Instruments Act 2003. The exemption is also appropriate because of the need to ensure certainty in the continuing application of State and Territory laws which refer to the Poisons Standard. The exemption does not affect the consultative processes required to be followed by the National
Drugs and Poisons Schedule Committee when it makes decisions to amend the Poisons Standard. The Bill also provides for a compensation regime in the event that the operation of the amendments to the Act should result in an acquisition of property from a person other than on just terms.

TRADE PRACTICES AMENDMENT (ACCESS DECLARATIONS) BILL 2008

The Trade Practices Amendment (Access Declarations) Bill 2008 amends the Trade Practices Act 1974 to clarify that access declarations, and extension notices which extend the period of access declarations, are not legislative instruments for the purposes of the Legislative Instruments Act 2003.

Access declarations are made by the Australian Competition and Consumer Commission under subsection 152AL(3) of the Trade Practices Act, to identify telecommunications services that should be subject to access obligations.

A service can only be declared following a thorough inquiry process in accordance with Part 25 of the Telecommunications Act 1997. The ACCC must be satisfied that the making of the declaration will promote the long term interests of end-users. Once a service has been declared, telecommunications providers wishing to make use of the service may seek access to the service from other telecommunications providers. Access obligations in Part XIC of the Trade Practices Act require access providers to supply access to declared services to access seekers, and provisions in that Part detail the terms and conditions on which access must be given.

In considering the long term interests of end-users, the ACCC must take into account whether declaration of the service would promote competition, any-to-any connectivity, and the efficient use of, and investment in, infrastructure. Any-to-any connectivity is the ability of each end-user to communicate with all other end-users.

The primary objective of the Bill is to provide certainty to the telecommunications sector by clarifying that access declarations that have been made by the ACCC are not, and never have been, legislative instruments for the purposes of the Legislative Instruments Act.

Eleven access declarations are currently in force, covering key services that are fundamental to telecommunications competition and the ability of end-users to communicate with all other end-users. They include services such as the unconditioned local loop, local call resale, call origination and termination, wholesale line rental and trunk transmission.

On the understanding that access declarations are not legislative instruments for the purposes of the Legislative Instruments Act, the ACCC has not registered any access declarations on the Federal Register of Legislative Instruments, nor tabled them in both Houses of Parliament. These are requirements that the Legislative Instruments Act imposes for legislative instruments. Unregistered legislative instruments are unenforceable.

A recent Federal Court decision, Roche Products Pty Limited v National Drugs and Poisons Schedule Committee, may have implications for access declarations. As a consequence of that decision, it is possible that access declarations may be open to legal challenge on the basis that they are legislative instruments and are invalid as they have not been registered or tabled.

In the absence of these amendments, it is possible that a court could decide that all access declarations made by the ACCC up to this point are invalid due to their not having been registered and tabled in accordance with the Legislative Instruments Act. If this were to happen, this could cause serious disruption to the operation of the Part XIC access regime.

In the interests of providing the telecommunications industry with certainty in relation to access to key services, this Bill will remove doubt about the validity of access declarations.

The ACCC may also issue extensions of time for access declarations. The Bill will also clarify for the avoidance of doubt that these extensions of time, are not, and never have been, legislative instruments.

Furthermore, the Bill will have the effect that revocations and variations of access declarations are not and have never been legislative instruments.

The Bill contains a clause that will protect the validity of the Bill in the event that it was found
to result in an acquisition of property other than on just terms and in that event, requires the Commonwealth to pay a reasonable amount of compensation. If the Commonwealth and the person do not agree on the amount of compensation, the person may institute proceedings in the Federal Court and the Federal Court will determine the amount of compensation. This provision mirrors similar provisions found elsewhere in the Trade Practices Act and in the Telecommunications Act.

While Part XIC of the Trade Practices Act deals with the telecommunications-specific access regime, Part IIIA of that Act deals with access to services more broadly. This Bill does not deal with Part IIIA of the Act. No inferences should be drawn about the status of access declarations made under that Part of the Trade Practices Act as a result of this Bill.

Debate (on motion by Senator Ludwig) adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

SKILLS AUSTRALIA BILL 2008
Second Reading

Debate resumed.

Senator CAROL BROWN (Tasmania) (3.58 pm)—The Skills Australia Bill 2008 is one of the first pieces of legislation to be tabled in the new parliament by Labor under Kevin Rudd. It is being marked as a priority for the parliament as the Rudd government recognises the degree of neglect by the Howard and Costello regime. That neglect and lack of funding has led to the situation in which Australia is now in—with a chronic shortage of skilled workers, for which industry is crying out to employ. This lack of skilled and trained workers is one of the major causes of the current inflationary pressures now evident in the Australian economy. The Rudd Labor government was elected to address this situation, and quite rightly it is a priority.

In the Senate last year I outlined the skills shortage problem and the duplication in systems that the former government’s bill introduced with the Australian technical colleges. The Commonwealth funded technical colleges run in duplication alongside the respective state based TAFE systems. Commonwealth funded colleges that were ‘unsurprisingly, located in marginal electorates such as Bass and Braddon in Tasmania’ have generally turned out to be expensive failures, with over half a billion dollars being spent on unnecessarily duplicated campuses and other facilities, which in late 2007 had resulted in: not a single graduate; 1,800 enrolments across all colleges; just two out of the 21 colleges having met their 2007 enrolment targets; an average cost per student of $175,000; only one-third of the colleges legally registered to provide training; the bulk of training outsourced to state TAFEs or registered training organisations.

With Skills Australia and the rest of the Rudd government’s five-point plan, we are planning to actually meet future challenges well before they arise—unlike the former government. It was not like they were not aware of the deepening skills shortage situation. They were given warning after warning. They were warned of the deepening skills crisis on more than 20 occasions by the Reserve Bank. The shadow minister, Mr Turnbull, is still pushing the former government’s line that Australia does not have a ‘chronic skills crisis’. However, his view is not echoed in a survey of 250 medium to large Australian companies recently released by the global business consultant Grant Thornton. The survey found that ‘shortages of skilled workers remained the biggest problem affecting expansion of Australian businesses’.

In addition to the constant warnings from the Reserve Bank, a survey and report of 760 producers conducted by the Australian Indus-
try Group during the final term of the previous government—Australia’s skills gap: costly, wasteful and widespread—revealed that one in two firms were experiencing difficulties obtaining skilled labour. Yet, according to It’s crunch time, another AiG report, one in five young adults have not completed year 12 or a certificate III vocational qualification. It is patently obvious from the former government’s lack of response to these reports and warnings that they were intent on looking after themselves electorally, with short-term excuses not long-term solutions. Skills Australia will be a statutory body headed by a panel of seven experts drawn from the worlds of industry, economics, training and academia. This management panel and Skills Australia will assist government in targeting investment in training exactly where it is needed.

As early as 1997, a year after their election, the former Howard-Costello administration ignored warnings by the Reserve Bank that skill shortages would adversely affect growth and were a prime contribution to rising inflation. The previous government masked these problems by using phrases such as ‘skill needs’ or ‘skill gaps’ and further compounded issues by reducing the Commonwealth’s funding of TAFE systems by 6.6 per cent between 1997 and 2000. These cuts have had an obvious flow-on effect that meant over the last decade TAFE has not been able to meet the demand for training places. The establishment of Skills Australia by way of this bill aims to reverse the situation and ensure that there are adequate places for workers to train in TAFEs countrywide. This is all part of the Rudd government’s five-point plan to fight inflation and lift the productive capacity of the Australian economy after the damage wreaked by over a decade of the Howard-Costello government’s neglect and decay.

In terms of skilled worker shortages, by the former Howard government’s own estimates Australia faces a shortage in excess of 200,000 skilled workers over the next five years. In fact, by 2016 that shortage will be closer to 240,000 workers that are not in place. That is 240,000 carpenters, electricians, nurses and plumbers that, had the previous government bothered to address the situation, would already be either advanced in their training or well and truly making a contribution to the economy. Instead, inflation is at a 16-year high, the building industry is overwhelmed and the waiting list for new houses grows day by day.

The Rudd Labor government has well and truly taken the horse by the reins and is confident that with the establishment of Skills Australia, combined with the rest of its five-point plan, the skills shortage will be addressed appropriately. Addressing and allocating resources to major areas of skill shortage and training needs—as identified by Skills Australia in consultation with industry—is the central tenet of the Rudd Labor government’s Skilling Australia for the Future policy. Skills Australia will be the provider of high-quality advice to government which will, in turn, support individual workers in obtaining higher skill levels and qualifications thus deepening the national skills base. In Tasmania, for instance, two of the state’s largest employers, the fast catamaran builders Incat and Austral Ships, are in need of trained metal fabricators and welders. Skills Australia will be able to identify this area of skills shortage and, in turn, recommend allocation of funding to requisite training courses in Tasmania and nationwide.

To cite a further example of the derision with which the former government treated the TAFE and vocational training sectors, some 325,000 potential trainees were turned away from TAFE colleges nationwide under their watch. This truly shows the abject con-
tempt our predecessors held for getting on with the job at hand and addressing what has turned out to be a genuine limiting factor on our national economy. This new authority, Skills Australia, will work in close consultation with industry to ensure training facilities and necessary funding are pinpointed exactly where they are needed and in a timely manner to ensure that the current situation of a dearth of available and highly skilled workers is a relic of times gone by. The Rudd Labor government is, front and centre, committed to helping Australia’s industrial sector to prosper and grow—not just stagnate and wither—as seemed to be the main tenet of the decade of inaction watched over by Mr Howard and his electorally-driven former coalition government.

Upon its establishment, Skills Australia will analyse and report on current and emerging skill shortages and requirements in the national economy, both in macro and sector based spheres. It will widely disseminate information from research and meetings with stakeholders that will enable businesses and workers to assess and inform their training and employment options. It will also provide government with key recommendations on potential and existing areas of skill needs to encourage an idea of where, when, how and what amount of public funds will need to be invested to strengthen relevant skill bases. Skills Australia will give advice on the allocation of 450,000 training places between establishment and 2011, ensuring government is able to rapidly convey to training providers specifically where trainees and workers with requisite skills are in demand by industry.

Existing industry skills councils will be strengthened and will advise and connect employers from industry with nationally accredited providers who will train both existing employees and those new to the workplace. The Rudd Labor government, in a departure from the previous occupants of the government benches, has already and will in future heed the advice and any warnings issued by the Reserve Bank of Australia.

An initial and urgent response to the current skills shortage has seen the Rudd Labor government acting with the utmost urgency to ensure 20,000 new training places will be available from April 2008 to 30 June 2008. The government has already called for expressions of interest for the provision of these places, which will be directed specifically to those looking to enter the labour market, thus stimulating workforce participation and lifting the productive capacity of Australia. In addition to this, the Skilling Australia for the Future policy will support up to 65,000 apprenticeships over the next four years.

The Rudd Labor government is also committed to moving forward the national skills agenda through the Council of Australian Governments. Through COAG, all Australian state and territory governments have agreed to work together to increase the productive capacity of the economy, address inflationary pressures and deliver higher quality services to the community. Building on the work of COAG, the Rudd Labor government has begun discussions with the state and territory systems to ensure close coordination between governments in planning for and funding growth in training and skills development. It is only with a long-term productivity agenda that we can hope to achieve simultaneously high economic growth, low unemployment and low inflation.

There are many benefits to be achieved by working together. A better return on publicly funded training investment can be expected. We can increase the capacity of enterprises to adopt high-performance work practices that increase productivity through supporting
workers to realise their potential. The Skills Australia Bill is the first part of the Rudd Labor government’s policy package to address skills shortages and thus fight inflation. The Rudd Labor government is ‘skilling Australia for the future’. It is a challenging and vital plan and it requires an active contribution from all parties.

There has been support for the Rudd Labor government’s Skills Australia Bill from the Australian Chamber of Commerce and Industry, which, in a press release dated 13 February 2008 and headed ‘Great potential in Skills Australia’, welcomed the introduction of this legislation and stated:

We are pleased that Skills Australia will bring together data about Australia’s skills needs from existing sources. The absence of a consistent definition for ‘skills shortages’ across Australia makes this function particularly valuable to industry.

It is only with all stakeholders actively engaged in this skills agenda that focus can be put on the end result—to increase the productive capacity of Australia’s economy via a more highly skilled and thoroughly trained workforce. The ultimate result of the creation of Skills Australia will be an industrial arena where the career aspirations and desires of workers are recognised, developed and justly rewarded. Establishing Skills Australia is the first of many steps the Rudd Labor government is taking as part of a comprehensive approach to overcoming the challenges and issues that Australia faces in securing a productive and prosperous future. I commend the bill to the Senate.

Senator STERLE (Western Australia) (4.11 pm)—I seek leave to incorporate the remainder of my speech on the Skills Australia Bill 2008 which I began earlier today.

Leave granted.

The remainder of the speech read as follows—

Part of the problem we face in addressing Australia’s skills shortage has been that training has not sufficiently matched industry’s needs.

Business and Industry have not been adequately consulted regarding their requirements for skilled workers. Through Skills Australia industry groups can predict and tailor training to the needs of their future workforce.

The Government is bringing everyone in on this one. We are including industry, businesses, academics and unions, as well as every single Australian State and territory for this first time to address this problem together.

Based on feedback from this group we will be able to allocate training places according to industry demand.

By planning and co-ordinating a united approach we will be able to ensure that the skills crisis that the Howard Government created and perpetuated can not and will not happen again.

These reforms will help with a better assessment of Australia’s skills needs and ensure new training places are delivered in a way that meets the needs of industry and our economy.

Industry skills councils will work with employers to identify their skills needs and match those needs with nationally accredited training by drawing on the advice of Skills Australia, its collective knowledge and skills base.

Australia’s training system must shift to a system that is driven by, and which responds to, the needs of business, industry and the economy. In this way, we can meet current demands and also ensure that we are looking ahead to future needs.

As already mentioned, this approach to addressing the skills shortage in Australia has the support and will have the involvement of every State and Territory through the Council of Australian Governments (COAG).

Already, a level of co-operation has been achieved by the Rudd Labor Government, which could never have been achieved by our predecessors.

The Department for Education, Employment & Workplace Relations has begun discussions with
state and territory education authorities to ensure close co-ordination between governments in planning and funding training and skills development. Over coming months we will see the benefits that Skills Australia will deliver.

A significant reason for its success is that it will be working with industry and governments in Australia, rather than against them.

There are many shared and real benefits to be achieved by working together. We can expect a better return on publicly funded training investment and we will see a co-operative approach to the way that investment is applied.

It is only with all stakeholders actively engaged in the skills agenda that we can focus on our outcomes—to increase the productive capacity of the economy through a more highly-skilled workforce.

Mr President, it is important to keep in mind that for almost 12 long years' vocational education and training was relegated to the bottom of the government’s priorities.

Under the previous government the number of apprenticeships and traineeships commenced as a result of a Job Network placement fell by more than half.

Between 1998 and 1999 there were 32,807 places compared with only 14,925 in the financial year 2006-07.

I bring to Honourable Senator’s attention, an article by Sid Marris in the Australian on 14th February 2008, in which the Australian Chamber of Commerce & Industry (ACCI) called on the Rudd Government:

“...to appoint a business person with industry experience as the chair of the new body... (as)...an approach which brings together important intelligence across portfolios will contribute to Australia’s skills planning processes.”

Isn’t it ironic. Here is the so called peak representative body of industry, who have had their feet firmly planted under the desk of Howard ministers – through the connection of Peter Hendy, former Chief Executive of ACCI, who we all now came out of the office of the former Minister for Industrial Relations in the Howard Government, Peter Reith – talking about the inclusion of different groups within training bodies.

And we all know the ACCI’s background, who spent 11 years doing all that they could denying union involvement in training bodies.

Now that their mates have been turfed out, they demand that they should have a place at the table.

The ACCI is just as guilty as the former Howard Government in overseeing the greatest demise of skills training in this nation.

Unlike these narrow interested groups, we on the Labor side of politics, support inclusion. Be it in the workplace, enterprise bargaining or in the development and implementation of skills training.

I also bring Honourable Senator’s attention to an article in the Age on 5th February 2008 by Tim Colebatch in which he states:

“The Howard Government dropped the ball on skills training, and chose infrastructure projects for political ends, not economic value.”

This damning statement of the Howard Government provide proof to the Australian people and to this Parliament that the former Howard Government was utterly negligent - failing to prepare Australia for the resources boom and a burgeoning economy.

Because Australia was simply not ready to respond, many opportunities have been lost.

A skilled country is essential for economic reform and a strong stable economy.

Addressing the skills shortage is part of the Rudd Government’s Five Point plan to address inflation and maintain this country’s economic strength. We were once a nation of innovation. Now that the 12-year lapse in leadership is well and truly behind us, let’s roll our sleeves up and get on with the real task of not only addressing the skills crisis but ensuring we never find ourselves in this situation again.

If we don’t invest as a nation, we don’t get a return, it’s as simple as that.

The Labor Party saw it coming. Together with the states and territories we will, through new leadership, provide a fresh start on skills and training.
The only answer that the lame Howard Government had was to try and flood the country with foreign workers. And what a wonderful solution that was...

In summary, Mr President, I commend this Bill to the Senate and if any Senator opposite has an ounce of decency in their bones, they will support this Bill through the Senate.

**Senator PARRY** (Tasmania) (4.11 pm)—I wish to speak for only about a minute. I particularly want to mention that Senator Carol Brown in her address indicated that there had been no students graduating from the northern technical college in Tasmania. This is in fact incorrect. The graduation ceremony was held two weeks ago at the Burnie Civic Centre and students graduated. I just wish to place on record that students have graduated from the northern technical college in Tasmania.

**Senator McGauran** (Victoria) (4.11 pm)—Like my colleague, I have been prompted to rise to speak because I have been listening to the addresses by members of the new Labor Party government on the other side. They have flushed me out of my office because what we have heard is all the old hacks get up and deliver nothing but a litany of misrepresentations on this important issue, on this economic squeeze that we know exists. Senator Carol Brown looks all quizzical and surprised, but she delivered the most set piece of all the speeches from the government side, putting in every second line ‘the former government’s legacy and the problem they have created’. She read it with disinterest, just delivering her lines as if being told to.

Let me say this to you, Senator Brown, for as long as you can possibly stay in the chamber: it is quite well recognised and denied by no-one that there is a skills shortage. There are different reasons for that. But let me also assure you, Senator Brown, and the previous speakers from the government, that the establishment of Skills Australia is not the panacea. It is not the solution. It is just another advisory body. It can join the other 43 committees, inquiries, commissions and conferences. You may as well just add: Skills Australia—an advisory body to the government. That is all it is. It is not a step forward at all. It is a statutory body to advise the government on an issue they ought to already know about. And by the way Senator George Campbell delivered his speech today he is very keen to get onto that statutory body to advise the government. He was oozing to get onto the body with his praise for Skills Australia. But, rest assured, your deliveries today would convince no-one in the industry, no-one with any understanding, that Skills Australia is a step forward in solving the greater problems we have before us. You showed little knowledge of and little interest in the bill. You just rushed in here simply to deliver a litany of falsehoods against the former government.

I should also add that I want to go back to the Hansard and look at one of Minister Carr’s—I find ‘Minister Carr’ hard to say—answers in question time today in regard to what I believe were false figures which he gave on the government’s new apprenticeships scheme. He will have to come in here and correct that particular error.

As I said, there is no denying that we have a shortage of skills in this country. It is well known. There are many different reasons for that. Some of them go as far back as the eighties and the poor decisions made then in regard to the abolition of the tech colleges. We know that the tech colleges were a success in delivering the supply of tradespeople to meet the demand. But they were abolished by the Labor government on the grounds of some sort of false snobbery, that everyone ought to be doing arts or something at university. They abolished the tech colleges. The eighties may seem a long time ago for a
lot of people but that had a cascading effect throughout the nineties and right through to today. The abolition of the tech colleges without doubt pulled the rug out from under the training of future tradespeople. And to think a Labor government did it.

The second reason that we have this squeeze on skills is the economy—the two economies, I should say. When the Labor Party were last in government under the Hawke-Keating government, in particular during the period when Paul Keating was Prime Minister, there was a severe recession which cut into businesses. Businesses simply stopped taking on apprentices. I have the figures for that. Apprenticeships dropped right down in 1994 to 107,000—a record low. The obvious effect, if the economy is driven into the ground, as it was by the previous Labor government, is that naturally the number of apprenticeships will drop off. Again, that has an effect for years to come because it takes some four years, plus probably a year or two extra in experience and training, for a properly skilled apprentice to get up and running, to meet their productive potential. So the recession during the previous Labor government had a severe effect on the skills pool in this country.

When we came into government, we immediately introduced the New Apprenticeships program in acknowledgement of the pending skills shortage. When the coalition were in government, we had 12 years of economic growth. That is another factor that squeezes the skills pool. Of course it does. These are the reasons. There is a heavy demand for skilled workers in a growing economy. That seems to have escaped those on the other side. They simply want to make cheap political points. These are the economic facts. The previous government’s record in regard to apprenticeships ought to be held up. I will not hear from the other side that it was not a very proud record. When we came in, as I said, apprenticeships were down to 107,000. In leaving government, there were somewhere near 450,000 to 500,000 apprentices in training. That is an enormous leap—from 107,000 to 400,000-plus. That was the success of the New Apprenticeships scheme. That was based on increased payments to employers and increased incentives for young people to take up an apprenticeship.

Moreover, we introduced the tech colleges. I should say that this government will abolish the previous government’s technical colleges program. Again, that is going to have a serious long-term effect. Just as we are talking now about the effect of the abolition of the technical colleges in the eighties upon the skills shortage and all those wasted young people who could have had more productive lives by taking up an apprenticeship but were forced into some other educational stream which did not suit them, we will be talking in the future, in probably the next 10 or 15 years, about the abolition of the technical colleges that this government is going to undertake.

Labor have learnt nothing. They are going to commit the same serious error twice. So do not anybody say that this is a new Labor government. This is the same old Labor government, and the same old unionists are on the speakers list—Senator George Campbell, Senator Sterle and the like. They should know better and should be standing up for future workers, the tradespeople. They were probably the beneficiaries themselves of an apprenticeship or perhaps even a tech school of some sort. The point is that Labor have learnt nothing and they are about to make the same mistake. What is their answer today? It is Skills Australia—an advisory body.

Also, besides the New Apprenticeships scheme, the previous government acted to increase their skilled migration program to
meet short-term shortages. It ought to be noted that this skills shortage is an international one. It is not unique to Australia. How many people know of Australian nurses who have been attracted to England by higher pay? This is an international problem. We are competing on the international stage to attract workers. Nevertheless, the previous government increased the skilled migration program to 100,000-plus, I believe, and it has been a successful program.

Further to that, the previous government introduced the skills voucher program, which was targeted towards older—if you want to call 25 and over older—unskilled workers to train themselves up. The current government are going to abolish it. The voucher scheme is probably one of the most efficient, targeted and necessary schemes for that age group of all the programs introduced, and the government are going to abolish it. What are they going to do instead? They are going to introduce an advisory body. So we have the 2020 conference, we have commissions—the health commissions are set up—we have inquiries into this and that, we have motherhood statements, spin statements and platitudes, and now we have a new statutory advisory body for an issue of concern that we all know about. It does not require another advisory body; it requires management.

Those on the other side have approached this whole debate in a sheer political manner. Those who have spoken do not even know what Skills Australia gets up to. They have been given their brief and have come in here—and their brief is not so much to talk about the bill; it is to knock the previous government. I see Senator Evans, the new Leader of the Government in the Senate, has walked in. When are they going to get down and govern? Are they just going to wait for all these reports and commissions and advisory bodies to come in one day before they actually govern? Get down and start governing, is my advice, and do more in this area than just set up an advisory body.

Senator Wortley (South Australia) (4.24 pm)—I rise to speak on the Skills Australia Bill 2008. This bill provides for the establishment of the statutory body Skills Australia—a body that will supply the government with first-class independent advice about the skills needs of this nation now and into the future. Skills Australia, which will be made up of members from a range of backgrounds, including economics, industry, academia and training providers, will work with the government to boost the skills of the Australian workforce.

Crucially, this partnership will make sure that the ever-expanding gap between skills training and the demand for skills closes. It will mean that the areas of greatest need for skills injections are highlighted and targeted. Some of the industries which may receive the new training places include health and community services, construction, mining and service industries. Ultimately, though, Skills Australia will give the government its advice on the distribution of 450,000 skilled training places by 2011 to ensure a good fit between the skills which industry needs and the skills Australian workers have. Indeed, industry demand will be central to ensuring this new dawn of skills training is as effective and productive as it can be. This new body will be an important part of a total skills package of $1.17 billion over four years. It will represent a financial and intellectual investment in the skills arena.

Many on the opposition benches have tried to deny Australia is in the grip of severe skills shortages—just as they have tried in the past to deny the growing hold of climate change, just as they have refused to believe that workers have been ill-treated and exploited under Work Choices and just as they have stubbornly refused to accept the need
for a national apology to the stolen generations. Those opposite can deny it all they like, but the reality of the skills crisis is hitting home and it is hitting hard—yet another dark and devastating legacy of the Howard government.

But even the former government’s own figures, through the Centre for the Economics of Education and Training, indicate that Australia faces a shortage of more than 200,000 workers over the next five years. In just eight years, by 2016, that figure will have grown to 240,000. Like climate change, the skills crisis is not an overnight predicament. It did not sneak up on us; it has been building for years, threatening our future prosperity.

In fact, the Reserve Bank of Australia warned the Howard government as far back as 1997 that this problem would hurt our economy, adversely affecting growth and putting upward pressure on inflation and, therefore, interest rates. But the former administration, which seems to have suffered dreadfully from selective deafness, ignored 20 warnings over a decade. To make matters worse, the TAFE system, the largest training provider in Australia, had its funding slashed. This disinvestment meant TAFE could not properly meet the call for training. It meant that more than 325,000 people were turned away from TAFE over the life of the Howard government. So, with all of its denial and neglect, it is little wonder that we are behind the eight ball when it comes to skills, to climate change, to water and to relationships between Indigenous and non-Indigenous Australia—and the list goes on. We have ground to make up. In fact, we have a lot of ground to make up.

This bill is part of a new direction in skills training—a new focus; a new priority. This is about investment rather than disinvestment, about moving forward and about improving Australia’s outlook. The new government is serious about meeting the many challenges left to it by years of inaction and apathy. In addition to planning for Skills Australia, this government already has set about making other changes that address skills shortages. It has started talks with other nations to expand the working holiday visa program for young people and adjust that program to allow longer working stays for people in the construction sector. There also will be an extra 6,000 places available this year in the skilled migration program. Further, the government already has called on industry experts to look at ways of easing labour shortages in the long term through skilled migration.

Because of the urgent nature of the skills crisis and the pressing need to lift the national economy’s productive capacity and reduce inflationary pressures, this new government has hit the ground running. Because we know we must act now, this legislation has been brought before the parliament as a priority. Because there is no time to waste, the government will make available from next month the first 20,000 of the 450,000 extra training places it has committed to. The first of the new places will target people who currently are not working—a strategy which obviously will have even further benefits. This government, through Skills Australia, will not just allot new training places and then walk away from the issue; it will make sure that most of the 450,000 high-quality training opportunities lead to a higher level qualification. This sits well with the Business Council of Australia estimates that say almost half of those skilled workers needed in the next decade to meet the demand will need to be qualified to certificate III level or higher. The government also will work with the states, through the Council of Australian Governments, to develop a truly national skills agenda.
So this bill is one part—an important but not isolated part—of a broader plan of skill- ing Australia for the future. It is part of a collaborative plan that will encompass contributions from all interested and relevant parties. The consequence of the bill will be a more skilled workforce, a more confident, fulfilled workforce. It will be a workforce that can better meet industry demands and address the gaping chasm between demand and supply, the skilled and the unskilled, the included and those that have been neglected.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (4.31 pm)—The Democrats welcome this move to set up an advisory body on skills shortages. It seems to me that the last government did not have one. It was pretty clear, from the measures that they put in place to solve the skills crisis, that it was more knee-jerk and vote-catching than anything to do with establishing good public policy. However, I want to urge the government to make sure it is clear—because it is not clear in the Skills Australia Bill 2008—exactly what the Skills Australia body will do. I hope it is not just about plumbers and electricians. We do need them—there is no question about that—but I have already spoken twice in this place today about skills shortages. On one occasion I spoke about the health sector, where skills shortages are so serious as to be worthy of a very high priority for Skills Australia to address. It is not just that we do not have enough doctors; there are, as I said, many ways in which we need to change our health system in order to allow other health professionals to be part of that system under existing structures.

I also spoke to the bill concerning the additional 50 teachers in the Northern Territory in Indigenous schools, where there is, again, an enormous shortage of teachers. We know that measures such as introducing 50 new teaching places will fail absolutely if we do not have sufficient teachers on the ground doing it. Or, at least, they will come from somewhere else where they are currently needed and in employment. So I urge the government to not just look at what would loosely be described as the ‘trades’ but make sure that this body also takes care of the professions, such as nurses, teachers, dentists, psychiatrists and the full range of those who are in short supply but so necessary to us in delivering health and education.

The reason I am critical of the former government in terms of skills is that, as I said, it seemed to me that decisions were knee-jerk. The former Prime Minister’s famous tech schools initiative was determined to bypass the states to put in place something which was very much a fifties view of what technical education should be about. I gather it was variously met with disdain and disapproval from the state governments because no discussion had taken place. I note that this body, Skills Australia, is charged with the business of talking with state governments, and that is a really good move. We need to get away from this whole idea that the Commonwealth will supersede and step over the service responsibilities of the states, and we need to work with them. I congratulate the government for doing this.

However, when I turn to the section about the appointment of members of Skills Australia, I fear that all of the Democrats’ work in this place putting up hundreds of amendments talking about appointment on merit and the sorts of things that ought to be in legislation in putting up boards has been ignored. There is nothing in the bill about appointment on merit, there is nothing here about probity and there is nothing here about independent scrutiny of appointments. I have to say, Minister Evans, that it is a great disappointment to the Democrats, after all of our efforts and all of the amendments that we have put up, to find that these points do not
appear in this bill. Including them ought to have been an easy thing to do and is something that you should have done.

We have got a list of the sorts of experience that members of Skills Australia should have, and that is a good thing, and we have got mention of a member being able to be appointed on a part-time basis, but, at the end of the day, members, including the chair, are to be appointed by the minister by written instrument. Here we go again. I will not be putting up our standard amendment, because, as I understand it, the government is already underway with its appointment process, at least for the chair. We have acknowledged that that is the case and modified our amendment. I foreshadow that when we go into committee I will move our amendment, which is numbered QM342, and not put our standard amendment, which is based on the Nolan principles.

Senator CHRIS EVANS (Western Australia—Minister for Immigration and Citizenship) (4.37 pm)—I would like to thank all senators for their contribution to the debate. The bits I heard were lively and all contributions worthy. As I say, I thank them for their contribution to the debate on the Skills Australia Bill 2008.

Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (4.38 pm)—I move Democrats amendment (1) on sheet QM342, circulated in my name:

(1) Page 5 (after line 20), after clause 9, insert:

9A Procedures for merit selection of appointments

(1) The Minister must, by legislative instrument, determine a code of practice for appointing members of Skills Australia that sets out, in addition to the requirements outlined in subsection 9(2), general principles on which appointments are to be made, including (but not limited to):

(a) merit; and
(b) independent scrutiny of appointments; and
(c) probity.

(2) Not later than the fifth anniversary after a code of practice has been determined, the Minister must review the code.

(3) In reviewing a code of practice, the Minister must invite the public to comment on the code.

As I indicated earlier, the Democrats have put the basic structure of our appointments on merit amendment before the Senate many, many times. This, as I mentioned, slightly differs from previous ones circulated. We have said for more than a decade that appointments on merit are a fundamental integrity issue. The coalition did not support our amendments previously and Labor have also rejected them more often than not. But on some occasions they have supported them, so I hope that this will be one of those occasions—the first chance the government have to make good on what was a failure of the previous government in the past.

Essentially, the principles that we consistently put before the chamber are built on the Lord Nolan examination in 1995 of the issue of appointments and patronage in the UK and on his proposals, which were agreed to by the Conservative government of John Major, were then carried through and supported by the Blair government and are now to be further enhanced and improved, as I understand it, by the Brown government. We are trying to build on best practice that is emerging in democratic countries with which we have common traditions. It is simply a safeguard that, in future governments under future ministers, the procedures for merit selec-
tion appointments will always be conducted to the highest level.

Subclause 9(2) of the Skills Australia Bill 2008 has the effect of providing that ‘In making appointments, the minister must ensure that the members of Skills Australia have between them experience’ in those areas that are indicated, but that does not guarantee appointment on merit. It is not a fully transparent or accountable process either. The basic structure of our amendment has been put before the chamber, as I said, more than 30 times now. Normally we know the exact number—I am sorry I cannot quote it here today. It calls for the general principles on which the selections are made to be established by a code of practice, including that the selection of the person shall be on merit and shall cover independent scrutiny of appointments, probity and so on.

I will not say this is a last-ditch effort, because I promise we will keep putting these up whenever boards are the subject of legislation in this place. We will not give up on it, but it would be fantastic if the government would on this occasion support our amendment. As I said, the amendment has been amended in light of the fact that, as I understand it—this is the advice that I was given by the government—this appointment is underway anyway. So we have dropped off ‘the need for openness and transparency’, sad though that may be, but we have kept in ‘merit’, ‘independent scrutiny of appointments’ and ‘probity’. We have also dropped off the need for the minister to publish the code of practice in the Gazette. It is clearly a bit too late for that. However, it is hard to see why the government would not agree to this amendment as circulated in the chamber.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (4.41 pm)—I would like to indicate that the government does not support this amendment. It might be fantastic if we did, but that is not the view that we would share, as Senator Allison, I have no doubt, would have been able to predict. There are a number of issues with the amendment, not least of which is that it is not normal practice that a statutory body providing advice to the Australian government would receive this level of intervention from the parliament. I recall similar propositions were advanced in the previous parliament and the then opposition, the Labor Party, did not support those propositions on that occasion.

This amendment undermines the capacity of the government to respond to the skills crisis which has been left to us by the Howard government. It actually limits the capacity of the government to deal with a profoundly serious situation. The amendment is therefore counterproductive to the operational needs of Skills Australia. Skills Australia will be an advisory body which will provide independent advice to the Australian government, and I have absolute confidence that the proper procedures will be put in place to ensure that there is an appropriately qualified board to support such a measure. Not only will the members of Skills Australia not have any significant financial functions; they will not have the capacity to allocate public moneys. There are already provisions in terms of accountability in the process of appointing members, and these provisions will apply.

The government will go through a standard process of appointing members to Skills Australia via instruments of appointment processes. These are not legal instruments, primarily because Skills Australia does not operate under the Financial Management and Accountability Act. If adopted, this amendment would have quite serious implications for all statutory bodies and would lead, in our view, to a number of consequences which I do not believe the parliament would
necessarily support. Skills Australia’s establishment is an important initiative and unfortunately, Senator Allison, your proposal does not meet the support of the government because it actually undermines the fundamental principles that Skills Australia is designed to provide.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (4.44 pm)—I would be obliged if the minister could flesh that out a little further for senators. Can he explain why an appointment based on merit would undermine the capacity to deal with the skills shortage? Can he explain why an appointment based on probity or independent scrutiny of appointments—very strong words, Senator Carr—might be counterproductive and undermine and have serious consequences? That is gilding the lily, at the very least, but I think we are entitled to hear your arguments as to why you think this to be the case.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (4.45 pm)—What I am suggesting is that the government’s appointment procedures account for these particular concerns that you have got. We have no intention of changing that position from our stated position in regard to that process. It is unnecessary for these issues to be presented by way of amendment on the selection of members to the board of Skills Australia. These would be cabinet appointments, as I understand it, and the cabinet can be relied upon to ensure that the necessary skills will be represented on the board to fulfil its functions as required by the legislation. We do not need to have any reference to a specific requirement of merit. All of the members of Skills Australia, I trust, will be appointed on the basis of merit. I would find it very difficult to believe that there would be any other argument presented by the minister as to why a person should not be appointed. There will of course be a proper process in terms of the appointments, as we have indicated. I understand that Senator Faulkner has outlined in some detail the procedures to be followed. As for probity, is it seriously proposed that the government would appoint people who were knowingly in breach of the probity requirements? I find that a difficult proposition to accept.

Senator ALLISON (Victoria—Leader of the Australian Democrats) (4.46 pm)—With respect, the minister tests our patience here. He is not seriously suggesting that we accept that cabinet knows best, that the minister would never appoint anybody a member of anything not based on merit and probity. The point of our amendment is that it should not just be up to the executive of government to make these decisions. They should be open and accountable. Otherwise we get jobs for the boys, as you well know, Senator Carr. We get appointments that are improper because somewhere, somehow, someone has owed a person a position. It might be a retiring member of parliament from the Labor Party or it could even be from the other side of the chamber—who knows? If the appointments are going to be based on merit, if they are going to be based on proper probity and if this is all not a problem, then I cannot see how our amendment undermines the capacity to deal with the skills shortage.

Frankly, if it is going to happen anyway, why not have it in legislation? Why not make sure that everybody knows and understands that this is an appointment based on merit. You have not made the case, Minister, for opposing this amendment. I accept that that is what you are going to do—and I will not go on all afternoon about it—but you really have not been able to put the case for the government, except to say, ‘Trust us. Trust the cabinet. Trust the Prime Minister. Trust us all to get it right.’ We have not been able to trust the previous government; I do not think we can trust your government either.
just because you say so. I again urge you to rethink this matter and to support our amendment, when you have failed totally, I have to say, to explain what is wrong with it.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (4.49 pm)—I will just quickly and briefly point out that your amendment suggests:
The Minister must, by legislative instrument, determine a code of practice for the appointing members of Skills Australia that sets out, in addition to the requirements outlined in subsection 9(2)...

Subsection 9(1) says:
Members (including the Chair) are to appointed by the Minister by written instrument.
Subsection 9(2) spells out the conditions under which appointments should be made:
In making appointments, the Minister must ensure that the members of Skills Australia have, between them, experience in:
(a) academia;
(b) the provision of education or training; and
(c) economics; and
(d) industry.

I agree, a wide range of skills are necessary. But they are appropriate. What you are proposing is that the general positions already outlined by the government, which apply to appointments of this nature, which we have said will be implemented, should be supplanted by your particular proposals and in addition to the provisions already outlined in section 8 of the bill that is before the chamber.

I argue that the appointment mechanisms are clear and concise and require qualifications to fulfil the job. It is normal custom and practice for governments to make appointments to bodies such as this and be held accountable for those appointments through the normal processes. This is a position we held in opposition; it is a position we hold in government.

Senator MASON (Queensland) (4.50 pm)—The opposition does not support this amendment and, while I understand the issues of principle raised by Senator Allison, I am nothing if not a political realist. This is the government’s view and certainly issues of accountability and transparency are important. But as the minister has said, the opposition—and indeed parliament more generally—will be monitoring the appointments to this board, as is always the case. The executive is always, in that sense, under the scrutiny of parliament. I can certainly assure Senator Allison that the opposition will continue to monitor those appointments and we will do the best we can in doing that.

Question negatived.
Bill agreed to.

Third Reading

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (4.52 pm)—I move:
That this bill be now read a third time.

Bill read a third time.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Debate resumed from 11 March, on motion by Senator Wortley:
That the following address-in-reply be agreed to:

To His Excellency the Governor-General
MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.
Senator BARNETT (Tasmania) (4.52 pm)—I rise to speak in continuation in the address-in-reply debate on the very important matter of the carers bonus. I note that in the last 24 hours there has been a major development which is the confirmation that the Rudd government has done a backflip over the plan to axe the $1,600 annual bonus to carers. In my view that is a great win for Australian carers, their families and their loved ones. It is an enormous relief. There was a lot of anxiety, stress and indeed distress in the community. In fact, the level of anxiety had hit the roof. I know that from the feedback that many coalition members and senators across Australia received—and I am sure there would have been government members and senators who would have received that feedback as well. The government have finally listened but it has taken nearly a week for the government to do a backflip and to say that the bonus will remain.

I want to say congratulations to Pat and Harry Stafford in particular. They have been married for 60 years and they came out with me on Saturday morning in Launceston to stand up for the carers in Tasmania. Pat Stafford has motor neurone disease and she has had it for 15 years. She is in a wheelchair. They wanted to stand up for all those who are vulnerable, who need their help and assistance, and to say that any possible intention on the Labor government’s behalf to remove that $1,600 annual bonus is totally unacceptable. I want to say congratulations to Pat and Harry Stafford. They are part of the Motor Neurone Disease Association, which meets monthly. They are wonderful supporters of not only their family and friends but other people and other families with motor neurone disease and other people with disabilities. I say congratulations to them.

I want to congratulate and say thank you to Bev and Jim Barnard from Launceston, in fact from Youngtown. Jim Barnard has Parkinson’s disease. I spoke to Bev Barnard personally and they were willing to put their names forward in a big story in the Examiner with a photo on Sunday, 9 March. I want to read this article, and to acknowledge and thank the Examiner for promoting this very important issue. I thank Fran Voss, who did the report. It says a little bit about Bev and Jim and their situation and I would like to refer to it:

Bev Barnard of Youngtown is one of 400,000 primary carers around Australia stunned by the news that the Federal Government is considering axing the annual $1,600 carer bonus. There are just under 16,000 primary carers in Tasmania. Mrs Barnard, 64, cares for her husband Jim, 68, who has suffered Parkinson’s disease for 15 years and her 30-year-old visually impaired daughter. Mr Barnard was diagnosed when he was 53 and is now totally dependent on his wife.

What a situation for them. What a difficulty. It continues:

Their daughter, Kayleen, has been visually impaired since she suffered a brain haemorrhage at four days old. Both Kayleen and Jim also suffer depression and other health issues. The $1,600 annual bonus enables Mrs Barnard to buy medications, replacement items for the house like a new washing machine, transport her husband and daughter to medical appointments and pay for respite care to allow her some time off.

I had a talk to Bev Barnard and she was very, very upset and stressed. She said, ‘I’m not doing it for us, I’m doing it for the vulnerable, for the disabled and for the people who need it in Tasmania and across the country.’ I want to say thank you to them on the public record.

Thank you to Pat and Harry Stafford for what they have done. I remind the Senate and indeed the public what Pat Stafford said on Saturday when she made that bold announcement to the public. She said that the
lump sum payment was a wonderful help. She said, ‘This enables us to keep our 25-year-old car.’ It is a Mitsubishi car, I saw it and the wheelchair goes on the back. It is quite a contraption to get it all to work together, but it is an excellent vehicle for their needs and with a wheelchair on the back it is well put together. She said that it is their only means of transport to keep them on the road. She said ‘The lump sum also allows us to pay the winter heating bills and this payment gives us a quality of life.’ She talked about the need for a kettle and other miscellaneous items in the house particularly during the wintertime. The lump sum payment was particularly appreciated. Her husband, Harry Stafford, said that without this help Pat would end up in an institution.

This is what we are facing and this government has been dillydallying around with weasel words for the last six days trying to fob off this issue. This is an important issue for the 400,000 carers and their families throughout Australia. Harry Stafford and indeed Pat Stafford have summed it up. On Saturday Pat said that John Howard was the quiet achiever but Kevin Rudd was the quiet deceiver. She said that she knew nothing about this before the election.

Of course they worried. There was no comment; there was no discussion about it before the election. And we have had this issue running for nearly a week in the public arena without the government saying anything about there being an ironclad guarantee that this bonus payment would not be removed. So they have stood up on behalf of their community—and I say, ‘Congratulations and well done,’ on behalf of all Tasmanians, who I know are very proud of them for doing that.

I want to thank Mrs Kimberley Ware. She rang my office and we spoke together. She has two autistic boys, one aged 16 and one aged 7. The eldest boy will soon be 17. She cannot work. She is there by herself 24/7 looking after these boys, and surviving is very tough. She told me about concerns, about what she has to put up with and about the meagre funds that she has to do it with. I say ‘thank you’ to her, and I also note that she contacted the office of her local member, Jodie Campbell, and had no assistance provided to her.

This brings into focus the role of the local federal member, the member for Bass, Jodie Campbell. What has she done? Did she stand up? What has she said about it? I know what she said on Saturday, because we debated this issue publicly and it was reported publicly. She said that this payment was a one-off. The fact is that the payment had been paid for four years in a row—every year for four years. It was not a one-off; that is one thing it was not. So why did Ms Campbell not stand up for and on behalf of her local community, for and on behalf of the carers and those who are vulnerable—the people with disabilities in her local community?

We had 150 Centrelink call centre jobs in Launceston axed by the Rudd Labor government, and Ms Campbell failed at that first test to stand up for her local community. What we need in Tasmania and around the country are people who are willing to stand up. Both on the call centre and the carer issue, Ms Campbell has been willing to be Mr Rudd’s co-conspirator. She has not met the major test. She should be defending her region and taking on the ministers in Canberra and any of the Canberra bureaucrats who are not acting in the best interests of her community. She will simply be regarded as a Labor lackey if she is not willing to stand up.

I want to pay tribute not only to Pat and Harry Stafford and Jim and Bev Barnard but to Janis McKenna of Carers Tasmania. Carers Tasmania have been strong advocates for
the people of Tasmania who need their support and advocacy. Janis has been fantastic. She has been on the radio and in the news and other media doing the job that she has to do. Her objective is to care for and stand up for the carers of Tasmania. So, thank you, Janis McKenna. It has been a pleasure working with you and your organisation to see if we could get some reality injected into the Rudd Labor government so that they removed all doubt entirely.

I notice that there was some news today. In fact, it was not clarified until after the TV news went to bed last night. I say that it is not good enough for the backdown by the Rudd Labor government to be dribbled out to the media via what was quoted as being a ‘Rudd spokesperson’ after the nightly news on Tuesday evening. The Prime Minister should have taken the medicine and had the courage to announce it himself. So we had some news later today that the Rudd Labor government has confirmed that the carers and seniors bonus will be paid as a lump sum payment by the end of June. There is enormous relief in the community now about that.

I want to particularly thank Brendan Nelson for taking a lead on this issue at a national level and calling the government to account. I want to thank Tony Abbott for his strong advocacy for the 400,000 carers and I also want to thank Margaret May, who has been a staunch advocate on behalf of those carers in and around Australia. In Tasmania, we have over 69,000 carers, and we have 16,000 primary family carers. They really deserve support, and it is very important.

To the unsung heroes in our community, it is a great relief today to hear the news that the bonus payment will be made, and I hope that the Rudd Labor government has learnt its lesson. It has been caught out, and I think the Pat Stafford quote is appropriate. I have said it once and will conclude with it:

John Howard was the quiet achiever but Kevin Rudd has turned out to be the quiet deceiver. We knew nothing about this before the election.

So the good news is that there is relief today. The anxiety levels have hit the roof for nearly one week, but there is enormous relief today and I congratulate those carers who are willing to stand up on behalf of their local communities.

Senator IAN MACDONALD (Queensland) (5.04 pm)—It is indeed a pleasure to join in the address-in-reply to His Excellency the Governor-General’s speech to parliament of what is now some weeks ago. In extending my best wishes to the Governor-General, can I say what a magnificent job he has done as Australia’s leader over a long period of time. I particularly want to thank him for the very visible visit he made to Townsville recently—principally to celebrate the 60th anniversary of the Royal Australian Regiment, of which he was a distinguished leader at one stage in his military career. I thank him for the way he interacted with the Townsville community. He attended a youth forum that the Mayor of Thuringowa, Councillor Les Tyrell, put on; and I certainly hope that Councillor Les Tyrell is the new mayor of Townsville City after next Saturday. The Governor-General and his wife were very gracious visitors to that North Queensland city and demonstrated the sort of interest the Governor-General has taken in Australia since becoming our leader.

The Governor-General delivered a speech, which of course was written by the current government, and I want to refer to some aspects of that speech and some aspects of the program that the new government raised in that speech. The new government made a great virtue of attacking inflation. Not only did Mr Rudd pinch all of the coalition poli-
cies when he was opposition, but having gained government he seemed to again be following what our government did in 1996. In 1996 our government came in with a $96 billion debt confronting it. There was a $10 billion annual deficit and there were huge problems in the economy created by the Labor Party. We rightly pointed out that we had this huge government debt to address.

Mr Rudd, thinking of those times, thought he had to try and find something he could blame on the coalition and blame his inexperience on as he got into more and more trouble. He anticipated he would need a peg to hang his hat on in relation to blame. Having promised, of course, that he was finishing the blame game—a promise that was as shallow as most of Mr Rudd’s other original promises—he then picked on inflation. With the help of a very compliant media, he has raised the issue of inflation in the attention of the Australian public. However, what he has forgotten to mention, of course, is that the last Labor government that we had had inflation running at 10 per cent—double-digit figures—when we came into government 11 or 12 years ago. Labor simply cannot be trusted with management, as shown by their record over the last term of the Labor government, with huge interest rates—up to 17½ per cent. I carry my bank statement with me because younger people these days do not believe me when I say that I was paying 17½ per cent on my housing loan, but I have got the bank statement to prove it.

So Mr Rudd picked on this fictitious claim about inflation running out of control. Inflation is an issue—it is one of the issues that the Howard government addressed and one of those that would have been carefully handled had we retained office. But Mr Rudd will really need to think of another blame game issue rather than the inflation one, because we know from Labor’s last experience in government that they will be looking at inflation in the double-digit area and thinking of it as normal.

The government’s comments about economic reform are a lot of fluff. I think it has been clearly demonstrated over the last 100 days that to be a fiscal conservative you have to do more than just mouth the words. The new government has become, I think, quite well recognised in the first 100 days as being good on the rhetoric but finding it a lot more difficult to put that rhetoric into action. As Senator Barnett mentioned in the speech before mine, the government’s comments about work and family in the address by the Governor-General are clearly easily forgotten by the government as it sets out to penalise those who are more vulnerable in our society, the carers and the elderly. I am delighted that Brendan Nelson has led a campaign that has reversed the decision of the Labor government to slash payments to carers and the elderly.

With education—and a lot was made of this in the Governor-General’s speech—we see that rather than assisting with education the new government seems to have gone out of its way to attack education. The very popular—and not only popular but very useful—Investing in Our Schools Program has been slashed by this government. One wonders what those state schools, Catholic schools and independent schools are going to do for the assistance they needed, which was not being provided by the state governments—who do have primary responsibility for education. In the health area there were a lot of promises by the Labor government. There was a health ministers’ get-together—a bit of a powwow; a bit of a chat—a week or so ago. What came out of it? Nothing except the chat. They agreed to have another chat at some time in the future to see if they could address the problems.
A lot was made, in the government’s speech, of climate change and water. As I have mentioned in this chamber previously, Australia produces less than 1.4 per cent of the world’s greenhouse gas emissions. If you shut Australia down tomorrow, it would not make one iota of difference to the changing world climate. We are part of the globe, and Australia’s miniscule emissions will have no impact on the changing climate of the globe. What we have to do to address that, and what the previous government was doing, is to show leadership, as demonstrated at APEC, where we got the big emitters to the table and made sure that they started thinking about it—because only by getting the big emitters to the table and getting them to reduce their greenhouse gas emissions will we have any chance of changing the dilemma that we are looking at with world climate change.

The Governor-General’s speech on behalf of the new government mentioned a lot about social inclusion and Indigenous policy. Well, we see that the best thing that could have happened to Indigenous people, the intervention in the Northern Territory, is already being wound back by this government. I simply cannot understand that except by thinking that the government is being pressured by certain forces inside the Labor Party to take action which is really not in the best interests of our Indigenous brothers and sisters in Australia.

In relation to that, Mr Rudd was very keen to talk about the forcibly separated Indigenous children. As it turned out, there are other, non-Indigenous Australians who were also forcibly separated from their parents in the prewar and early war years—60,000 of them, the subject of a very good Senate report a couple of years ago. I have written to Mr Rudd and asked him when he is going to consider compensation for those people. I have had a most dismissive letter—not from the Prime Minister, to whom I wrote, but from one of his parliamentary secretaries—arguing about whether an adviser had committed to doing something about this some time ago. That is an issue which must be addressed by the new government, and I will certainly be working with the Care Leavers Australia Network to try and get something done to acknowledge the hurt of those forcibly separated Australians who were not Indigenous people. Mr Rudd seems to have one set of policies for one lot of Australians and a different set for another lot. Perhaps it is an issue of which one might get him the best publicity at any particular time.

Governance and transparency were highlighted by the Governor-General on behalf of the new government. We heard a bit about the 2020 Summit that Mr Rudd is convening. Before the election, apart from pinching all of the coalition government’s policies, Mr Rudd also indicated he had a plan for Australia. We knew he was going to set up a lot of reviews, committees, task forces, boards and inquiries, but we did actually believe him, most Australians believed him, when he said he had a plan. We now find out that he had no plan at all and that he is going to get together a group of Australian people—the ‘best and brightest minds’, he says—to provide this plan for him.

In doing this, Mr Rudd has selected a steering committee that comprises a group of academics from the ‘golden triangle’ of Canberra-Sydney-Melbourne, with the exception of the Hon. Tim Fischer, who will bring some sense and a different perspective to the organisation of that conference. But there is no-one from the minor states on the steering committee, no-one at all from Northern Australia and, apart from Mr Fischer, no-one from rural and regional Australia. So this
think tank of 1,000 ‘best and brightest minds’ obviously means the best and brightest minds that happen to live in the golden triangle of Canberra-Sydney-Melbourne.

To make sure that no-one from the north of Australia can get to the summit, we find that the initial advice—this is probably going to change, like most other things with Mr Rudd—is that there will be no expenses provided and no attendance fees paid. So that is great if you happen to head a major company, be a university academic, be one of Mr Rudd’s mates from business or be someone like Mr Rudd with millions of dollars behind him who can travel around Australia without assistance. But for ordinary people from Northern Australia being able to get to this conference would be just impossible. Mr Rudd probably does not know, because when he goes north he flies in a taxpayer funded government jet, that ordinary people have to drive for many hours to get to an airport, then they have to change aircraft three or four times, and they have to be away from their work for three or four days, to put in a couple of days attendance at any conference in Canberra, Sydney or Melbourne. These things were not considered, of course, because this conference is going to be for the golden triangle elite that Mr Rudd will be looking to give him the plan that he did not have.

All in all, quite contrary to the Governor-General’s speech, which indicated that this new government was committed to bringing a fresh approach, committed to being a government that listens to the Australian people and committed to being a government with a vision for Australia’s long-term future, none of those urgings are in fact at all accurate. This is a government with no plan, little interest in Australia’s future unless you happen to live in Sydney, Melbourne or Canberra, and it is certainly not a government that is bringing fresh ideas to the table. The only new idea so far seems to be great slashes in funding to the most vulnerable in our society. I hope that the first 100 days are not the benchmark by which this government will be judged.

Senator HURLEY (South Australia) (5.18 pm)—It gives me great pleasure to respond to the Governor-General’s speech in the address-in-reply debate, the first that I have taken part in where there is a Labor government in office. It was the focus in the speech on the future that particularly struck me. There was a focus on the future in both a social dimension and an economic dimension. I am very pleased that we now have a government which is looking to the future and which does in fact have a plan, and a plan on two fronts: to prepare for the future growth of Australia and to prepare for any future shocks to Australia’s economy. This mirrors a lot of what was done by the previous Labor governments under Hawke and Keating, where necessary restructuring and modernisation of the country took place in order to prepare the country for the future.

There were of course a number of social platforms in the speech, but today I specifically want to address some of the economic initiatives that it covered. I want to reiterate that they prepare us for future growth in Australia through innovation, productivity, research and development, and also prepare us for any future shocks to the economy, one of which we are only just beginning to feel, I suspect—that of inflation. But currently we are also feeling tremors through the world’s financial markets and it is difficult, I think, at this stage to tell how far those tremors will go.

In talking about the economy, I want to focus on the manufacturing sector, because it is of great importance to my state of South Australia and because, during the election campaign, the future Prime Minister, Kevin
Rudd, expressed a great deal of support for the manufacturing industry in Australia—support that was expressed in emphatic terms that have not been heard from an Australian leader for some time and that was, fortunately, also backed up by comprehensive campaign commitments to ensure that the manufacturing sector does continue in Australia and can look forward to growth, change and development.

Before I address some of the promises within the campaign and then the measures that were addressed in the Governor-General’s speech, I would like to talk a bit about a particular example of manufacturing in South Australia. It was recently announced that Mitsubishi’s factory in Adelaide would in fact be closed—that the Mitsubishi company would no longer support vehicle manufacturing in Australia. That was indeed something that had been speculated about for some time and did not, in that sense, come as a shock to us in South Australia. Nevertheless, it was very bad news for the workers in that plant especially and for the economy of South Australia in general, although it was probably not as bad an economic shock as it might have been had it happened some time earlier.

For those who are not really aware of the development of the Mitsubishi factory, I can tell you that Mitsubishi’s Tonsley Park plant was opened in 1964 as the Australian manufacturing plant for Chrysler Australia. Chrysler then opened an engine manufacturing plant south of Adelaide in Lonsdale in 1968 to provide engines for the models being assembled at Tonsley Park. Then in 1980 the Tonsley Park plant was sold to Mitsubishi Motors Corporation and a new subsidiary, Mitsubishi Motors Australia Ltd, was formed to run the plant. At that time it produced the very popular Colt and Sigma range of vehicles, and they continued under the Mitsubishi range until the late 1980s, when production switched to the larger Magna and, later, Verada motor vehicles.

In the year 2000, Mitsubishi employed around 4,000 employees across the Lonsdale and Tonsley Park sites but by the early 2000s it was clear that the Magna/Verada line had aged considerably and approval for construction of a new vehicle was gained from Mitsubishi. A new car was engineered, and the Mitsubishi 380 was delivered to the market in 2005. In 2004, 670 workers at the Lonsdale engine plant and 350 at the Tonsley Park site were made redundant in response to a downturn in sales.

The car that arose out of the construction of the new vehicle, the Mitsubishi 380, did not achieve the success that was hoped for and has sold relatively poorly since its introduction in late 2005—down to as few as 50 cars a day. Finally, as I said, on 5 February this year it was announced that Mitsubishi would cease production of the 380 at Tonsley Park, effective at the end of this month. As a result, 930 direct jobs will be lost, and up to 2,000 jobs will be lost in industries supporting Mitsubishi’s manufacturing operations. Fortunately, the South Australian and federal governments have pledged $50 million towards retraining, Job Search and investment attraction.

I think one of the reasons that the unfortunate loss of the Mitsubishi plant is not as devastating as might be expected is that governments in South Australia and federally were acutely aware that there were a number of spin-off industries out of the motor manufacturing industry—a number of small to medium enterprises that relied on motor vehicle manufacturing in South Australia, in both the Mitsubishi and Holden plants. Fortunately a number of those smaller manufacturing industries have found other markets in other parts of the world and are successfully exporting to those markets. So although
many people in those support industries will lose their jobs there will be some who will go on and continue to thrive.

I spoke at another time about the clusters project in northern Adelaide. That has been one of the reasons that some of these smaller plants have gone on to develop technologies that have enabled them to continue to manufacture well and innovatively, and to produce exports to the rest of the world. I am pleased to say that part of the Labor government’s plan is to assist that kind of manufacturing success story. As part of Labor’s $200 million Enterprise Connect initiative, $1.5 million has been committed to fund a Mapping the Connection project in the northern part of Adelaide. The idea is to examine the supply chain relationship between companies in northern Adelaide, as well as nationally and internationally, and then go on to develop strategies and programs to connect companies with one another and improve the supply chain opportunities.

That has already been successful, in a couple of instances, in a pilot project that was established in the northern suburbs. Those kinds of industry clusters have proved to be a magnet for direct foreign investment in Australia. An industry cluster has become a group of independent companies and associated institutions, including universities, that can both collaborate and compete. They do not necessarily need to be geographically concentrated but are linked by common technologies and skills, and some kind of governance or management arrangement is put in place.

That is one of the ways that the Labor government is looking to support innovation and exports in the manufacturing area. Another relatively small but significant program of the new Labor government will be retooling for climate change. There will be $75 million in grants which will particularly help small- to medium-sized companies meet the costs of such things as energy and water efficiency. This will be of great assistance to small to medium companies in the new era when companies need to be much more aware of environment change. Another program which will assist the northern suburbs is a $20 million grant to establish a manufacturing centre in Mawson Lakes in northern Adelaide. This is part of the larger manufacturing network program in which Labor will invest up to $100 million. This centre will work directly with manufacturing businesses to help them improve innovative capacity and will provide hands-on support for things such as benchmarking and managing the challenges of small business in that transitional growth period.

These are small but significant ways to allow businesses to cope with change in the manufacturing industry and to give them a bit of a lift-off to compete in a global market, which is becoming increasingly common. It is now becoming much more difficult to concentrate on just the domestic industry. Companies are beginning to understand that an export focus does assist them to grow and compete in today’s world. In the northern suburbs of Adelaide, an area where we are well poised to develop the kind of hub that will make an ideal manufacturing stronghold, we have widespread capabilities in ICT, defence, the automotive industry I have just discussed, electronics, mineral processing and food and wine. Many of those are growth areas and I expect, with a little bit of help, that those industries will grow and develop and will make the northern suburbs of Adelaide an even stronger manufacturing centre.

I briefly mentioned innovation and research and development, but that is not to say that I do not think that that is all important in developing an industry in Australia. I think we are beyond the phase when we can
just stay with our current range of expertise. In fact, I think Australia, in its own borders, congratulates itself for its ability to innovate and develop good technologies and new processes that are practical and assist significant gains in the industry. But I think we have seen a slowdown in that in the past decade, because research and development was not a priority of the Howard government. It will be a great priority for the current government. The previous federal government cut the R&D tax concession, for example, from 150 per cent to 125 per cent. When you compare it to other areas, you see what a difference that kind of concession can make. The European benchmark is 150 per cent. In Malaysia, it is about 200 per cent. Across the European Union as a whole, there is also a 150 per cent R&D tax concession for science and innovation, as well as a €46 billion innovation and competitive program. Many of the major industrial companies around the world fund these kinds of programs. It is very important that the Rudd Labor government has adopted that with great enthusiasm and is determined to promote innovation and research and development.

We have the Minister for Innovation, Industry, Science and Research in the chamber at the moment. He has sent out the message, very loud and clear, that we, as a government, are wanting innovative research in all our tertiary institutions and that we expect much of that will feed back into our economy and businesses to enable Australia to once again position itself at the forefront of change and innovation and find itself new directions in the changing world. I am very excited about the direction that we are taking in industry, particularly, in my home state of South Australia. I commend the new government for the approach they have taken to that.

In the last few minutes that I have available I want to move slightly away from industry and talk about the changes to industrial relations that were mentioned in the Governor-General’s speech. It is a great relief for all of us in the Labor movement in Australia that we will see an end to Work Choices and the scrapping of that legislation and a relief to see the determination by our new Labor government to bring about changes to industrial relations legislation. Those of us who were out on the ground when campaigning hard all through last year heard story after story when we spoke to many people who were adversely affected by the Work Choices legislation. It was not just employees; it was also employers who had great difficulty coping with the red tape, the confusion and the conflict created by the Work Choices legislation. It was a divisive and difficult piece of legislation that did no good whatsoever for businesses and employees in Australia.

I am pleased that Prime Minister Kevin Rudd has moved as swiftly as he said he would before the election to change that Work Choices legislation. I, and many people I know, look forward to seeing a more just and fair industrial relations system developed as a result of that. Of course, most employers want the best for their employees, but the Work Choices legislation too often opened loopholes that many unscrupulous employers used to screw down workers’ rights, pay and conditions.

The most glaring example I had when I was campaigning was a man who went to work for a printer in the northern suburbs. He had worked for that printer for three months and the printer asked to take him on permanently. The man asked if he could vary his hours by 15 minutes, starting 15 minutes earlier and finishing 15 minutes earlier, in order to pick up his child from school. That was refused and the man was sacked. He was not only sacked but refused his last two weeks wages on the grounds that he had not
given proper notice. That man went through the Work Choices system trying to find some redress and was given none until the intervention of my office. That is the kind of unfair practice that was promoted under the Work Choices legislation that I very much look forward to seeing changed under this new government. The opposition has indicated that it will support that legislation, and I look forward to seeing that facilitated through the parliament in the next few weeks.

Senator BERNARDI (South Australia) (5.38 pm)—In rising to reply to the Governor-General’s speech, I would like to acknowledge the great respect that I have for His Excellency and the manner in which he has served our nation as our leader. I think he has at all times conducted himself with great dignity and probity and brought a great deal of respect to the office, and I am sure that he will continue to make an outstanding contribution to Australian public life in the future. During His Excellency’s speech, he outlined a number of initiatives that the Rudd government is intending to pursue. These were detailed in the context of a new government coming into office. He said:

As one of the world’s oldest democracies, it is easy for us to take elections for granted and to fail to appreciate how fortunate we are, to live in a nation where governments change hands peacefully, as a result of the free expression of the will of the people.

Nothing could express the benefits of living in Australia more succinctly than what has been put there.

But what concerned me in His Excellency’s speech was the plan for realigning and reforming our federation in line with the Rudd government’s plans for an Oceania almost, an East Asia or a Eurasia, as have been outlined in George Orwell’s book Nine-teen Eighty-Four. His Excellency said that Mr Rudd has:

... a plan of reforming the Federation by forming partnerships with the States and Territories to tackle the legitimate demands of working families for the delivery of better services from all levels of government...

We do not need to reform the federation in order to get better outcomes and delivery of services for working families; we need state Labor governments to step up to the plate. It is not the responsibility of the federal government to interfere in service delivery, except where there has been a grotesque failure. And that is the challenge that the former government had to deal with for 11½ long years. We should not be messing with our federation. We should not be messing with our Constitution or even suggesting that we do so; it has stood the test of time for over 100 years. It was designed and developed to divide powers between the state and federal governments for the proper government of the country.

Mr Rudd, through his statements of reforming the federation, indicates that he wants to recast it in his image. He said that he wants to end the blame game. The blame game is simply the responsibility game—the responsibility that is spelt out so clearly in our Constitution. Mr Rudd has once again put forward more spin. He has put forward no real substance. He has created a very tight sound bite built around George Orwell’s Oceania where he will play the great oligarch of the party, as it was described, intent on having an all-conquering new order interfering in the everyday lives of Australians.

This contravenes the very nature of our country. It is one of the world’s most successful democracies, as acknowledged in the same process. It has been successful because there has been a very clear division of powers. That is not to suggest there are not areas in which it could improve. Of course there are areas in which it can improve, and the reason it needs to improve is that we have
state governments that have been awash in money and spending it most unwisely, ignoring the important things that are meant to go on.

But Mr Rudd has started his prime ministership by trying to redefine the past. By redefining the past, he is casting doubt upon the economic and financial acumen of the previous government—a government that delivered 11½ years of sustained growth, delivered enormous budget surpluses, paid back $96 billion worth of Labor debt and maintained home mortgage interest rates at a lower level than they ever were under a previous Labor government and, indeed, lower than they ever have been under the present government. Mr Rudd has once again borrowed from George Orwell’s novel:

‘Who controls the past,’ ran the Party slogan, ‘controls the future: who controls the present controls the past.’

Mr Rudd is simply seeking to reinvent the past so he can frame his future around a need for drastic measures to sustain Australia’s prosperity. There are drastic measures needed to sustain Australia’s prosperity, but they involve a change of government, and that is going to be at least two or three years away.

We should not be changing our Constitution. Mr Rudd said he has a plan to change the federation. I ask: what plan is this? Have the Australian people been notified of or consulted about these changes that may affect our Constitution or, indeed, the way our federation functions? Simply because state Labor governments cannot fulfil their obligations—or will not fulfil their obligations, I should say—and are neglecting their responsibilities, constitutional change is not necessitated.

During the years of the Howard government, it became very clear that the Labor governments—states and territories—were incapable of properly delivering the services their constituents required, and that is why the federal government had no choice but to step in on multiple occasions and accept further responsibility in order to ensure that the people of Australia were not disadvantaged. But in this brave new world of cooperative federalism, Mr Rudd should be ensuring that the state Labor governments will fulfil their obligations to our broader community.

Rather than constitutional reform, Mr Rudd should be advocating a stronger system for ensuring that the state governments are picking up the areas that they are meant to have picked up. I am not a constitutional lawyer, but certainly I accept the fact that government should have a limited role in people’s lives. I also support the fact that our federation is the best means of ensuring that both service delivery and the national interest are represented at once.

Section 51 of the Australian Constitution highlights the important roles and responsibilities of the federal government. These go to core national issues like defence, marriage, foreign affairs, trade, taxation, communications, quarantine, fisheries and immigration. These are important issues for the government to fulfil to the very best of its ability. Outside of this, the residual powers that are not explicitly mentioned in the Constitution reside with the states. I do not believe that this government should overstep the federal-state boundaries and try to stretch the Commonwealth’s powers beyond what is prescribed in our Constitution. Although I am not a constitutional lawyer, I believe that there are circumstances where it will be necessary to intervene in some particular areas. We can take legal advice on it and, indeed, the High Court has made rulings in this respect before.

Before we take the bold step of deciding to relieve the states of any of their burdens or
of proposing a recasting of our federation, we have to ensure that we are not making state governments less and less accountable and less and less significant, lest they disappear altogether. Perhaps the ultimate aim of the campaign is to see the disappearance of state governments. But I have this view, which is rather old fashioned in some quarters, that state governments are better placed for service delivery because they are closer to the provision of services and to the needs of the community than the federal government can be.

It is interesting that as the state governments have received more and more funding over the course of the years they have been seen to be more and more wasteful in their use of this money. In my own state of South Australia, they once budgeted for an increase in public servants of some 600 people but ended up putting 6,000 people on the payroll. You cannot just have an oversight and add 10 times the number of people to the public payroll and then expect your books to balance. Indeed, it is an unfortunate state of being that the books no longer do balance.

State governments have incurred some $40 billion worth of debt and expect it to rise to over $80 billion over the course of the next few years. Why are they doing this? Because they know that the public do not hold them accountable; they hold the federal government accountable. We need to ensure that the public recognise which responsibilities lie with state governments and that the Commonwealth should not be picking up the tab simply because it is in the too-hard basket for them. Over the last decade we have seen the inadequate delivery of services at the state level until the Commonwealth has stepped in. Record tax windfalls have been going to state governments and yet they still squander these abundant resources. Mr Rudd has an obligation not to recast the federation and not to blur the lines of where responsibilities lie between federal and state governments but to make the state governments account for what they are doing and hold them to it.

It would make more sense to reform the federation from a regulatory sense rather than simply stepping in to the service delivery area. Reducing some areas of conflict between state governments would, I am sure, meet with a wide measure of support because what is good for people in one state is usually good for people in other states. Let me give you an example. Occupational health and safety is designed to protect workers and to provide safe working conditions. Why should the occupational health and safety regulations in South Australia be different from those in Victoria, New South Wales, Queensland, Western Australia or anywhere else in Australia? The intention of these laws is to protect workers. The provision of a national regulatory regime would ensure that businesses could easily work across borders. It would ensure that there would be increased competition because people could transfer their labour and their skills across borders—business people could do that with their own staff. It would also ensure that we have a nationally compliant scheme in which changes could be effected very easily.

There are any number of regulatory areas where this would make very good sense. Another one would be consumer credit laws. I gave a speech in this place last year about—

**Senator Abetz**—It was a very good speech.

**Senator BERNARDI**—Thank you, Senator Abetz. I gave a speech about how consumer credit laws vary according to each state. In some states you can charge 48 per cent annual interest. In other states there are no caps on interest rate payments charged by short-term money lenders. In fact, you can roll additional fees into it, which means that
some people are paying thousands of percentage points in interest per annum for short-term money.

These sorts of things need a national regulatory environment to protect consumers and ensure that there is standardisation across our country. Our country is simply too big and at the same time too small in population to have different regulations in each of our states across areas that have a commonality of interest. I suggest that that is where the focus of any reform should be. We should not be looking at replacing the service delivery obligations of the states. We should not be looking at reforming the role of our Constitution, which has supplied enormous stability and contributed to one of the world’s longest standing democracies and, I have to say, one of the greatest democracies anywhere in the world.

We need to have a consistent approach to this. We do not want to have Mr Rudd controlling the thought processes of all the state governments. We do not want to see George Orwell’s ultimate party solution coming forward. We want to see that anyone who has a voice and an opinion in this place will have it honoured and respected. Some of the early signs are very concerning. One of these of course has been the complete lack of commitment until last night about the future of the carers allowance, and there are still questions that need to be answered in this regard.

More disturbing was something that was brought to my attention earlier today. I am a very proud member of the parliamentary sports club. It is a bipartisan affair. It is an organisation which is committed to sport, to health and to ensuring that many of us will get out and be active and be good role models for the public. It is also designed to get our pollies healthier and fitter so that we can do our jobs even better than we currently do. It has met with great success in the five years or so that it has been established. It has raised about $100,000 for charitable purposes. It displays a sense of bipartisanship which fosters stronger relationships amongst our parliamentarians both domestically and internationally.

My concerns relate to a trip which was to be privately funded by our members of parliament individually and was scheduled to not only take a business delegation to England and France during the break but also engage with members of parliament in other countries both on the sporting field and outside the sporting field. No taxpayer funds, I understand, were going to be used for this. Yet when Mr Rudd’s office was advised that this trip was going to take place, I am told that the message that came back from his chief of staff, Mr Epstein, was that any Labor member who wanted a future in the Rudd government would not be going on this trip. This is a despicable act by someone who is clearly prepared to rule the roost as some sort of oligarch. This is a problem for democracy in our system, and also for the charities that were going to be the beneficiaries of the $100,000 or so that was expected to be raised. This was a bipartisan delegation which has enjoyed wide support in the engagement with our international compatriots.

It is very disappointing and a very clear indication of how Mr Rudd intends to run his government and ultimately how he is going to ride roughshod over the states. I would hope that this is not the case but time will tell. I would only say to the people who are listening to this broadcast that we on the coalition side will continue to ensure that the states bear up to their responsibilities. We will do this through the state Liberal oppositions and through the federal coalition in this chamber as well, and I hope that we will return to a more balanced environment across Australia’s political system.
Senator BOSWELL (Queensland) (5.56 pm)—I would like to join the address-in-reply to make a contribution on a very important issue, which is the wheat industry. ‘Working families’ was the mantra used by this Labor government to get elected. Now that it is in office, it emerges that families who work on the land are not included. I refer specifically to the thousands of wheat growers across Australia, who face the most radical overhaul of their structure in its history. They face the dismantling of over 60 years of marketing systems that were built around them and for them. Wheat growers who sow their crops today do not know what tomorrow will bring.

They will no longer have a buyer of last resort to purchase their wheat. They will no longer have a national pool or an estimated pool return which their bankers rely on to fund cropping and harvesting operations. They will not know whether they will get paid for their wheat when they do sell. They will not know whether or not to build storage facilities. They will not know whether their buyers will be able to transport their wheat to a port or whether there will be a ship to take it to its market.

They will not know how to be players in an international market characterised by foreign subsidies and sophisticated financial instruments. They no longer have any say in a market dominated by international multinational corporations responsible to their shareholders. Australian wheat growers no longer face a market where they command a guaranteed quality premium. They will be picked off by large grain traders and will experience larger price fluctuations and lower returns than they have experienced for generations.

The impact of this will be a marked increase in instability in the wheat industry in Australia. That means thousands of growers and their families, suppliers and local communities face a future of uncertainty and greatly increased risk to their livelihoods. This issue has not gained a lot of attention in the day-to-day world of politics. Believe me, there is nothing more serious to hundreds of thousands of Australians reliant on the wheat industry than the impending extinction of the single desk marketing arrangements for wheat exports.

These changes are going to be implemented without the government doing its homework on what will happen as a result. If the government does not know what is going to happen, how on earth can wheat growers be expected to judge their position? We know that the government has done nothing in this regard because we were told so in the estimates committee. In the Senate Standing Committee on Rural and Regional Affairs and Transport estimates, I specifically asked whether the department had done any work, research studies or modelling on the effects of all this wheat hitting the market at one time. The answer came straight back from the department representative, who said, ‘No, we haven’t.’ I made the point that there is a great concern out there that if the wheat comes off quickly and all goes to the ports at one time there will be total confusion and chaos. I was told that I had identified a serious issue and that the minister is aware in broad terms of the issues around grain transport.

Growers are also concerned about whether their premium price for quality wheat would be maintained in the absence of a single desk for exports. People were prepared to buy Australian wheat at a premium because the quality standards were high and they were prepared to go that little extra way. So I asked at estimates: who will now be in charge of guaranteeing the high standards of Australian wheat if three, four or 10 people have licences to sell? Who is going to be responsible for guaranteeing the high stan-
standard of wheat exports? The answer to that was that part of the government’s policy commitment on wheat marketing is to establish an industry expert group to advise on a range of issues around the implementation of the new policy. I think that it would be a good thing to get the answers from that committee before we implemented this brave new world.

That is all very well, but it is too late. That sort of information analysis should have been done before the government committed to a policy that they obviously have not thought through. They should know what the policy is before inflicting general mayhem on such an important national industry. The government does not even know how wheat quality will be tested under the new regime. As a department official told me in estimates, ... we do not know what the details of that will be at this point, but the minister has established an industry expert group to give him advice ...

I also asked a question on the handling infrastructure of the wharves. There will be increased pressure on those as everyone tries to get the wheat out at the highest possible price and at the earliest possible time. I asked whether there had been any modelling done on that. ‘Not that I am aware of,’ was the answer from the department. I pushed further. There will be increased cost with the pressure on port facilities. I asked whether the minister had been advised of those likely increased costs. I was told:

It is not at all clear what might be the outcome for bulk handlers, in terms of costs or otherwise, of the new wheat marketing arrangements. At this stage, we are keeping a watch on that issue ...

... ... ...

We cannot say anything definitive about what might be put in place at this stage because no decisions have been taken. It is an issue that we are aware of and we are certainly keeping under scrutiny the development of the new arrangements.

I tried to make it clearer for the people charged with inflicting this policy on wheat growers. I asked:

Has the department advised the minister that there will be considerable problems when a grower rocks up to the bank manager and says, ‘I want $200,000 to put the crop in,’ and the bank manager says, ‘Well, how much are you going to get?’ He says, ‘Well, I don’t know, because there’s no export pool returns.’ Is the minister aware of that? In return, I was given a lecture on how: ...

... all growers have access to all the information that is necessary for them to make a reasonable estimate of the price. They have access over the internet to the Chicago and Kansas boards of trade figures on a daily basis and they can work back through the freight and other issues to work out a price.

So the government expects every wheat grower to do for himself what the Australian Wheat Board has been doing with an army of experts for him over 60 years.

The obvious question for the government is: if the department does not know what the effect of deregulation will be on the price, transport costs and availability, how on earth does it expect the wheat grower and his local bank manager to figure it out? I asked this question:

... is the minister aware of the problems of not having estimated pool returns? You say that a farmer may be skilled and he may even be able to employ someone, if he has a huge farm, to advise him. But the average guy that has 4,000, 5,000 or 6,000 acres is not going to be able to estimate what the price will be—and even if he does, it will be a wild guess. The bank manager is not going to be interested in his estimations. He wants to know what price he—

the farmer—
is going to get. If he does not know what price he is going to get, he will not lend him money. I ask you whether you have advised—as you should have—the problems of not having a pool will cause?
As everyone in the industry knows, if the pool goes, it will undermine the domestic return. Once the pool goes, the domestic market will probably go down with it. But no-one from the government could give me an answer. Once again, if the industry basically operates from a widely accepted yardstick, which is the estimated pool return, how does the market work without it? How does the bank manager know what to lend? How does the grower work out how much he needs to plant and to borrow for the planting? How does he know the transport costs or when he will get paid? How does he know if there is a ship waiting to take his wheat or a truck ready to deliver it to the port? All of these things have been in place for 60 years. All of a sudden, he has to face a scorched earth policy when it comes to getting his wheat to market. And the government that has put him in that position cannot give him any advice as to what will happen.

At estimates, I asked:

What is going to happen if we get a bumper crop, say 24 million tonnes or 25 million tonnes, and we do not have the capacity to get that wheat out, we do not have the infrastructure? In previous terms, that wheat was sent out over 12 or 18 months. Have you advised the minister what would happen in a situation of oversupply with no buyer of last resort?

I was merely told that the minister was aware of the issue. So I tried again. I said:

Let me put this to you: you have a 25 million tonne crop and facilities to get rid of 12 million tonnes or 18 million tonnes, and quite a lot of it is under canvas, under cover—who is going to buy it? You cannot sell it because you cannot get it out. The domestic market is full. It is sitting there under canvas. Who goes out and buys that wheat?

I was told:

... growers do not necessarily have to sell or price their wheat at the price that is pertaining at harvest time. They can store the wheat.

So I asked the obvious follow-up question:

How do they store it if all the facilities are full and it is under canvas? ... A lot of them do not have a lot of storage facilities; most of them do not.

I explained:

In the event of a bumper crop ... no-one is going to wait for a better price when every silo is full, every railway carriage is full and every wharf is under strain. No-one is going to be able to sell it for a reasonable price, because the price will go down. ... Surely, as a competent department, you would have done modelling to show the best possible scenario and the worst possible scenario. ... I imagine that some modelling would have been done.

But the response was:

I will not make any comment on that; it would be improper for me to do so. All I will say is that the department is simply implementing the government’s policy commitments consistent with that.

This dialogue reveals what little thought has been invested in Labor’s policy, what little professional analysis has gone into it as well as the lack of input from the growers. It is alarming that this industry has been subject to a major upheaval with so many key questions unanswered.

The government has thrown the industry up in the air like a pack of cards and no-one knows where they will land, least of all the poor wheat grower who has to make decisions now about how much to plant. This is a major industry whose future is at stake.

After the dismal performance of the government at estimates hearings, I placed further questions on notice, which of course have yet to be answered. They provide a good summary of the unknowns afflicting the growers as they prepare to sow this next season’s crop, which I believe is being planted at the moment. My questions on notice were:

Can the department advise whether the minister will be in a position to inform Australian
wheat growers how the new export wheat marketing arrangements will affect them?

Has the department provided advice to the minister on how growers will be affected if the government-accredited exporter fails to pay growers?

What safeguards or protections for growers has the department investigated, should government-accredited exporters fail to pay or delay to pay their wheat suppliers?

What measures are being considered to provide assistance for the comprehensive education of wheat growers in the world of international trading, hedging, futures contracts and associated financial dealings to prepare growers faced for the first time with these decisions under new marketing arrangements?

Has the department considered and provided advice to the minister of the ramifications of growers not having a guaranteed buyer for the wheat crop for the first time in over 60 years?

Has the department taken steps to advise the minister of the great uncertainty for, and marketing vulnerability of, growers as they sow the 2008 crop without any explanation about the proposed new marketing program that will apply for the sale of that crop?

Has the department evaluated the government’s proposed wheat marketing policy in terms of its impact on working family growers?

Has the department investigated whether Australia’s wheat growers will be forced into absorbing added biosecurity risk management costs with the introduction of multiple sellers likely to lead to a breakdown in current grain hygiene controls and established systems of grain handling and transport?

Has the department advised the minister of the financial and moral impact on working family growers of the present two to six years of drought?

Has the department assessed the impact on farm family income in a deregulated wheat export market dominated by international corporations seeking to maximise returns to foreign shareholders rather than Australian working family growers?

Has the department assessed the advantages and disadvantages of removing the strict controls over the AWB group that is set out in the Wheat Marketing Act?

Has the department sought to consult the Australian Bankers Association on the financial implications for Australian wheat growers under the government’s proposal to repeal the current Wheat Marketing Act?

Has the department sought input from the Minister for Infrastructure and Transport and/or his department on wheat growers’ concerns that under the government’s proposed wheat marketing arrangements there would be serious issues of road safety, more rail closures, greater port congestion and higher transport carbon emissions?

Has the department done any work to assess how a majority of export growers will receive cash flow when their grain is no longer taken up by the national pool? Is it true that traditionally some 30 per cent of the export remains unsold on the international market 12 to 18 months after harvest with the unsold wheat being rolled into the succeeding pool and growers always assured of receiving cash flow by way of pool distributions or by entering into harvest loans based on their tonnage delivery and the estimated pool return? How is this matter being addressed in the government’s wheat policy?

Unfortunately, all we have are questions, questions and more questions. The government has no answers. This is a very unhealthy climate in which to implement radical structural change to a market where Australia has historically performed well. This is not the way to help working families in wheat districts; this is the way to chaos in a major market with ramifications not only for the nation’s wheat growers but also for the nation’s transport infrastructure and export performance sectors. I urge the Rudd Labor government to pull back from implementing such widespread change without getting some, at least some, of these answers in place.
I conclude by quoting the words of wheat growers themselves through the Wheat Export Marketing Alliance:

The government has no marketing plan or understanding of how to deal with the inequities and problems that will arise from its legislation. ... Managing this rushed transition will be immensely difficult, particularly for wheat growers who are being forced into planning for their future in an information vacuum at the grower level.

**Senator LUNDY** (Australian Capital Territory) (6.14 pm)—This address-in-reply debate presents an opportunity to reflect on the remarkable level of activity of the Rudd government to date. I would like to begin by reflecting on what was the extraordinary opening week of the 42nd Parliament, with the historic apology and acknowledgement of the sorrow we all express to Indigenous people on behalf of the Australian parliament for the stolen generation.

It was quite an emotional day for many people, but for my part it was something that was long overdue. There was a sense in the Canberra community that at last a great wrong was set right and that it was the beginning of an extensive program of public policy to try and rectify the injustices and inequities that still exist with respect to the Indigenous peoples of Australia.

I would also like to mention the significance of the welcome to country that occurred in the Members’ Hall of Parliament House on that day. It has been a feature of many a state and territory government, but I particularly acknowledge the efforts of the Stanhope Labor government here in the ACT and their welcome to country and acknowledgement of the Ngunawal elders. To see our very dear friend Matilda House participate in this very formal way in the opening of parliament was a wonderful moment, and one that I found very moving.

Members of the Rudd Labor government are all committed to make sure that the apology was the beginning of a fresh start. It is about forging a new partnership between Indigenous and non-Indigenous Australians and a very specific strategy to close the gap on key health, education and employment differentials that exist. I also acknowledge the bipartisan nature of the commitments made on the day of the national apology, and look forward to working constructively with all parties represented in both houses of parliament to make this fresh start a reality.

Along with the other ACT senator, Senator Humphries, and my colleagues in the other place, it is a privilege to represent the Australian Capital Territory and the nation’s capital. With only five years to go until the centenary of the national capital it is appropriate to reflect upon some of the principles and efforts made that led to the creation of Canberra. One of the motivations was to resolve, once and for all, some of the historic rivalries between the states and create a national capital so that Australians could feel that there was once place that was truly representative of them all. Obviously, the parliament is the greatest symbol of our democracy in that regard, but its home here in Canberra is a very tangible symbol of what it is to be a Commonwealth—a federated democracy. The privilege we have in representing this particular constituency is something that is not lost on me, nor on my colleagues. Back then, Canberra very much represented a fresh start and there is some relationship with the fresh start that we all felt and participated in at the beginning of this 42nd Parliament—embarking on a concerted effort to resolve those inequities that exist with our Indigenous population.

Reflecting on the last 11 years, one negative was the sore point for many Canberrans that the former Prime Minister, Mr Howard, chose not to live in Canberra. This is some-
thing that echoed back to me throughout the 11½ years that they were in government: people here in Canberra, and elsewhere, took personal offence to this. Whatever justifications the Prime Minister may have had at the beginning, they were certainly not the same justifications he could rely upon at the end of his term. That continuing, very powerful symbolic rejection of Canberra as the personal home of the Prime Minister and the home of our federated democracy really delved its way deeply into the psyche of many Canberrans and also people beyond our borders.

I was extremely thrilled and proud to see that there were no such inhibitions on behalf of Mr Rudd, our Prime Minister, and his family. I have enjoyed the commentary about their settling into Canberra as their home and know the excitement of many Canberrans on seeing the Rudds or the Prime Minister out and about on our streets. It is something that we are really lucky to have as a community. It is part and parcel of the wonderful combination of being such a diverse and vibrant community in our own right and yet having this very grave and important responsibility of being the national capital.

The Rudd Labor government has hit the ground running, working hard to take on the challenges left to us by what can only be described as a lazy and complacent government. There are very specific issues of neglect which I will comment on in due course. Firstly, I would like to acknowledge some of the initiatives that have been taken by the Rudd government in the first 100 days.

I have already mentioned the primary importance of the national apology, and another very important first step was to ratify the Kyoto protocol. It was just yesterday that the 90 days ticked over and we are formally part of the global community working together to fight the particular challenge of global warming and climate change. Finally, we are part of that movement and we, as a government, recognise the need for very specific and decisive action at all levels, even at the very micro level of households and communities. Every sphere of government has a role to play. Local government has, in many respects, driven a lot of the community based initiatives with respect to managing energy consumption, waste management and design of more energy efficient communities. State governments have led the way in committing to the specific goals with respect to energy conservation and climate change. Now, finally, that national sentiment is wrapped up and reflected in the policies of the federal government—the Rudd Labor government, post their election in 2007.

Not least of the Rudd government’s initiatives is the introduction into the federal parliament of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, through which the government is replacing the unfair Work Choices laws with a new workplace relations system that delivers fairness for employees, flexibility for employers and long-term productivity growth for our economy. I will come back to the issue of productivity growth shortly. But I would like to take this opportunity to say to all those working Australians who found it within their hearts and minds to focus on the issue of workplace relations leading up to the last election that it was without doubt a significant factor in the outcome of the election. The line had been crossed on what most Australians considered to be a fair and sensible balance in our workplace and industrial relations system. I think the outcome of the election showed that, in the minds of most Australians, the Howard government had crossed the line for what was acceptable. It has been quite fascinating to watch some of the convolutions of the opposition since this bill has been in parliament over how they will re-
spond to it. I think they know, deep down in their hearts, that their policy was extreme. It frightened people. It was excessive. It was ideological. And it certainly had no place in the practical, good operation of a healthy and growing economy in the 21st century.

When the Rudd government won office it inherited inflation at its highest level in 16 years and interest rates at the second highest level amongst advanced economies. We now know that, while the Howard government was asleep at the wheel, our productivity growth was falling and, slowly but steadily, inflation was again let loose in the Australian economy, resulting in numbers for Australia that are significantly above those for most OECD economies. So it is not surprising that the Rudd government moved immediately to make fighting inflation an absolute priority. We are now implementing a five-point plan on inflation, designed very specifically to put downward pressure on interest rates. I will run through those points briefly: strong budget surpluses achieved by reducing waste in government spending, encouraging private savings, tackling skills shortages and infrastructure bottlenecks, and lifting productivity and workforce participation. All of these strategies require a great deal of diligence and focus, and that is what they will get from the Rudd government.

The inflation problem we are facing did not emerge overnight; it has been building for some time. For 1½ years underlying inflation had been running at around the upper end of the Reserve Bank’s two to three per cent inflation target band. So it is a fact that the inflation challenge we face today is a direct consequence of policy neglect in the past. The Howard government fuelled inflationary pressures in the economy by feeding demand with massive and unproductive spending bribes during the election period, and in the period leading up to that, whilst ignoring the growing infrastructure bottlenecks and, very importantly, the growing skills shortages which had the effect of choking capacity in the economy. For over a decade, spending was not directed to the challenges on the horizon or to boosting the productive capacity of our economy. I recall that even in the late 90s, in the first two terms of the Howard government, the need to invest in the skills that would drive our economic growth in the future was a raging issue. So this is not an issue that the former government, now the opposition, can say snuck up on them. On the Labor side we had a consistent commentary right through the period of the Howard government about the need to invest in skills, in trades, in education and higher education in order to set ourselves up to make the most of the economic growth opportunities that would present themselves in the global economy in the 21st century. But the then government’s spending was not directed to those urgent needs and priorities. They presided over an unprecedented boom off the back of record terms of trade but failed to make those critical investments in skills, as I have mentioned, and also in infrastructure.

We know that with an economy operating at close to full capacity the only way we will be able to achieve sustained improvement in incomes over time is to direct our policy efforts towards expanding the productive capacity of the economy. A decade of neglect of the twin investment deficits, in infrastructure and in skills, has meant that our economy has been ill-prepared to deal with the demand surge flowing from the terms of trade boom. The best platform for economic prosperity in the long term is a well-educated population and a skilled workforce. We know that, and that is why the Rudd government has begun implementing its program for an education revolution—from early learning in schools, to primary and high school education, to tech colleges and universities, to re-
search and development and innovation policy. It is part of the urgent needs of this country that we were talking about back when I was involved in the Knowledge Nation investigations under a previous leader of Labor—

Senator McGauran—Noodle nation!

Senator LUNDY—You can ridicule Knowledge Nation all you like. I think it is a testimony to the credibility of Labor’s education revolution that we have been focused consistently over many years on the need for investment in education at all levels. It has been the Howard government that has scoffed at and ridiculed the need for this kind of investment—to our peril as a nation, and obviously exacerbating the very specific economic challenges that we now face as a country.

The Rudd Labor government, with all of the initiatives that I have outlined and the pressing economic priorities facing us, particularly that of reducing inflation, have a tough challenge ahead of us. But the Rudd Labor government’s agenda to date and our performance in the first 100 days of government will inspire and fill with confidence the people of Australia that at last they have a government that understands the true nature of what stands before us.

Prior to a Rudd Labor government, the people of Australia were faced with a series of obfuscations and misleading and manipulative policy statements, which fuelled inflationary pressures and sought to inflame growing problems, not fix them. Fortunately for all of us, with the solid foundations of a very conservative fiscal approach to managing our economy, the Rudd Labor government has come through with the right mix of policy solutions across a vast range of portfolios to start setting things right.

Our Prime Minister is the first one to say that this is not going to be easy. The depth of the challenge that faces our economy in dealing with infrastructure, skills shortages and in placing downward pressure on inflation is profound. But I think it is true to say that Labor will face a tougher test in the minds of many on how we perform in these difficult circumstances. I certainly think that the tough test will be passed with flying colours, as once again it is a federal Labor government that does the truly hard yards when it comes to managing Australia’s economy, not the easy pickings riding on reforms of the previous Labor government that we saw from the Howard government and not the consummate neglect that we experienced for the last 11 years which hark right back to some of those early budgets in 1996 and 1997. I am showing my age now, but I remember how research and development and innovation funding was slashed to the very bone in the 1996, 1997 and 1998 budgets and how difficult it was at the time to sustain any hope that the then government, the Howard government, had any eye to the future whatsoever about preparing us for the challenges of a global economy in the 21st century.

All I can say is that I have complete confidence in my colleagues to manage the agenda. We are focused on the industries of the future. We are focused on fixing the problems of the past. I am very proud to stand here as part of the Rudd Labor government and to be part of this forward agenda because it is one that will change the shape of Australia. It will inspire confidence amongst all of the people of Australia that we have a plan. It is a positive plan, it is a plan that is going to be accountable and that fully engages with people, and it is starting right now with the performance of our first 100 days. I look forward to the ongoing activities of a truly inspiring government that has everyone talking positively about the prospects for Australia’s future in the global economy and society of the 21st century.
Senator McGAURAN (Victoria) (6.33 pm)—I have listened to a few speeches today and I must say that there is a common thread coming through from the Labor government. They have all been picking up on their leader’s, the Prime Minister’s, style of speaking. It is just so full of rhetoric. The previous speaker, Senator Lundy, who is well known in that department, surpassed herself today. She filled in her last five minutes with circular praise of her own government. It was all full of rhetoric. I beg the government, conceding that you won the last election: get down and govern and stop the rhetoric and the commissions and the new statutory authorities and the committees. Just get down and govern. You do not need the rhetoric anymore. You can leave that to oppositions, if you like. There is a definite common thread. Not from you, Senator Sherry, because you have served in previous governments. You get down to the nitty-gritty. You are that sort of person. I do not like to eat into my own time because I do have a set speech here, but I had to make the point on air to anyone listening to the previous speaker that Labor government speakers have got up one after another and just simply espoused rhetoric that their own leader would be proud of. I make that point.

In my address to the Senate today, I would like to say that it is now some five years to the month since a coalition of the willing led by the United States armed forces, in which Australia was of course included, began an offensive into Iraq with the aim of toppling the brutal regime of Saddam Hussein. This pre-emptive strike in March 2003 against a regime which not only had harboured terrorists but had involved itself in terrorist activity was undertaken in the height of the atmosphere of the early days of the war on terror. The Senate will clearly recall the shock of the September 11 attack on the World Trade Centre where some 3,000 people were killed in the most horrifying circumstances, Australians included. And of course there were the October 2002 Bali bombings where some 202 lives were lost. The majority of those were Australian.

It is true to say that the war on terror is now receiving less media attention and that there is less social angst here in Australia and even fewer successful terrorist attacks in Indonesia where we suffered our worst attack against Australians predominantly because of the policy of pre-emption against terrorist activities and cells and of course the laws that were put in place that have armed our security forces to act in the interests of our citizens.

Ironically, though, it is fair to say that while all this has occurred—and it is a very good place to be—nevertheless the war is no weaker in its intensity and purpose. Ironically, the level of combat in Afghanistan today is as great and as precarious as it was at the beginning, in 2001, when the offensive was led against the Taliban regime. In the other theatre of war, Iraq, it is true to say that the stakes have always been very high in winning that war and establishing a free and democratic nation. The former British Prime Minister, Tony Blair, put it succinctly in 2006:

... global terrorism is so anxious to stop us in Iraq and Afghanistan—because if they succeed in that then they stop the possibility of democracy taking the place of religious fanaticism in these countries. Whereas if we succeed and if democracy takes root in Iraq and Afghanistan then I think, after that, global terrorism is on a downhill path.

Further, the consequences of a democratic Iraq will mean democracy does work in the Arab world and it will set undercurrents throughout the whole of the Middle East for greater freedoms and fair democratic elections in a region ruled by oppressors and dictators.
It has been in this time of democratic transition that the insurgents have most fanatically tried to whip up a civil war between the Sunnis and the Shiites to head off the path of democracy. But no fear, no threat and no bloodshed has halted the people of Iraq’s desire for democracy. Just look how far the people of Iraq have come. In around January 2005, 8.5 million Iraqis, under the serious threat of violence, came out to vote for an interim government. Some 10 months later, 10 million people took part in a vote on a referendum. Several months later, 12 million people, or 75 per cent of the eligible voters, came out to vote for a national assembly—a parliament. In that span of 12 months there had been three elections, each one bigger than the one before, and there can be no doubt of the Iraqi people’s rejection of the insurgents’ mad ideology. They want to win against the insurgents and the terrorists.

While there have been many dim days, particularly in the latter part of 2005 and in 2006, when it seemed that the terrorists were unstoppable and were really doing serious damage against the fledgling democracy in Iraq, it is now true to say that the worst periods of blood and terror in Iraq seem to be over, at least in terms of frequency. But we are quite often reminded of the depths of evil that the terrorists will stoop to. Just one month ago or thereabouts we all saw on the news services the marketplace that was bombed in one of the worst killing sprees in Iraq. Hundreds of women and children were gathered there and some 100-plus were killed. Two mentally disabled women—they had Down syndrome—had bombs strapped to them, probably unbeknownst to them, because the bombs were triggered from afar. That is the depth that terrorists will go to—to use people in such a way in a terrorist act and indiscriminately blow up marketplaces.

Nevertheless the worst may well be behind the country. The progress can be measured in three benchmarks: firstly, the strengthening of the democratic processes; secondly, security of the Iraqi people; and, thirdly, the diminishing activity of the terrorists. Without doubt, the tactical change in combating the insurgents, called the ‘surge’, which commenced in full in June 2007, where extra United States troops—I believe around 30,000—were sent to Iraq to quell the increase in terrorist attacks, has been the turning point from those very dark days of late 2005 and 2006. Stability is now within reach; security in the worst areas like Bagdad has improved greatly. According to US military figures, monthly attacks have decreased by 60 per cent since June 2007 and are now at the same levels as they were in around 2004. Civilian deaths are down approximately 75 per cent since a year ago. From January to December 2007 sectarian attacks decreased some 90 per cent in the Baghdad districts. Over the past year thousands of extremists in Iraq have been captured or killed, including hundreds of al-Qaeda leaders and operatives.

So it is worth noting that the improved security situation in Iraq has come not just from the surge provided by the United States but from a growing Iraqi security force that grew by over 100,000 in 2007 and now stands at half a million. As never before, concerned locals citizen groups have sprung up in the neighbourhoods volunteering to support security. There are some 80,000 members of this semi-militia group. But, along with these security improvements, equally encouraging, if not inspiring, to this step forward in security are the parliamentary improvements—the democratic improvements.

In a recent report Condoleezza Rice said:

In Iraq, the presence and role of the US and our coalition partners have been authorised by UN resolutions. The current UN authorisation expires at the end of this year, and Iraq has indi-
cated that it will not seek an extension. It would rather have an arrangement more in line with what typically governs the relationships between two sovereign nations.

She went on to say:

There is little doubt that 2008 will be a year of critical transition in Iraq as our force levels continue to come down, as our mission changes and as Iraqis continue to assert their sovereignty. But to continue the success we have seen in recent months, the Iraqi people and government will continue to need our help. Iraqis have requested a normalized relationship with us, and such a relationship will be part of a foundation of success in Iraq—a foundation upon which future U.S. administrations can build.

Australia has been at the forefront of building that success. Australia has contributed in a most valuable fashion. Around 1,000 Australian Defence Force personnel have carried out, and are still carrying out, vital activities in Iraq. They are engaged in coalition efforts to train the Iraqi army and coastal defence forces; ADF air traffic controllers support coalition air operations; reconnaissance and transport aircraft further support coalition tasks; and our Navy continues to patrol the waters around Iraq. ADF personnel also guard the Australian representative office in Baghdad, thereby allowing our diplomats to carry out vital duties.

This is the report card on Iraq. It is very encouraging. The part played by our armed forces is a proud achievement. It is indeed a proud achievement for our country to believe in a cause and to meet and fight the terrorists front-on, to help establish democracy and to help a people who want democracy established. It has not been easy; it has been testing, but we have stayed the course. Having said that—having heard the new Minister for Foreign Affairs, Stephen Smith, in the House the other day trumpeting and smarting on the recent announcement of pulling out some 515 troops from the Overwatch Battle Group—the grounds on which it was announced that the troops were pulling out are disappointing and even shameful.

We all know that that particular battle group of personnel had in fact done their job and reached a point where a decision had to be made. There were several options: to redeploy, to redeploy some of them, or to bring them all home. The point I want to make is that, while any government would have confronted that decision, the foreign minister smarted on the reasons they should come home: that they should never really have gone, it was never a just cause and they should not even be there helping the Iraqi people establish a democracy. That is basically what he was trumpeting. In his view, the purpose in the beginning, and the end, was never justified. I would say to the new government that they have let down the very service personnel who were sent to serve there—who sought to do their job for a good cause and who have had to put themselves in harm’s way—by totally belittling the reason they were there in the first place. Those that served are entitled to better. They are entitled to better from a foreign minister, a position that requires smart words not a belittling of the force.

This has similarities to the Vietnam pull-out—I will not say it is as bad or as dramatic, but all the trumpeting and smarting of why our troops ought to be pulled off the front line are still there and still deep rooted in the Labor Party. They have never understood what is going on in Iraq. I have just given you a report card on the Iraqi situation and it is a growing success. As a country, we ought to be proud of it and we ought not to belittle those that have served there. Instead, the government has reinforced all the prejudices that the Labor Party bring to making decisions in regard to our defence forces and all the suspicions that they cannot stay the course, will not stay the course, on the war...
on terror. They have completely missed the point.

Debate interrupted.

NOTICES

Presentation

Senator PARRY (Tasmania) (6.50 pm)—by leave—I give notice that, on the next day of sitting, I shall move:


COMMITTEES

Intelligence and Security Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Kirk)—The President has received a letter nominating senators to be members of a committee.

Senator SHERRY (Tasmania—Minister for Superannuation and Corporate Law) (6.51 pm)—by leave—I move:

That Senators McGauran and Nash be appointed to the Parliamentary Joint Committee on Intelligence and Security.

Question agreed to.

DOCUMENTS

The ACTING DEPUTY PRESIDENT (Senator Kirk)—Order! It being past 6.50 pm, the Senate will proceed to the consideration of government documents.

Refugee Review Tribunal

Senator BARTLETT (Queensland) (6.53 pm)—I move:

That the Senate take note of the document.

This document, the report pursuant to section 440A of the Migration Act on the conduct of the Refugee Review Tribunal Reviews not completed within 90 days, for the period 1 July 2007 to 31 October 2007, is a report from the Department of Immigration and Citizenship on protection visa applications, as is required under subsection 91(Y) of the Migration Act. It is similar to the previous document on the Order of Business, which I chose not to speak to, with regard to Refugee Review Tribunal decisions that took more than 90 days. It is worth noting that the requirement to table this report goes back to amendments made to the Migration Act in 2005. It was part of some agreements that the then government made, in part in response to pressure from some of their backbenchers, Mr Georgiou and Mr Broadbent in particular, amongst a few others. It related to the extreme level of public concern, certainly amongst a significant proportion of the public, about the very long period of time that people were in immigration detention.

One of the reasons why people were in immigration detention for prolonged periods was the long period of time it took for decisions to be made, whether they were review decisions or initial visa decisions. There are a couple more documents on this list that I will speak to in a moment which go further on the detention issue, but the simple fact is that it would not matter so much if these initial decisions on protection visa applications—which are refugee applications—took more than 90 days if, in many cases, the people who were putting in the applications were not locked up during the decision-making process and while the administrative wheels turned. To me that is the key problem.

If you remove mandatory detention, if you remove the requirement for people to be locked up until their visa applications are determined and if you have a normal, sensible, rational and far cheaper approach of enabling people who are not health, security or flight risks to be out in the community whilst their application is determined, then it would be less of a problem when you have delays. It should be emphasised that a num-
ber of people who apply for protection visas are out in the community, which gives the lie to the suggestion that there is some sort of inherently unsafe thing in having people who have made refugee claims being out in the community. We have many of them out in the community now, all the time. They are already here on some other form of visa. It is only people who have either had their visa cancelled for various reasons or arrived without a valid visa who are left locked up—and locked up for some periods of time. That is why it is of particular importance that the decisions sometimes take longer than 90 days.

The simple response of removing the requirement for mandatory detention is the obvious action, and that certainly needs to happen. But we do need to look at why the applications listed here took more than 90 days, and the reasons are given in this report. One reason that comes up frequently—it is certainly not the majority, but it is quite frequent—is the delay because of an external agency, namely a security assessment from a relevant agency, usually ASIO. This is an issue I have raised at Senate estimates a number of times, as well as in the Senate chamber. It is outside the control of the immigration department a lot of the time. They can make their assessment quite quickly, but the security assessment can take quite a long period of time, particularly when you are talking about the initial decision.

A few of the applications here took over two years, for example, and that was due to an external agency security assessment clearance. That highlights to me that we need to be focusing more on ensuring that ASIO does its task as quickly as possible. I know it is something they are looking at—or they have said they are looking at it, because that is what they told me at estimates—but I would urge the Minister for Immigration and Citizenship, Minister Evans, in examining some of the problems with people being in detention for prolonged periods of time, to also look at this aspect and what he can do, perhaps in conjunction with the new Attorney-General, to ensure that that process is sped up so that security assessments are done more promptly. It should be noted that, according to ASIO’s own figures, not a single refugee applicant in Australia has been rejected on security grounds. So any suggestion that this group is a significant security risk is not borne out by the facts.

(Time expired)

Question agreed to.

Commonwealth Ombudsman: Government Response

Senator BARTLETT (Queensland) (6.58 pm)—I move:

That the Senate take note of the document.

This document relates to a similar topic to the one I have just been speaking to. This is the response by the Minister for Immigration and Citizenship, Senator Evans, to the Ombudsman’s report on people who are in long-term detention, which is the next document on the Order of Business. Again, these reports—this one and the next one I will speak to—are a consequence of the legislative amendments made in 2005, in part as a response to pressure from Liberal backbenchers. I should note that very much bolstering the ability of those Liberal backbenchers to apply pressure was the much wider degree of public concern voiced by many people, including of course me and many others in the Democrats, in this chamber and outside in the community over a long period of time.

I note in passing an interesting statistical fact from the recent elections, that outside Western Australia, which was somewhat anomalous, the two Liberal Party sitting members who had the least swing against them were Mr Broadbent and Mr Georgiou from the seats of Kooyong and McMillan. I
am not saying that it was all solely down to that issue but I think that it is an interesting parallel that those two people had the least swing against them in the entire eastern part of the country. That suggests to me not that it is necessarily even that their electorates or that their policy views were responsible but that the electorate appreciates local members who actually stand up strongly for what they believe in. It is an indication, I think, also shown by the strong results achieved over a number of terms by the unfortunately now deceased former member for Calare, Mr Andren.

To the topic of this statement, I congratulate the minister not just because it is a very brief statement, which makes it easy to read quickly—it is only three paragraphs—but also because it is a very positive statement consistent with his response to the previous report. It is worth noting, as indeed the minister does, that of the 29 assessments of the Commonwealth Ombudsman tabled in parliament today covering 19 people, 13 of those people are still in immigration detention. The only reason these people are being inquired into is because they are in immigration detention for a prolonged period of time.

I also note the minister’s comment that an additional 48 people currently in immigration detention have been detained for longer than two years. That is over 60 people still in immigration detention for more than two years. It cannot be said often enough that we are talking about people who have not been charged with a crime let alone convicted of one. Yet they have been in immigration detention for more than two years and are still there today. So even though the issue has gone off the front pages, we should not kid ourselves that people are not still being locked up for long periods of time without charge or trial. It is still happening. It is happening as we speak.

It is very heartening to see the minister’s comment that he is deeply concerned that so many detention cases have taken so long to resolve and that he is determined to individually review each of the 61 long-term detention cases in conjunction with the department prior to making a decision on each of them and setting himself a deadline of April 2008. Any of us who have been around this place for any length of time know that ministers usually try to avoid setting themselves specific dates as deadlines, because they know they can come back to bite them. So it is doubly commendable that Minister Chris Evans has set himself that deadline. There was no obligation to have done that, but he has done so. I think that is a strong indication of his genuineness in this regard.

I would note the comments that he has made that long-term detainees who pose no risk to the community should be considered for other forms of management by the department other than continuing to be locked up in detention. I welcome that common-sense statement by the minister and I congratulate him for his action in taking personal responsibility for seeking to resolve all of the 61 extremely long-term detention cases. None of them have ever been charged with anything or convicted of anything and he has undertaken to seek a resolution by the end of next month. That is very commendable. It is very welcome, and I certainly hope, knowing that some of these cases are not easy ones, that he is able to bring about positive results. (Time expired)

Question agreed to.

Commonwealth Ombudsman

Senator BARTLETT (Queensland) (7.04 pm)—I move:

That the Senate take note of the document.

It should be emphasised that when the parliament made amendments to the Migration Act to require the examination of all people
in immigration detention for prolonged periods, the Senate specifically included the requirement that reports be tabled in this place about each of these cases. These concern individual human beings who in some cases have suffered immensely as a result of our mandatory detention laws. I think it is only reasonable, as part of that process of scrutiny, that when the reports are tabled they do actually get noted and that people are made aware of what is in them, rather than having them just becoming another pile of paper that thumps the desk and disappears down into the basement.

It is another report that contains disturbing reading, particularly concerning some of those who are repeat reports. An example I would give from here is case No. 8, a person who has been in immigration detention for six years. He has already had four reports from the Ombudsman. His first report was sent to the minister on 25 November 2005. At that time the then minister’s response was to consider the recommendations. It was recommended that serious consideration be given to his release back in November 2005. The Ombudsman’s report in March 2007 recommended that the person be granted an appropriate visa with appropriate safeguards so that he could be released from detention while his immigration status was resolved. The minister’s response was that his department was continuing to monitor this client’s case. Well, that is really helpful! Whilst he is monitoring, this person has stayed locked up. It cannot be emphasised strongly enough that we have a person here who has not been convicted of any crime and who has not been charged with any crime, and he has now been in jail for over six years. Previous reports from the Ombudsman recommending that he be let out into the community with appropriate safeguards and appropriate over-sights have met with the response from the government that they would monitor that. That is the level of concern—or total absence of concern—that the previous government showed to basic concepts of the rule of law and civil liberties.

We should not forget how significant a thing it is to take away a person’s freedom and to arbitrarily lock them up indefinitely—in this case over six years—just because they are a difficult migration case. It beggars belief that this is what our country’s laws have stooped to, but we should all remember that this is what our country’s laws still allow because this is a reality now. Our laws now require this man to still be jailed after more than six years.

There are other examples in the report that are not much better. There is another person who has been locked up since February 2003 and another example of a man, now 60, who has been locked up also for six years. This should be unacceptable in a civilised country; it should be unacceptable in a country that calls itself a democracy and promotes the rule of law and fundamental basics of liberty. One of the fundamental parts of the Magna Carta going back to 1215—we have a very rare copy of it up in the public viewing area in Parliament House—is that a person should not be able to be jailed without charge or trial and yet that is what our laws enable. I encourage senators to look through these examples and to see the total lack of concern.

That is why the new minister’s response is welcome because he is not just saying, ‘Thanks for that report, we’ll think about it a bit.’ He has given a personal commitment to act on and resolve these cases once and for all and as quickly as possible. We are talking about people who are having their freedom denied—so that is the least they can expect. They do not get any trial, they do not get any proper due process and they do not have any charges laid against them. The least they can expect is prompt attention by the people who
are, in effect, the ones who have taken away their freedom which is the federal government and the department, compulsorily, mandatorily because mandatory detention still exists under our migration laws. We should remove it as soon as possible. (Time expired)

Question agreed to.

Consideration

General business orders of the day Nos 1, 5 and 6 relating to government documents were called on but no motion was moved.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Chapman)—Order! It being 7.11 pm, I propose the question:

That the Senate do now adjourn.

Waltja Tjutangku Palyapayi Aboriginal Association

Senator CROSSIN (Northern Territory) (7.11 pm—This evening I rise to draw to the Senate’s attention the work of a tremendous community based organisation, working with Aboriginal families in remote Central Australia—the Waltja Tjutangku Palyapayi Aboriginal Corporation or as we commonly know it in the Centre, Waltja. It grew out of the Central Australian Family Resource Centre, which began operating in 1993. The National Family Resource Centre Program—a Commonwealth initiative back then under the former Labor government of course—provided funding to organisations assisting families in the areas of advocacy, development of family services, information provision, education and training and needs identification. Following the withdrawal of Commonwealth funding in 1997, the Family Resource Centre members decided to incorporate as an Aboriginal association. This incorporated entity now has the distinction of celebrating its 10th anniversary this week of doing good work with families.

Waltja is an advocate for community based services and a mediating organisation linking Aboriginal people in remote communities to service providers and funding bodies. Waltja is also a service provider, providing training, health, nutrition, disability and youth services under Commonwealth and Northern Territory funded programs. It is, in short, an invaluable contributor to social service provision in the Northern Territory, in particular around Central Australia.

This week, Waltja is celebrating 10 years of working to improve the position of Aboriginal families living in remote communities in Central Australia. Women from Waltja’s member communities will all be in Alice Springs to celebrate Waltja’s work and to acknowledge its various funding bodies and partner organisations. Celebrations began last Saturday at Witchetys in the Araluen Arts Precinct with the fundraising art exhibition, where a large collection of paintings donated by Papunya Tula artists were exhibited.

Painted canvas diary covers by well-known artists are a feature of the exhibition. In fact, the painted canvas diary covers are a feature of quite a number of people I know around the Northern Territory who use them as folders and protectors for their diaries. There are also items such as wooden artefacts, painted enamel cups and seed necklaces. Indeed over 1,000 original art works were displayed, from which many will be sold with the proceeds going towards supporting Waltja’s capacity to address emergency relief and community support needs.

Today marks the launch of Waltja’s 10 year story a publication outlining its achievements. As a Waltja committee spokesperson proudly explained:

... we’ll have—

at the launch—
all the women who can get in from the communities here in this important week. We are really proud of Waltja. We work strongly together—committee and staff, black and white. Waltja works with the remote families and communities to help keep the services running the way we want them to. It has been a hard few years and things are still pretty confusing for people in the communities targeted by the intervention. But things are sounding better with the new federal government and their big apology. We have still got lots to celebrate.

Indeed, senators should be celebrating the existence and success of bodies such as Waltja, a body which is governed by a strong and active management committee made up of senior Aboriginal women who meet regularly and have direct involvement in delivering programs and services. Waltja’s workers are on the road and are living or working in the remote communities most of the time. In fact, I have met members of Waltja conducting workshops in quite a large number of remote communities in and around the Central Desert.

Waltja operates according to crucial community development principles for Aboriginal self-determination. It recognises that the family is the foundation of the Aboriginal community and Indigenous identity and that service delivery is most effective when it occurs in the context of the broad family, as understood by Aboriginal people, and in partnership with Aboriginal people. Waltja also lives the idea that the most effective services are provided by local community people who have access to training and ongoing support. To this end Waltja workers and its management committee provide workshops and one-on-one training and support for remote communities to develop and manage their own services, such as child care, out-of-school-hours care, youth programs, disability brokerages, aged care and nutrition and research programs. They help with funding applications, governance, operational plans, recruiting and employment, staff support and training, and financial management.

With regard to training, Waltja is also a registered training organisation—an RTO—which helps Indigenous people to obtain Certificates I and II in Business, which are nationally recognised qualifications. Waltja has been granted funding and support for this training from the Northern Territory Department of Employment, Education and Training and from the Commonwealth’s DEEWR, under the joint Indigenous funding pool. This is testament to Waltja’s commitment to meeting the Australian quality training framework standards for registered training organisations. Its training supports Aboriginal community development and self-determination, and the employment of Aboriginal people in community based services. In the future Waltja hopes to extend its training operations by offering an even more highly accredited training scheme and courses to meet wider community needs.

All Waltja staff are supported in gaining qualifications that are related to their work. This includes accredited training in administration and business services, multimedia, children’s services, youth work and community services, assessment and workplace training, senior first aid and four-wheel drive training. Many staff even have training in website design, health promotion, video production and editing.

As previously noted, Waltja also works to create employment, which is a vital element when it comes to the sustainability of remote communities in Central Australia. Its Training Nintiringtjaku initiative, for example, aims to enable senior Aboriginal people to gain paid work supporting training organisations delivering accredited training in their communities. Nominees from remote communities across Central Australia—Kintore,
Papunya, Mt Liebig, Nyirrpi, Willowra, Yuendumu, Yuelamu, Laramba, Engawala, Atitjere, Bonya, Titjikala, Mbwelarre, Areyangga—complete, plan and promote training, part of the Certificate IV in Training and Assessment, and advise and support desert knowledge researchers, through the Desert Knowledge precinct in the CRC, to plan, promote and conduct community based research projects.

Finally, I want to talk about Waltja’s work in health and disabilities, which involves tackling the difficult area of identifying the extent and the severity of disabilities in remote Aboriginal communities. In part, the difficulty in this area is the consequence of the lack of support services available in remote communities and the ensuing lack of knowledge about what services people with disabilities are entitled to. It is also because Aboriginal people on remote communities experience multiple disadvantages, including poverty and high levels of chronic disease. Disability can be hidden and therefore people with disabilities, and their carers, frequently do not receive the support they need. Were it not for Waltja, many individuals would not receive adequate support—family support, disability and aged care workshops, and clinical support which helps the ill to be treated in their communities. Remember, senators, there are no hospitals in remote communities, so the work that Waltja does in providing support to carers in the communities is vital in the Central Desert region.

In celebrating the work of this organisation, it is worth knowing that Waltja is Luritja for ‘doing good work for families’. The name encapsulates the Waltja story. I want to take this opportunity tonight to recognise Waltja and its past and current executive and operational staff—people like Irene Nangala, Margaret Orr, Marie Briscoe, Wendy Brown, Isobel Nampitjimpa and many others. In particular, I would of course like to recognise Sharon King, the wonderful woman who guides and leads this organisation. I have the deepest regard for the work they do, as should all members of this place. The Waltja website is www.waltja.org.au. I urge all senators to take the time to look at what the organisation has achieved in such a positive and tremendous fashion. It is a model of success in Indigenous community based service delivery and I would like to congratulate them on their 10 years of operation.

Vocational Education and Training

Senator WATSON (Tasmania) (7.21 pm)—Tonight I wish to examine the current status of trades training in Australia and to raise some positive aspects being displayed by the Australian technical college in my home city of Launceston in Northern Tasmania.

Firstly I should note that I have some personal experience in the technical college world—now mostly known as technical and further education campuses. I not only graduated at night school from TAFE but also had some 13 years teaching there. I have also had the pleasure of managing a very large textile mill in Launceston, Kelsall and Kemp, where technical training was a vital part of the skills needed to run the mill and to keep its technology in good working order.

In more recent years in my role as a senator for Tasmania, I have taken a close interest in the developing world of post-school education as Launceston has grown into an education city. It is home to modern TAFE facilities, to a large campus of the University of Tasmania and the Australian Maritime College, as well as other smaller but no less expert facilities for various sorts of specialised education. It is a far cry from 40 years ago, when the city was largely a manufacturing centre.
It was with particular interest that I attended the graduation ceremony of the recently established Launceston campus of the Australian technical college. It is regrettable that the establishment of these colleges around the country has been clouded by party political debate. There has been an element in our community who have seen it as their role to demean the place of the ATCs for various political reasons. On the other hand I believe that Launceston’s ATC has shown that initiative has great merit and can be successful in filling a previously neglected role in the mix of educational options which are available to our young Australians.

In our modern society members of the so-called generation Y—in other words the emerging generation about to take greater responsibility for this country’s future—are tempted by a very different range of life options than many or most of us here—the baby boomer generation. The thought of struggling through high school and then facing perhaps four years of an apprenticeship on restricted wages and needing to attend and pass technical college courses does not always attract as many candidates as in previous years. In addition, with today’s strong employment demands, the prospect of working comfortably in an air-conditioned office in front of a computer is often more appealing to many rather than learning a trade, which may be subject to outside year-round weather conditions, often hard and uncomfortable physical labour and being employed as the cycle of economic demand dictates.

Nevertheless, there are still many young Australians who see fulfilment in being involved in the building trades, in the hospitality industry, in hairdressing and in the automotive world or in many of the other skills which utilise apprenticeships or traineeships as their main source of qualified workers. It is these young people whose particular enthusiasm and needs the Australian technical colleges are attempting to meet and, in the case of the Launceston campus, with notable success. I congratulate the chairman, the headmaster, the lecturers and the students.

For those not familiar with the ATC concept, they are students in years 11 and 12. Students enter an Australian school based apprenticeship in a trade at the certificate III level which leads to a nationally recognised qualification. They study academic subjects leading to a year 12 certificate and they also gain IT, employability and business skills enabling them to run their own business if they so desire. They can also keep the option of going onto further study at university.

Although the Launceston Australian technical college is still in its infancy, the chairman, Mr Mac Russell, in his address at the graduation ceremony in February, gave credit to those involved in getting the facility up and going successfully, in an area and at a time when there was no precedent to follow. It was a great result and I congratulate him, his staff and his board. He noted the support of the new federal Minister for Education in approving the decision to proceed with the development of a new purpose-built facility in the Launceston suburb of Inveresk that was expected to be available to move into by later this year. It is good to see that bipartisanship extending, which was only possible because of the initiative, enthusiasm and dedication of those at the college.

The chairman also praised the concept of the college having a considerable input from the business community. Given that the ATCs are largely a response to a spike in demand for particular skills, the cooperation and expertise of the local business community is vital in ensuring that the Australian technical colleges are on the right track with the courses they offer. It was noted that Australia had a dropout rate of 30 per cent within the first three months of an apprenticeship,
whereas the Launceston campus of the ATC had a dropout rate of only two per cent. So they must be doing something very right.

The students involved in the graduation ceremony were indeed pioneers and creators of a revolutionary change in education delivery and I personally congratulate them on their achievement. I also congratulate the staff and the others in the community involved in establishing the Launceston campus of the Australian technical college for their success in getting the college going so well.

I note with particular interest the new Rudd government’s promise to re-establish trade facilities in our high schools, although it is now apparent that the amount promised will fall far short of providing the old workshops and kitchens once common in all our high schools. Once again the Rudd government, as in so many other areas, is funding a patch-up of neglected facilities and services which the state and territory governments lost interest in many years ago. They will probably do the same thing and try to prop up the failing state and territory hospitals and health services and bail out those responsible for their failures. Even if the Commonwealth funds were able to provide modern trade training facilities in government high schools, which they cannot, where would they find the teachers? Trades teachers and tradespeople with the necessary modern skills are simply not available in the numbers that such a scheme would demand.

I commend the Australian Technical College system to honourable senators as a practical and innovative solution to a difficult problem; that of providing needed skills for Australia. These colleges bring together the facilities, the skilled staff and the motivated students in an environment designed to achieve practical and valuable skills. More importantly, these schools extend into the general community, because they work in providing quality constructions, fencings, school fittings, lockers and facilities that otherwise would have to be provided by state governments or by the parents and friends of primary schools. Launceston primary schools, particularly in the area of Ravenswood, have benefited greatly. If other ATCs elsewhere are anywhere near the success story that the Launceston campus obviously is it will be most unfortunate to see the concept fall by the wayside in other states for lack of political support and for lack of the will to recognise a good idea when it is there for all of us to see. Congratulations to the students—particularly to those who have graduated so successfully—and to those who successfully brought this concept into reality.

Mr John Russell

Senator HUTCHINS (New South Wales)
(7.30 pm)—I rise in the adjournment this evening to advise the Senate of the passing last Thursday morning of very good friend to me and many in the labour movement, a man called John Russell. I had known John Russell since I was about 12 years old. He was a resident of Cronulla. He was educated at Cronulla—in fact, at the same school I was, De La Salle Cronulla. He went to the University of Sydney. He was an ABC journalist with Bob Carr. He was an industrial officer with the Storemen and Packers Union and in the Public Service Association, and he ended up being an officer with the Department of Premier and Cabinet in New South Wales. John had a significant impact on my ideas and my life. John introduced me and others into a whole new world of literature, whether fiction or history, that previously we may not have had access to or been opened up to.

John’s father, Frank, was a returned serviceman. He was a councillor on the Sutherland Shire Council. John’s father was probably a member of the industrial groups in the
1950s. I am not sure if he was a member of the Movement or not, but a number of people were members of both, not that they admitted to it—just like a number of people were members of the ALP and members of other organisations and never admitted to it. I never knew his father, but I knew his mother, Ruby, and his aunty, Vera. Many of us who lived and grew up in Cronulla who became active in the Labor Party in that area would spend many occasions in McAlister Avenue, Cronulla, having a cup of tea at the Russell household, where we would discuss politics, films, books and whatever else. We would get the ideas that helped many of us—and I will name a number of them shortly—to proceed within the labour movement.

Cronulla was the original home of Gough Whitlam. Gough was a member of the Cronulla branch before a redistribution got Gough to move further west to make sure, inevitably, that he had a safer seat. I remember one occasion when, at the Cronulla picture show, we celebrated early in 1972 Gough’s 20 years in parliament. Gough was on the stage with a cake. Mrs Russell took a knife to go and cut the cake. But no-one told the police and Mrs Russell got bundled off until we could assure them that Mrs Russell was not going to take the knife to Gough Whitlam.

That was also in the period when there used to be political rallies. We used to go along and disrupt the ones held by the coalition—I know that you might find that unusual. I will never forget one that we went to at Miranda Fair. Billy Snedden was addressing the crowd. That was in the marginal seat of Cook, which we held from 1972 to 1975. We were interjecting on Mr Snedden and a Liberal shouted out to us, ‘You Labor blokes don’t know nothing.’ John corrected him in a very loud voice, saying ‘No, we don’t know anything.’ That put him down, and be assured that John got a bit of a laugh out of that.

John, as I said, introduced me and others—such as Michael Lee, the former communications minister; John Della Bosca, the current Leader of the Government in the New South Wales Legislative Assembly; and many others—into politics. One of my earliest recollections of John taking a number of us under his wing was when he used to take us to meetings of the Association for Cultural Freedom in Sydney, where we got to meet Dr Frank Knopflmacher and Professor Donald Horne and talk about the evils of the empire in Eastern Europe and what the communist states were doing.

At the same time as John mixed with Knopflmacher and Donald Horne, he also used to mix quite freely with Bobby Gould, whom a number of us know—I know that Senator Faulkner knows him quite well, as I do—and who runs the Third World Bookshop in Sydney. Through John, we got to meet George Petersen, who was the left member for Illawarra—he got expelled from the Labor Party for crossing the floor on some issue—and his wife, Mairi. John introduced us to a number of other left-wingers, such as Senator Faulkner and Rodney Cavaller—who became a minister in the Wran government—and to many other leading left and right figures who people may be well aware of.

He was a significant figure within the labour movement, as I said. He opened our eyes to various aspects of the policies and machinery of the ALP. John was a member of the executive of the New South Wales branch and was very close to people like John Ducker and Graham Richardson. He was very close to other figures, such as Michael Addison, who ran in Cook in 1983 and Michael Egan at times—and at other times not. As I said, Senator Faulkner and I would
always take the opportunity to have a cup of tea and a discussion at McAlister Avenue.

On his retirement from the premier’s department, John was encouraged by Senator Faulkner to think about becoming active in the Fabian Society in New South Wales. At some point John was the treasurer and served on the executive, which he found very stimulating because it was his forte. He would review magazines and books. He was also a commentator on the ABC not only on historical or literature works but also on religion. His last book review, published in the January edition of Quadrant, was a review of The Berlin Wall by Frederick Taylor.

John Russell had many friends outside of that little clique of Labor politicians, some of whom I have already acknowledged, including Michael Addison, a chap called Michael Davis, and Stephen Crittenden, a former Radio National figure. Another good friend Michael Costello has also been deeply upset at John’s sudden passing. In the brief time available I have tried to outline how John was a very significant figure in the Labor movement who has left his mark indelibly etched on many of us.

John was very active in Cronulla. Despite the fact that his Labor credentials were thick, I understand last Friday in the New South Wales state parliament Malcolm Kerr, the member for Cronulla, made a speech detailing the passing of John and his contribution to politics, not just Labor, and also his contribution to the Sutherland shire. There are many people in the Sutherland shire who knew John and who like me were opponents, such as former senator Arthur Gietzelt, whom I know Senator Faulkner has advised of the passing of John Russell. His friends will miss him dearly. His partner Rune will undoubtedly miss him more than any of us will. I commend his soul to God and thank the Senate.

60th Anniversary of the State of Israel

Senator BOSWELL (Queensland) (7.39 pm)—Earlier today in the other House a motion was passed to mark the 60 years of the state of Israel and Australia’s strong and enduring ties of friendship with Israel. The Senate did not debate such a motion but I believe the day is too auspicious for it not to be remarked upon in some way in this House. I wish to associate myself and the Nationals with the motion that was formally passed in the other place which reads:

That the House:

(1) celebrate and commend the achievements of the State of Israel in the 60 years since its inception;
(2) remember with pride and honour the important role which Australia played in the establishment of the State of Israel as both a member state of the United Nations and as an influential voice in the introduction of Resolution 181 which facilitated Israel’s statehood, and as the country which proudly became the first to cast a vote in support of Israel’s creation;
(3) acknowledge the unique relationship which exists between Australia and Israel; a bond highlighted by our commitment to the rights and liberty of our citizens and encouragement of cultural diversity;
(4) commend the State of Israel’s commitment to democracy, the Rule of Law and pluralism;
(5) reiterate Australia’s commitment to Israel’s right to exist and our ongoing support to the peaceful establishment of a two-state solution to the Israeli-Palestinian issue;
(6) reiterate Australia’s commitment to the pursuit of peace and stability throughout the Middle East;
(7) on this, the 60th Anniversary of Independence of the State of Israel, pledge our friendship, commitment and enduring support to the people of Israel as we celebrate this important occasion together.

This afternoon, members and senators attended a reception with the Israeli ambassa-
dor, Yuval Rotem, and Mrs Miri Rotem to celebrate this anniversary. Australia established diplomatic relations with Israel in 1949. The Australian embassy in Tel Aviv and the Israeli embassy in Canberra were both opened in 1949. The relationship has a strong historical dimension, dating back to World War I when Australian forces fought in the region, including in modern-day Israel, alongside their allied counterparts against the Ottomans. Australian was the first country to vote in favour of the 1947 UN partition resolution. Australia supports a two-state solution to the Israeli-Palestinian conflict that recognises Israel’s right to exist in peace and also meets the legitimate aspirations of the Palestinian people.

Australia and Israel have a healthy commercial relationship with two-way trade worth $828 million. Our major merchandise export to Israel is coal followed by live animal trading, and pearls and gems. Australia’s Jewish community is a vibrant part of the mosaic of the people who call Australia home. We were only a young federation ourselves when we endorsed Israel’s right to exist on the international stage. We were not even 50 years young. So we are both modern democracies; we are both sanctuaries to migrants looking for a better life, a life that reaps hard work with freedom and opportunity; we both have to deal with the scarcity of that most vital resource—water—and we both understand that sometimes it is necessary to fight to keep our freedoms.

It is not surprising then that Israel and Australia are such strong friends and that we admire each other and help each other in times of need. The achievement of 60 years as a nation state is a remarkable one, given the challenges and threats to Israel over that time. It is a great tribute to the steadfastness of her people that we can mark this day today. The struggle continues in a region of the world known sadly as much for conflict as for being the birthplace of the three great religions of Judaism, Christianity and Islam. The Nationals salute Israel today. We honour her incredible achievements and express our willingness to continue as a great friend to Israel.

To the Jewish community in Australia and the friends I have made there, I hope you celebrate this important 60-year milestone with much happiness. You have recognised that the Nationals are an important bulwark against the rise of anti-Semitism in Australia. We have played a key role in opposing outbreaks of right-wing extremism, and long may that continue. Israel and Australia have been forged by strong-minded people who believe in democratic freedoms. It is up to us in this place to act with respect for those hard-won freedoms. It is also a day to think of those who sacrificed their lives so that today would indeed be the celebration that it is.

Mr John Russell

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (7.45 pm)—I would like to associate myself with the remarks that my colleague Senator Hutchins has made about John Russell. John Russell was a great Labor stalwart. I have to say that I have not always agreed with John. In fact, in the mid-1970s we were inevitably on different sides of many an internal battle in the New South Wales branch of the ALP. But in those days John Russell was very much a worthy factional opponent. While he was that, he was also always a very interesting person. He was bright; he was articulate; he was, at times, serious; he was, at times, funny. He was extraordinarily well read. He was a real thinker. In later years, we became friends. We served together for a number of years on the New South Wales Fabian Society executive—in fact, until his death last week. His
death is a terrible loss to the Fabian Society, a terrible loss to the Australian Labor Party and, of course, to his partner, Rune, and to all his friends.

Senate adjourned at 7.48 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

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

Civil Aviation Act—Civil Aviation Safety Regulations—

Airworthiness Directives—Part 105—
AD/B737/316—Floor Beam Web [F2008L00694]*.
AD/B737/317—Section 48 cavity [F2008L00704]*.
AD/J4100/24—Fuel Boost Pump and Fuel Tank High Level Sensor Wiring [F2008L00695]*.
AD/J4100/25—Fuel Tank Bonding Leads and Fuel Pipe Clearances [F2008L00697]*.
Instrument No. CASA EX18/08—Exemption—provision of ARFFS at Sunshine Coast Airport, Maroochydore [F2008L00621]*.

Extradition Act—Select Legislative Instrument 2008 No. 12—Extradition (Hong Kong) Regulations 2008 [F2008L00529]*.

Financial Sector (Collection of Data) Act—Explanatory statement and Financial Sector (Collection of Data) (Reporting Standard) Determinations Nos—

Trade Practices Act—Select Legislative Instruments 2008 Nos—
16—Trade Practices Amendment Regulations 2008 (No. 1) [F2008L00671]*.

Veterans’ Entitlements Act—Select Legislative Instrument 2008 No. 14—Veterans’ Entitlements (DFISA-like Payment) Amendment Regulations 2008 (No. 1) [F2008L00575]*.

* Explanatory statement tabled with legislative instrument.

Tabling

The following government documents were tabled:

Migration Act 1958—

Reports for the period 1 July to 31 October 2007—
Section 91Y—Protection visa processing taking more than 90 days.
Section 440A—Conduct of Refugee Review Tribunal reviews not completed within 90 days.
Section 486O—Assessment of appropriateness of detention arrangements—Personnel identifiers 347/08 to 365/08—Commonwealth Ombudsman’s reports.
Treaties—

Bilateral—

Text, together with national interest analysis and annexures—

Agreement between the Government of Australia and the Government of the Kingdom of Tonga relating to Air Services, done at Neiafu, Tonga on 23 August 2003 [Replacement for document previously tabled on 11 September 2007].


Film Co-production Agreement between the Government of Australia and the Government of the People’s Republic of China (Beijing, 27 August 2007).

Treaty between Australia and the State of the United Arab Emirates on Mutual Legal Assistance in Criminal Matters (Hobart, 26 July 2007) [Replacement for document previously tabled on 18 September 2007].

Treaty on Extradition between Australia and the State of the United Arab Emirates (Hobart, 26 July 2007) [Replacement for document previously tabled on 18 September 2007].

Text, together with national interest analysis, regulation impact statement and annexures—Convention between Australia and Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to taxes on Income, and Protocol, done at Tokyo on 31 January 2008.

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


Patent Law Treaty, done at Geneva on 1 June 2000 [Replacement for document previously tabled on 15 August 2007].

Singapore Treaty on the Law of Trademarks adopted at Singapore on 27 March 2006 [Replacement for document previously tabled on 15 August 2007].
Withdrawal of Australia’s exemption for the use of mirex under Article 4 of the Stockholm Convention on Persistent Organic Pollutants, done at Stockholm on 22 May 2001 [Replacement for document previously tabled on 11 September 2007]