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FORTY-SECOND PARLIAMENT  
FIRST SESSION—SIXTH PERIOD

Governor-General  
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

Senate Officeholders  
President—Senator Hon. John Joseph Hogg  
Deputy President and Chair of Committees—Senator Hon. Alan Baird Ferguson  
Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans  
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy  
Leader of the Opposition in the Senate—Senator Hon. Nicholas Hugh Minchin  
Deputy Leader of the Opposition in the Senate—Senator Hon. Eric Abetz  
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig  
Manager of Opposition Business in the Senate—Senator Stephen Shane Parry

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 Barnaby Thomas Gerard Joyce  
Deputy Leader of the Nationals—Senator Fiona Nash  
Leader of the Australian Greens—Senator Robert James Brown  
Deputy Leader of the Australian Greens—Senator Christine Anne Milne  
Leader of the Family First Party—Senator Steve Fielding  
Chief Government Whip—Senator Kerry Williams Kelso O’Brien  
Deputy Government Whips—Senators Donald Edward Farrell and Anne McEwen  
Chief Opposition Whip—Senator Stephen Shane Parry  
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby  
The Nationals Whip—Senator John Reginald Williams  
Australian Greens Whip—Senator Rachel Mary Siewert  
Family First Party Whip—Senator Steve Fielding

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Macdonald, Hon. Ian Douglas     QLD  30.6.2014       LP
McEwen, Anne                   SA   30.6.2011       ALP
McGauran, Julian John James    VIC  30.6.2011       LP
McLucas, Hon. Jan Elizabeth    QLD  30.6.2011       ALP
Marshall, Gavin Mark           VIC  30.6.2014       ALP
Mason, Hon. Brett John         QLD  30.6.2011       LP
Milne, Christine Anne          TAS  30.6.2011       AG
Minchin, Hon. Nicholas Hugh    SA   30.6.2011       LP
Moore, Claire Mary             QLD  30.6.2014       ALP
Nash, Fiona Joy                NSW  30.6.2011       NATS
O’Brien, Kerry Williams Kelso   TAS  30.6.2011       ALP
Parry, Stephen Shane           TAS  30.6.2011       LP
Payne, Marise Ann              NSW  30.6.2014       LP
Polley, Helen Beatrice         TAS  30.6.2011       ALP
Pratt, Louise Clare            WA   30.6.2014       ALP
Ronaldson, Hon. Michael        VIC  30.6.2011       LP
Ryan, Scott Michael            VIC  30.6.2014       LP
Scullion, Hon. Nigel Gregory   NT   30.6.2014       CLP
Sherry, Hon. Nicholas John     TAS  30.6.2014       ALP
Sievert, Rachel Mary           WA   30.6.2011       AG
Stephens, Hon. Ursula Mary     NSW  30.6.2014       ALP
Sterle, Glenn                  WA   30.6.2011       ALP
Troeth, Hon. Judith Mary       VIC  30.6.2011       LP
Trood, Russell Brunell         QLD  30.6.2011       LP
Williams, John Reginald        NSW  30.6.2014       NATS
Wong, Hon. Penelope Ying Yen   SA   30.6.2014       ALP
Wortley, Dana Johanna          SA   30.6.2011       ALP
Xenophon, Nicholas            SA   30.6.2014       IND

(1) Chosen by the Parliament of South Australia to fill a casual vacancy vice Amanda Eloise Vanstone, resigned.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Ian Campbell, resigned.
(3) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Christopher Martin Ellison, resigned.
(4) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

PARTY ABBREVIATIONS
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—A Thompson
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<td>Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion</td>
<td>Hon. Julia Gillard, MP</td>
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<td>Treasurer</td>
<td>Hon. Wayne Swan MP</td>
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<td>Minister for Immigration and Citizenship and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
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<td>Minister for Defence and Vice President of the Executive Council</td>
<td>Senator Hon. John Faulkner</td>
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<tr>
<td>Minister for Trade</td>
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<tr>
<td>Minister for Foreign Affairs and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
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<td>Minister for Health and Ageing</td>
<td>Hon. Nicola Roxon MP</td>
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<td>Minister for Families, Housing, Community Services and Indigenous Affairs</td>
<td>Hon. Jenny Macklin MP</td>
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<td>Minister for Finance and Deregulation</td>
<td>Hon. Lindsay Tanner MP</td>
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<td>Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
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<tr>
<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
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<td>Senator Hon. Kim Carr</td>
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<td>Minister for Climate Change and Water</td>
<td>Senator Hon. Penny Wong</td>
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<td>Cabinet Secretary, Special Minister of State and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
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<td>Hon. Tony Burke MP</td>
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<td>Hon. Martin Ferguson AM, MP</td>
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<tr>
<td>Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services</td>
<td>Hon. Chris Bowen, MP</td>
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[The above ministers constitute the cabinet]
Minister for Veterans’ Affairs  
Minister for Housing and Minister for the Status of Women  
Minister for Home Affairs  
Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery  
Minister for Small Business, Independent Contractors and the Service Economy, Minister Assisting the Finance Minister on Deregulation and Minister for Competition Policy and Consumer Affairs  
Assistant Treasurer  
Minister for Ageing  
Minister for Early Childhood Education, Childcare and Youth and Minister for Sport  
Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change  
Minister for Employment Participation and Minister Assisting the Prime Minister on Government Service Delivery  
Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government  
Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water  
Parliamentary Secretary for Western and Northern Australia Services and Parliamentary Secretary for Victorian Bushfire Reconstruction  
Parliamentary Secretary for International Development Assistance  
Parliamentary Secretary for Pacific Island Affairs  
Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade  
Parliamentary Secretary for Social Inclusion and Parliamentary Secretary for the Voluntary Sector  
Parliamentary Secretary for Multicultural Affairs and Settlement Services  
Parliamentary Secretary for Employment  
Parliamentary Secretary for Health  
Parliamentary Secretary for Innovation and Industry  

Hon. Alan Griffin MP  
Hon. Tanya Plibersek MP  
Hon. Brendan O’Connor MP  
Hon. Warren Snowdon MP  
Hon. Dr Craig Emerson MP  
Senator Hon. Nick Sherry  
Hon. Justine Elliot MP  
Hon. Kate Ellis MP  
Hon. Greg Combet AM, MP  
Senator Hon. Mark Arbib  
Hon. Maxine McKew MP  
Hon. Dr Mike Kelly AM, MP  
Hon. Gary Gray AO, MP  
Hon. Bill Shorten MP  
Hon. Bob McMullan MP  
Hon. Duncan Kerr SC, MP  
Hon. Anthony Byrne MP  
Senator Hon. Ursula Stephens  
Hon. Laurie Ferguson MP  
Hon. Jason Clare MP  
Hon. Mark Butler MP  
Hon. Richard Marles MP
SHADOW MINISTRY

Leader of the Opposition
The Hon. Malcolm Turnbull MP

Shadow Minister for Foreign Affairs and Deputy Leader of the Opposition
The Hon. Julie Bishop MP

Shadow Minister for Trade, Transport, Regional Development and Local Government and Leader of The Nationals
The Hon. Warren Truss MP

Shadow Minister for Broadband, Communications and the Digital Economy and Leader of the Opposition in the Senate
Senator the Hon. Nick Minchin

Shadow Minister for Innovation, Industry, Science and Research and Deputy Leader of the Opposition in the Senate
Senator the Hon. Eric Abetz

Shadow Treasurer
The Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
The Hon. Christopher Pyne MP

Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design
The Hon. Andrew Robb AO, MP

Shadow Minister for Finance, Competition Policy and Deregulation
Senator the Hon. Helen Coonan

Shadow Minister for Human Services and Deputy Leader of The Nationals
Senator the Hon. Nigel Scullion

Shadow Minister for Energy and Resources
The Hon. Ian Macfarlane MP

Shadow Minister for Families, Housing, Community Services and Indigenous Affairs
The Hon. Tony Abbott MP

Shadow Special Minister of State and Shadow Cabinet Secretary
Senator the Hon. Michael Ronaldson

Shadow Minister for Climate Change, Environment and Water
The Hon. Greg Hunt MP

Shadow Minister for Health and Ageing
The Hon. Peter Dutton MP

Shadow Minister for Defence
Senator the Hon. David Johnston

Shadow Attorney-General
Senator the Hon. George Brandis SC

Shadow Minister for Agriculture, Fisheries and Forestry
The Hon. John Cobb MP

Shadow Minister for Employment and Workplace Relations
Mr Michael Keenan MP

Shadow Minister for Immigration and Citizenship
The Hon. Dr Sharman Stone

Shadow Minister for Small Business, Independent Contractors, Tourism and the Arts
Mr Steven Ciobo MP

[The above constitute the shadow cabinet]
**SHADOW MINISTRY—continued**

Shadow Minister for Financial Services, Superannuation and Corporate Law
The Hon. Chris Pearce MP

Shadow Assistant Treasurer
The Hon. Tony Smith MP

Shadow Minister for Sustainable Development and Cities
The Hon. Bruce Billson MP

Shadow Minister for Competition Policy and Consumer Affairs and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Housing and Local Government
Mr Scott Morrison MP

Shadow Minister for Ageing
Mrs Margaret May MP

Shadow Minister for Defence Science and Personnel and Assisting Shadow Minister for Defence
The Hon. Bob Baldwin MP

Shadow Minister for Veterans’ Affairs
Mrs Louise Markus MP

Shadow Minister for Early Childhood Education, Childcare, Status of Women and Youth
Mrs Sophie Mirabella MP

Shadow Minister for Justice and Customs
The Hon. Sussan Ley MP

Shadow Minister for Employment Participation, Training and Sport
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Northern Australia
Senator the Hon. Ian Macdonald

Shadow Parliamentary Secretary for Roads and Transport
Mr Don Randall MP

Shadow Parliamentary Secretary for Regional Development
Mr John Forrest MP

Shadow Parliamentary Secretary for International Development Assistance and Shadow Parliamentary Secretary for Indigenous Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Energy and Resources
Mr Barry Haase MP

Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector
Senator Mitch Fifield

Shadow Parliamentary Secretary for Water Resources and Conservation
Mr Mark Coulton MP

Shadow Parliamentary Secretary for Health Administration
Senator Mathias Cormann

Shadow Parliamentary Secretary for Defence
The Hon. Peter Lindsay MP

Shadow Parliamentary Secretary for Education
Senator the Hon. Brett Mason

Shadow Parliamentary Secretary for Justice and Public Security
Mr Jason Wood MP

Shadow Parliamentary Secretary for Agriculture, Fisheries and Forestry
Senator the Hon. Richard Colbeck

Shadow Parliamentary Secretary for Immigration and Citizenship and Shadow Parliamentary Secretary Assisting the Leader in the Senate
Senator Concetta Fierravanti-Wells
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Australian Climate Change Regulatory Authority Bill 2009 [No. 2],
Carbon Pollution Reduction Scheme (Charges—Customs) Bill 2009 [No. 2],
Carbon Pollution Reduction Scheme (Charges—Excise) Bill 2009 [No. 2],
Carbon Pollution Reduction Scheme (Charges—General) Bill 2009 [No. 2],
Carbon Pollution Reduction Scheme (Cprs Fuel Credits) Bill 2009 [No. 2],
Carbon Pollution Reduction Scheme (Cprs Fuel Credits) (Consequential
  Amendments) Bill 2009 [No. 2],
Excise Tariff Amendment (Carbon Pollution Reduction Scheme) Bill 2009 [No. 2],
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The PRESIDENT (Senator the Hon. John Hogg) took the chair at 12.30 pm and read prayers.

BUSINESS

Rearrangement

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (12.30 pm)—I move:

That—

(a) government business notice of motion No. 1, relating to the hours of meeting and routine of business for today, be postponed till a later hour; and

(b) government business notice of motion No. 2, relating to the consideration of legislation, be postponed till the next day of sitting.

Question agreed to.

CARBON POLLUTION REDUCTION SCHEME BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]
AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CHARGES—CUSTOMS) BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CHARGES—EXCISE) BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CHARGES—GENERAL) BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) BILL 2009 [No. 2]
CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) (CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]

SECOND READING

Debate resumed from 23 November, on motion by Senator Stephens:

That these bills be now read a second time.

upon which Senator Bob Brown moved by way of amendment:

At the end of the motion, add “provided that the Government first commits to entering the climate treaty negotiations at the end of 2009 with an unconditional commitment to reduce emissions by at least 25 per cent below 1990 levels by 2020 and a willingness to reduce emissions by 40 per cent below 1990 levels by 2020 in the context of a global treaty”.

Senator FERGUSON (South Australia) (12.31 pm)—I am in a rather unique position, having started to make this speech last night prior to any knowledge of proposed amendments and, now, having seen those amendments, I can move on. Can I say first of all that seeing those amendments has not made me any happier. Having had last-minute notice of them, having seen them at 10 o’clock and having tried to decide what was in them, the only people I feel really sorry for, apart from ourselves, are senators opposite, particularly the climate sceptics opposite, of which there are many. I will not name any but there are plenty. They have not had the opportunity to see what these negotiations mean either, yet after five or six weeks of protracted negotiations we are expected to understand in five minutes what these negotiations have brought forward. My
opposition to these bills remains the same as it was. My position has not changed from last night now that I have actually seen the amendments.

The bullying by the Rudd government to have this legislation in place before going to Copenhagen, before knowing what the rest of the world is doing, cannot lead to well-informed and well thought out legislation. There are only a couple of people who have spent a lot of time on this legislation trying to nut out amendments. The one thing I will say about the proposed amendments is that if it were not for the insistence of the coalition we would still be debating a bill that was totally unacceptable. It was only on the insistence of the coalition and through Ian Macfarlane that we were able to get some agreement and some changes which make an impossible bill slightly more palatable—but, I am sorry to say, still not palatable enough for me.

I have only just heard of the Prime Minister’s press conference where he said this is a deal for just this week. What is so bad about the deal that it would not still be on the table if it were next week? What is so bad about the deal that it would not still be on the table if it were next February? Either the government is not genuine in committing itself to the changes that have been made to the initial legislation and is just trying to buy and bribe some support from the opposition or else the government is not genuine in its offers. To say it is this week or never is one of the worst examples of blackmail I have ever heard.

The Minister for Climate Change and Water, Senator Penny Wong, has falsely claimed that Australia cannot go to Copenhagen without this legislation in place; that she cannot go to Copenhagen, together with the Prime Minister, without having this legislation in place. What on earth are all the other countries of the world doing in going to Copenhagen without legislation in place? None of them has legislation in place, except some European countries. America has not, China has not, India has not and Canada has not, yet Senator Wong says we cannot go to Copenhagen without having legislation in place. The head of the United Nations climate change agency, Mr Yvo de Boer, stated clearly that there is no expectation or requirement that Australia have legislation in place to participate in discussion at Copenhagen.

I mentioned last night that I tend to speak more with the people in my own community than with those in other communities, and all of the people in that community have urged me not to support this legislation. It may be different in other areas. It may be different in some urban areas. I happen to live in a rural town in a rural area where in fact there is uniform opposition to this legislation being passed prior to Copenhagen and the decision of the rest of the countries of the world as to what they will do in relation to climate change—if in fact they do anything in relation to climate change, because I am quite sure that some of them will not.

This government is interested more in image than in effective and responsible legislation. The treaty that is being presented in Copenhagen includes a requirement for industrialised nations to commit 0.7 per cent of their national economic output to a UN controlled fund to compensate for less developed nations. Having spent some time at the UN and seen how they handle money and what they do through some of their aid programs, I cannot think of a worse place for us to contribute 0.7 per cent of our economic output than to a UN controlled fund.

The mood in the Australian community is changing. It is changing in a way that we did not expect two years ago, when in fact there
was almost universal support for action against climate change. Two years ago, before the 2007 election, people were saying, ‘You must do something about climate change.’ They believed wholeheartedly that any changes in our climate were directly related to human activity. I was very interested to read the poll from the Australian Chamber of Commerce and Industry last weekend in which public views echoed business concerns. The survey was commissioned by the Chamber of Commerce and Industry Queensland and released by ACCI, and was undertaken by Galaxy Research over the weekend.

We find there is a change taking place in the Australian community. For a start, people are realising that the imposition of this CPRS is the introduction of a new tax—nothing more, nothing less. It is a question of who will pay. This poll found that 71 per cent of the 1,000-odd people polled believe that the CPRS will raise their electricity prices and that 49 per cent believe there will be job losses. If we move in isolation when the rest of the world is not moving at all, 49 per cent of Australia’s population now believe there will be job losses. An even more staggering figure is that 82 per cent of those surveyed do not believe enough information has been provided about the CPRS and 54 per cent now, more than half the population, believe Australia should delay the introduction of a CPRS until after Copenhagen. This is a distinct change from the views held by people a couple of years ago. The results of this Galaxy poll parallel ACCI’s survey of investor confidence in October which found that 47½ per cent of businesses considered that the CPRS will have negative impacts.

We need to take into account the changing views of the Australian population, as they find out more and more about these proposals being put forward by the government. It is fair to say that, until people start to get some information, they will say, ‘Of course, we have to do something about climate change; it is terrible.’ In fact, we have had climate change for 50 million years. It has not all been human induced, I am sure. Suggestions of recent times that the world is actually cooling and not getting hotter is something that most of our media and certainly the climate change alarmists do not want to see put into the public arena. We have a Prime Minister who says that climate change is the biggest moral challenge of our time and anyone who questions this Carbon Pollution Reduction Scheme he calls heretics or deniers. Yet he is not willing to take on the advice or the concerns of interested groups and those whom the scheme will affect most.

According to this government, if you are not in support of their legislation, you do not care about the environment at all and are in favour of environmental destruction and are morally lacking. I spent a big percentage of my life farming. Farmers are the original environmentalists. Of course there were some who did not look after their properties and some who were careless. But in every walk of life there are some who will not do the right thing in relation to the environment. We have been environmentally conscious for the past 50 years. We now have no-tillage and are trying to preserve topsoil. Yields are increasing. Throughout my lifetime the original environmentalists have been farmers. They are the ones who rushed to join Landcare programs. They are the ones who spent voluntarily when there was no incentive to plant more trees and do other things on their properties. They are the environmentalists. They are among the strongest opponents of this CPRS.

The other flaw in this scheme is that it effectively ignores voluntary action and energy efficiency. I believe that the actions of individuals, businesses and community groups who develop their own initiatives to reduce greenhouse gas emissions provide significant
benefit to our community. They are worthy of recognition and encouragement.

I have not had a chance to look in detail at the amendments that have been agreed to. We just simply have not had time to read them. I have been contacted by a number of businesses, such as the National Lime Association and Adelaide Brighton Cement, which operates a lime plant in Angaston and supplies industries such as mining, steel, paper, agriculture and water treatment in the region. I just do not know whether these new amendments have satisfied these people because we simply have not had time to find out. Yet we are expected to come into this chamber and debate these amendments without discussion with all of these people. It is absolutely impossible in the time frame that has been suggested to debate these bills and get through the committee stage. The time frame includes sitting late hours—maybe up to Saturday, we have heard.

This is no way to run a parliament. This is no way to look at what is possibly the most life-changing bill that has been presented to this parliament, certainly since the introduction of the GST and probably even further back than that since such an important bill has come before this chamber. I do not believe that it should be given the cursory treatment that this government expect us to give it. They have had five or six weeks to negotiate amendments between the major ministers and shadow ministers concerned and we have two or three days for senators to put forward their amendments.

I know the Greens have an enormous package of amendments and they have every right to make sure that those amendments are debated at length, in the same way that Senator Xenophon and others have a right to question and debate the amendments at length. I do not share the Greens’ views. I share their concerns, but I do not share their views. They have a right, however, to put their amendments in this place and to have time to debate them at length. That is the role of this house. That is why we have such a proud record in the Senate of making sure that we look minutely at legislation which, in many cases, has gone through the lower house either by guillotine or with a very short debate.

I will not be supporting these bills, as I said last night, because I do not believe that we should be discussing them before Copenhagen. Had these bills been presented in February, after Copenhagen, I might well have voted for them, but I will not vote for them when we do not know what the rest of the world is doing and we do not know whether we are going to disadvantage Australian industries and exporters.

Senator Fierravanti-Wells (New South Wales) (12.45 pm)—I rise to speak on the reintroduced CPRS package of bills. In a previous contribution, in speaking on the bills which were rejected by the Senate, I concentrated my comments on the particular impact of the legislation on the Illawarra. It is clear that the bills in their current form are deeply flawed. As Senator Humphries indicated earlier in the debate, very few of us in this place have a detailed understanding of climate issues. In the context of this debate, some have made it a point to broaden their understanding.

Instead, I have chosen to come at this from the simpler proposition that our constituents expect their governments to ensure that the air they breathe is clean, the water they drink is clean and the food they eat is clean and uncontaminated. It is probable that many of our constituents have not read the legislation. They are not familiar with the contents of the draft Copenhagen treaty, but they think we should do something about the environment. With the Kyoto treaty, we
signed the treaty and met our emissions obligations, but did not ratify it. Rightly or wrongly, the Howard government was pilloried for not ratifying the treaty but was not recognised for meeting the obligations in any case.

All Australians want a cleaner environment. This is how I see the debate. I want to take us back to the early days of recycling. When it was first mooted, there was scepticism about how it would work. The appearance of coloured containers in the street was welcomed by some and frowned on by others. Some believed it would not work. Today, nobody bats an eyelid about recycling containers. Indeed, many of us are quite accustomed to making sure we sort out our garbage and do our bit. For me, one of the critical missing elements in the current bills is a framework to encourage households and individuals to be more environmentally conscious. As with recycling, our respective contributions to a better environment must start in our daily lives—in our homes and in our workplaces.

One of the focal issues of this debate has been the price of electricity. This is indeed an important issue and one that goes to the heart of our daily lives and the family budget. Electricity use and costs are not the only things that should be important components of the ETS framework; that framework ought to be about how we can all use energy better and more wisely. It ought to encourage us to do so. I recently extracted a pamphlet that came with my electricity account. It had 10 energy efficiency tips, including switching off home appliances; using energy efficient compact fluorescent lamps; remembering to turn off lights in unoccupied rooms; installing more efficient hot water systems and shower heads; taking shorter showers; using cold water in the laundry and hanging clothes out to dry on sunny days to give the dryer a break; buying energy efficient fridges and thinking twice about needing to have that beer fridge on all the time; using more energy efficient appliances; not overheating our homes and therefore saving energy; installing insulation; draught-proofing doors and windows; closing blinds and windows and pulling the curtains and doors closed in rooms that are not in use; and, of course, monitoring pool pump usage. I wonder how many of us do any of these things in our daily lives.

The average Australian wants to do his or her bit to contribute to a better environment and, to some extent, that is what I think is driving the debate rather than a detailed understanding of the science. For the average person, as I read the correspondence and in the discussions I have had, climate change has become a byword for greater environmental responsibility. Perhaps if more of us were more energy conscious in our own homes, it would greatly contribute to a better environment. If in our everyday lives we made the small efforts, then we would be making a constructive contribution to reducing CO2 emissions. As with recycling, we need to take the small steps so we can collectively make a broader contribution.

This is what I think the debate is about—doing our bit. Some may have been convinced that ‘doing our bit’ means embarking on a complex emissions trading scheme, as the Labor government has devised. Others have proffered the suggestion that a carbon tax would have been easier. Some just view this as a tax on just about everything. Others simply think the whole thing is the biggest con since the Y2K bug.

But what has troubled me about the current debate is the language and tone of the public utterances. On the one hand, there has been a fervent, almost evangelical, adherence to a view that the sky will fall in if the world does not act on climate change now. Advo-
cates of this position have pilloried those who have dared oppose their view. They have dubbed them 'climate change sceptics' in tones reminiscent of the Inquisition and burning people at the stake. Some have stridently and appallingly equated them to Holocaust deniers. Yesterday’s front page article in the Australian, entitled ‘Hackers expose climate brawl’, and the release of emails only strengthen the views of those who have questioned the science. The apparent glee at the death of one such scientist by those holding opposing views is both sickening and appalling.

On the other hand, people have questioned the science. We have seen scientists, such as Professor Plimer, offering alternative viewpoints. In a talk to MPs earlier this year, Professor Plimer posed questions about the Romans. Given my heritage, I was interested to hear him say that grapes and olives grew around Berlin and that Roman garb gave an indication of the warmth of the weather in Roman times. Banal, you may say, but nevertheless it makes you wonder.

Some argue that we are seeing evidence of climate change whilst others say that this has been a feature of the world’s history. Some say that the world is getting warmer; others show that it is in fact getting cooler. Some question whether the change is man-made. Again there is certainly a divergence of views. Regrettably, the Prime Minister’s language in this debate has not assisted. In a speech to the Lowy Institute earlier this month, he used the opportunity to launch a scathing and vicious attack on those who have dared to question his stance on climate change. This is irresponsible and demonstrates yet again the obsessive, egocentric and cynical political agenda that is driving him in this debate. Instead of affording respect for different positions, the Prime Minister has chosen to characterise his forays into the public debate with venom and vitriol—hardly conducive to rational and balanced debating.

The Senate overwhelmingly rejected these bills three months ago, and the government has chosen to bring them back in their current form. The coalition should not support this legislation as it currently stands. Another major concern is that this Senate has been pushed into considering this legislation before Copenhagen. This has been part of Labor’s political agenda all along. There was absolutely no valid reason that we should be doing so; we would only be pandering to the Prime Minister’s vanity in wanting to strut the world stage and to say, ‘Look what we are doing here in Australia.’ Really, Prime Minister, who really cares?

Australia emits only 1.4 per cent of world emissions. Do we really think that what we do here in Australia will make a difference to the world’s outputs? Some argue that the answer to this is no but that we should start somewhere and, as this is a global issue, we should take a precautionary approach and give the planet the benefit of the doubt. But of course this is outweighed if we end up reducing emissions in Australia but, in so doing, act to the detriment of the Australian economy so that activities which are reduced in Australia result in increased emissions in some overseas location. Then there would be no net benefit to the environment. This is the nub of the issue for many in this debate: finding the right balance between the economy and the environment and doing so in sync with the rest of the world.

Some actually question the need for an emission trading scheme. Others say we should not be locking ourselves into a position until we know what the United States and other countries are doing and until we know the outcome of Copenhagen. Still others are pressing for action now. There is definitely a divergence of sentiment in the
electorate. There is major concern in the electorate that the current package of bills does very little for the environment but will have a grave impact on jobs and on Australian families. It is clear from the commentary that it will have a major effect on small and medium businesses and, as a consequence, that it will affect the international competitiveness of Australian business. There is a real fear that the impost on business will have the adverse effect of businesses shifting their operations overseas to countries which have no corresponding ETS framework. This has been evident through the various committee considerations of the bills.

As a senator based in the Illawarra region of New South Wales, I am consistently reminded of the important role that export industries play in our economy. The Illawarra region is built around an industrial port which supports tens of thousands of jobs. The *Illawarra Mercury* has been prominent in focusing attention on this debate and on the deeply held concerns over prospective job losses in the region. In the Senate Standing Committee on Economics inquiry into these bills earlier this year, BlueScope Steel, the main employer in the Illawarra, identified that the scheme threatens to erode tens of millions of dollars from the company’s books within the first year and has the potential to threaten the viability of the 12,000 jobs that their operations support.

Many in the Illawarra have expressed concerns about the effect on their livelihoods, which are so reliant upon these crucial trade-exposed industries. A closure of the steelworks would mean the loss of 4,700 jobs at Port Kembla amid the loss of 12,000 jobs supported by steelmaking activities within the region. This is reflected in the *Illawarra Mercury* editorial of 2 April 2009, which stated:

The question now for the Federal Government is whether throwing 12,000 people in the Illawarra onto the unemployment scrap heap is worth the price of what is likely to be only a notional gain for the environment.

The problem is compounded by the fact that this scheme is being proposed amid a global financial crisis and rising unemployment where there are few employment opportunities for Illawarra workers to transition into. Accordingly, the coalition unveiled a plan to save thousands of Australian jobs and to limit increases in electricity prices for small business through common-sense suggestions for changes to Labor’s flawed and rushed emissions trading scheme. The coalition put forward a package of suggested changes that have formed the basis of good-faith negotiations with the Rudd Labor government. The package demonstrated that Labor’s CPRS can be made cheaper and smarter whilst at the same time protecting vital jobs in our economy.

The coalition’s approach has been to ensure that key export industries, including coalmining, food processing, natural gas and aluminium, will be better protected and thus make sure thousands of Australian jobs are saved from the threat that comes from Labor’s flawed scheme. The coalition wanted to protect farmers from the scheme by exempting agriculture altogether. By allowing agricultural offsets, which include carbon sequestration in soils and vegetation, there is the opportunity for financial and land management benefits in the rural sector. By including voluntary measures, the environment will also benefit from individuals, businesses and community groups developing their own initiatives to reduce greenhouse gas emissions.

The coalition has continued to advocate an intensity based cap-and-trade approach to the electricity sector, as this more than halves the initial increase in electricity prices, reducing the economic costs of achieving emissions cuts. If the Labor government refuses to con-
sider the intensity based approach, it must clearly explain why. The coalition has pushed for an alternative strategy for cushioning the initial impact of higher electricity prices on small businesses.

I would now like to focus on the key changes suggested by the coalition to Labor’s flawed CPRS. Firstly, in relation to trade-exposed industries, the coalition has suggested that the CPRS be amended to provide a single level of assistance for emissions-intensive trade-exposed—EITE—industries, that the thresholds for assistance be lowered and that they retain their international competitiveness. The coalition has advocated including primary food processing in the EITE scheme and allowing industries that include a series of sequential or parallel production processes to have these assessed as a single activity in determining assistance.

Agriculture has been an important issue for the coalition. We have advocated permanently excluding agricultural emissions from the CPRS. We have also sought the government’s agreement to the introduction of an agricultural offset scheme in line with similar schemes in comparable economies, such as the United States and the European Union. For example, I recently completed a major study-leave report on the Australian wool industry—an industry worth about $2.6 billion per annum—and I saw the impact that Labor’s flawed scheme would have on this industry alone. There are many agricultural industries that would be affected. Another area of concern for the coalition has been coalmine emissions, which is particularly of interest for the Illawarra. The coalition has advocated for the exclusion of coalmine fugitive emissions from the CPRS and for the relevant minister to be provided with authority to use regulation to control fugitive emissions.

Lower electricity prices have also been of great concern for the coalition, and we have continued to advocate an intensity-based cap-and-trade model for generators to deliver the same emissions cuts as the CPRS but with a much smaller increase in electricity prices. This would greatly reduce the burden on small and medium businesses, which receive no compensation for higher power bills under Labor’s proposals. Under the CPRS, retail electricity prices will rise by close to 20 per cent in the first two years. Under an intensity approach, retail electricity prices would rise by less than five per cent in the first two years. Our concern is to cushion electricity price increases for households, small businesses and business in general.

Compensation for electricity generators is another area where the coalition has proposed changes. Coal fired generators need to be better compensated for loss of value they experience from the CPRS, to ensure security of electricity supply and enable them to transition to lower emission energy sources. Energy efficiency and voluntary action are important factors for the coalition. We have suggested a national ‘white certificate’ energy efficiency scheme so households and businesses earn credits for efficiency measures and contribute to reducing national emissions. If households do their bit—or more than their bit—they should be recognised for it. This goes back to the comments I made earlier about all of us, at the grassroots, making our contribution toward a cleaner environment. Likewise, the coalition supports creation of a voluntary offset market in advance of the introduction of the CPRS and amending the CPRS to ensure voluntary abatement leads to a lower national level of emissions.

The coalition’s intention has been to negotiate the above matters with the government in good faith to deliver environmental benefits with less severe economic costs. The
current bills and the manner and timing in which they are being introduced will export jobs overseas. The fears and apprehensions felt by the people of the Illawarra and other constituents around New South Wales are justified, as they know full well that they stand at the forefront and will face the full brunt of this job-destroying scheme. Unless Labor is prepared to fix the flaws in its proposed emissions trading scheme, to save jobs, reduce costs and act in the interests of all Australians, then the bills in their current form should be rejected.

Senator HANSON-YOUNG (South Australia) (1.05 pm)—I rise today to contribute to this debate on Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and related legislation. I note that this is the second time I have spoken on this legislation—as it is for many others in this chamber. Despite the amendments and the dirty deal announced by the Prime Minister earlier today, the legislation in front of us is no different to the legislation that we debated some months ago.

The government’s CPRS legislation, the ‘continue polluting regardless scheme’, has been flawed from day one. It has simply become worse with each passing deal struck with big polluters, and now with the climate change sceptics. The Prime Minister has been first class in spinning this issue from day one—calling for a need for action on climate change, while delivering virtually nothing. His doublespeak for action, coupled with the government’s pathetic pollution reduction targets, will mean nothing for tackling carbon emissions for the future or for saving the environment. It is simply locking us in to failure when combating dangerous climate change. The lacklustre approach in this legislation has done nothing but give a cash splash to the big polluters. Prime Minister Kevin Rudd has again proven himself to be the half-baked Prime Minister—all spin and no substance.

The Greens cannot and will not support this legislation. It is environmentally flawed, environmentally ineffective and economically inefficient. Just now, the Prime Minister had his press conference and announced that there is no real change in his deal with the coalition that makes this any more environmentally effective or economically efficient. It is still as useless as ever, but of course we are giving an extra $5 billion to $6 billion to the big polluters. We are not able to support this legislation and I must say, as a member of the party that has championed action on climate change in this place for years and years, it is very sad to not see a piece of legislation before us that actually takes seriously the challenges of climate change. We cannot accept a target of five per cent. We know that a minimum of 25 per cent is what is needed in order to even start the action needed to tackle climate change. That is the minimum that is required by the global community and by scientists, and it would go some way to repairing the years of dangerous inaction that have taken place before us—years of ignorance and cynicism that have left our planet screaming and crying for help.

Sadly, the government are not listening to the science or the community and are continuing to promote their five per cent target as the most ideal and economically responsible model to combat climate change. We know that this is simply not true. They are not listening to the community and they are not listening to the science; they are listening instead to the big polluters and now to the climate change sceptics. As my colleague Senator Christine Milne has highlighted on a number of occasions in this place, committing to a minimum five per cent target is worse than useless. In fact, 25 per cent is the bare minimum required by the science and the global community. Without committing to at least 25 per cent, we are locking our-
selves into failure—failure to clean up the mess that has been created from years and years of inaction and ignorance.

The government’s original bill was so flawed in its design that not only were the targets pathetically low but the scheme also actually ensured that it was impossible for motivated individuals to take the action they wanted to take to contribute to reducing climate change. We know that the original bill not only set a cap beyond which the emissions could not rise; it also set a floor below which they could not fall—a simply foolish approach from a government who say they want to take action on climate change. The harder individuals or state governments work to reduce their fossil fuel use, the more pollution permits can be issued to those who simply do not care at the expense of the actions taken by individuals and the expansion of emissions by the big polluters. The minister has spent months concealing this flaw within the legislation and, while we have finally seen some recognition, I am fearful that today’s announcement of a deal with the coalition has simply given a veneer of interest in voluntary action rather than a true motivation for individuals, state governments and local governments to take a full role in order to reduce climate change. It is simply ripping money out of householders and giving it to the polluters.

Mr Rudd says that failing to act today is rolling the dice with our children’s future, but failing to be honest about the challenges that face us with climate change, playing politics instead of being practical and instead of promoting true action on climate change, is playing Russian roulette. The government has announced today that $5 billion dollars extra will be taken out of households and put into the hands of the big polluters so they can continue business as usual. I said in my first speech in this place over a year ago that we need to end the mantra of business as usual. We need more decisive and immediate action to alleviate greenhouse gas emissions. We need to face the realities of the big challenge before us, not gloss over it with spin and no substance. What we have seen from the Prime Minister today is more spin, more spin, more spin. We have not seen true commitment to tackling climate change. A five per cent reduction target goes nowhere near what we need to do. He is, despite his own spin, leaving it to future generations to clean up his mess.

Surely we are all of the same opinion in this place that the way we are currently living in this world is simply not sustainable. We need a transformation and a willingness to do things differently. We must listen to the concerns and views of our younger generations, those people who will have to carry these burdens into the future. In 2050 I will be 69 and my daughter will be in her 30s. I shudder to think about what our world will look like then if we continue to defer the tough action needed and simply put it onto the shoulders of future generations. It has always been of great interest to me that those who are the biggest sceptics of taking action on climate change and those who want to spin the relevance of the tough decisions that we have to make are not the people who will be around in 2050 or 2060 or 2080. They are not the people who will be living through the nightmare that will be left simply because we had a Prime Minister and a government who today did a dirty deal with dirty polluters because the coalition would not get their act together.

It is absolutely astounding that a government that was elected on the mantra of tackling climate change has simply been able to spin itself into a web of inaction and falsities. We need a government that actually understands the challenges before us and that will be prepared to reduce our carbon emissions, not just talk about it, and a Prime Minister
who, when he talks about the future of our younger generation and about our children and our grand children, understands that he must match words with action. To date, we have not seen any of this. To date, we have seen billions and billions of dollars of taxpayers’ money going towards big dirty polluters to continue business as usual, while householders and young people who are desperate to do their part in tackling climate change will not be supported, state governments that are trying to do things will not be supported and local governments who are actively representing the concern of their local community that something above spin and talk be done will not be supported. This legislation locks us into failure. We hear stories of women, and young people in particular, working right around the world in their individual communities—whether they are in Australia, the Americas or in the low-lying islands of Kiribati or Tuvalu—to alleviate the effects of climate change. These people are taking action on climate change that really matters, because they are faced with the realities of the dangerous climate change that awaits us. Unfortunately, we have a government that continues to spin and talk without any action. It is already giving $16 billion in compensation to Australia’s biggest polluters and now we hear today that Prime Minister Rudd wants to give them even more. He is buying friends on this issue and not buying moral credibility. He talks a lot about the moral courage needed to take action on climate change, yet nothing he has done today actually proves that. Every dollar that compensates the big polluters is a dollar less for individuals and householders to take on the challenge of climate change. Every dollar spent—every extra dollar spent—and given to polluters is a dollar less that is put into tackling climate change and making a real difference. Today we have seen an extra $5 billion to $6 billion given to polluters and not to really tackling climate change.

The Rudd Labor government was elected in 2007 on the back of a mantra to tackle climate change. Today’s announcement of the dirty deal to continue dirty polluting simply locks us in to failure and makes their promise to reduce carbon emissions even worse. The CRPS legislation continues to be today the ‘continuing pollution regardless scheme’.

Australia cannot actually afford to be playing these games of politics with the environment any longer. We know that the rest of the world cannot either and Australia must be playing its part in ensuring that we step aside from the politics and talk about the realities that face us. We know that we need to be taking real action on climate change. Mr Rudd has the rhetoric down pat—there is no doubt about that—but he does not have the substance to follow through. The future of our children, our grandchildren and their children is at stake. This is serious business and committing to a half-hearted attempt at reducing the effects of climate change is simply not good enough. Kevin Rudd said today that not supporting this legislation would be a roll of the dice for our children. That is what he said today. Well, all spin and no substance is playing Russian roulette. Senator LUDLAM (Western Australia) (1.17 pm)—I rise to add my remarks on the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and related bills with a sense of deja vu, because we were here a couple of months ago debating the same bill. We are now confronted with, evidently, debating a bill that has been made substantially worse as a consequence of the horse-trading and deals that have been going on behind the scenes.

I would like to acknowledge that we have been joined by a couple of school groups,
who have come up into the public gallery while we have been speaking on both sides. This debate is about you, and it is for you. I apologise for how poorly it is going. A couple of weeks ago I had the opportunity to speak to a class of high school kids at Ocean Reef Senior High School in the northern suburbs of Perth. They were a very bright and engaged bunch of young people. It occurred to me that I was in the company of people who had almost all been born around 1992. That was the year that Australia signed on to the Framework Convention on Climate Change, the UNFCCC. For their entire lives these kids have lived in a country that had signed up to a global acknowledgement that climate change is real, demands urgent action and is within our collective power to address if we should demonstrate the will. Seventeen years ago we signed on to that agreement, and this is as far as we have come.

The government introduced the CPRS package we are debating today, with a choice. Without the numbers in the Senate, the government’s choice was to go into negotiations either with the people who wanted the package to succeed or with the people who wanted it to fail. We know which path the government chose of course. We saw the outcome this morning. They went straight into negotiations with the parties who have had absolutely no inhibition—taking the last week—describing exactly why they want this package to fail. So the parliament this week has to choose between two courses of failure: either to vote down this corrupted attempt at introducing a carbon price or to have the major parties collude in perpetuating a monumentally expensive fraud. We have just seen the Prime Minister and the climate change minister stand up at a press conference with straight faces and announce that their scheme retains environmental and economic integrity. At that point it became clear that this debate has completely taken leave of reality.

I spent a bit of time last week trying to get a sense of the opposition’s line. Some on the opposition benches are not yet convinced that global warming is occurring at all and think that we are being mean-spirited to describe the billions of tonnes of CO2 we tipped into the atmosphere in 2008 as pollution. Others will admit that there is warming but that it is nothing to do with anthropogenic emissions—the planet has warmed sharply over the last century entirely of its own accord and the striking correlation with deforestation and industrial emissions is either a coincidence or a carefully orchestrated vegan conspiracy. Others have conceded that humankind is playing a part but that Australia produces such a small fraction of global emissions that there is really just no point in us doing anything at all until China and the United States have decided to act. In other words—and we heard this point of view expressed by the speaker before, Senator Hanson-Young—the world’s highest per capita emitters—that is, us—should just keep shovelling the coal as fast as possible until further notice. Lastly, there are those on the opposition side who do understand that we will have to do something in Australia and, inevitably—and I do not understand why—these are the same people who have nothing to offer the country but a fleet of unaffordable and obsolete nuclear power stations. The opposition presents this awkward mash-up of contradiction and denial as though it were a policy on climate change. It is an important part of the reason that they are in opposition, and long may they remain there.

A lot of the reporting on climate change over the last six months or so has framed the debate as a political contest within the coalition and almost entirely ignored the colossal deception being perpetuated by the government. On 21 November, the Australian...
newspaper editorialised ‘Never mind the science, just watch the politics’. For me, that summed up everything that has been wrong with this debate so far. I am really sick of hearing the government reading in speeches and using lines that might as well have been written by the Greens while their actions are entirely geared to fracturing the coalition party room and winning support in the coal industry. The government has the language down beautifully. As much as Minister Wong’s speeches sometimes read as though they were ghost written by Al Gore, if you lift the bonnet on this legislation you see that it is designed to leave the Australian economy in 2030 exactly as it is today. It is a vision of Australia the quarry, hugely energy intensive and the world’s largest coal exporter—a 20th century economy with eyes closed and hands over its ears, flirting with nuclear power or desperately hoping that the crippled horse of clean coal will one day ride over the horizon.

It is legislation that introduces a feeble carbon price and then obliterates it under an avalanche of $16 billion or more in subsidies to the country’s largest polluters over the next five years. That took a turn for the worse this morning. You look for the detail to see if any of these subsidies are conditional on these same industries cleaning up their production processes or installing renewable capacity. But they are not. Kevin Rudd has signed this cheque to buy political acquiescence to the scheme—keep shovelling the coal and nail the Australian economy into the corner that it has been backing into since the 1950s.

Over the weekend the Australian Greens released legal advice to the effect that passing the CPRS package will expose any future government to a massive compensation liability in the event that it shows the backbone to adopt scientifically defensible emissions targets. The reading of the Constitution is fairly clear. This legislation that we are debating ties the hands of future governments. Prime Minister Kevin Rudd knows it, and the country’s largest polluters know it. Passage of this legislation is not just a failure for now or a deal for this week, as the minister put it this morning; it locks in blood-minded failure out to 2020, which we know is the crucial decade during which we in this country and around the world have no choice but to act.

In Western Australia, this dismal political race to the bottom is being correctly read as a green light for the Barnett government to abandon any pretence of climate responsibility. This is Western Australia, Australia’s boom state, where thousands of resource based jobs depend on an intelligent and well-crafted transition strategy to a low-carbon economy. The Barnett government plans instead to lock in fossil vulnerability for another generation, because they are reading loud and clear the signs that are coming from Canberra that nothing in this bill will prevent a new generation of dirty, 1960s era subcritical coal-fired power stations from being built. The proposal there is to at least double the coal-fired generation in the Collie Basin and massively expand the footprint of coal mining operations there. When some future government comes to its senses and initiates an emergency program of emissions reductions, these corporations are going to be lining up with their hands out claiming that they did not see it coming and demanding more compensation for their obsolete generation assets.

By then of course the public mood is going to be a lot darker than it is today. Whatever green wash the Rudd government takes cover behind this week in late November 2009, let us be really clear about what this bill locks us into. Coral reefs will not survive the hothouse future that this bill locks in. Ningaloo Reef, the jewel of the north-west,
will not survive the warm acidic oceans that that this bill locks in. The magnificent forests of the south-west will not survive the changing rainfall regime that has already done so much damage to this wonderfully biodiverse part of our country. CSIRO have been telling us for 10 years or more that, as much as we might fear the ruination of low-lying coastal ecosystems from sea level rise, the impacts of putting the blowtorch onto the inland Pilbara and northern goldfields could well make large parts of central and western Australia simply uninhabitable. So, in choosing to set his compass by political circumstance rather than three decades of peer reviewed science, this is the future that the Prime Minister will lock in with his tragically named Carbon Pollution Reduction Scheme. No wonder so many people have recoiled from this vision of calculated failure.

A number of senators in the debates over the last fortnight appear to have noticed the work being done by climate action groups around the country, and pointed out with suspicion how similar they look to the campaign groups who took up the fair trade and global justice causes in the 1990s and before. I have had the very good fortune to spend some time at a few of these climate convergences last August in Newcastle and earlier this year at the Hazelwood power station in Victoria. These are people from all over the country—ordinary people and some pretty extraordinary people—who have assessed the comprehensive ongoing failure of anything sensible to emerge from this place and who have decided to act on their own consciences. They are organising, as they did yesterday, creative and respectful non-violent demonstrations and taking responsibility precisely because of the profound failure of this parliament to do so.

That is the reason why in December I will be joining the first camp for climate action to take place in Western Australia, in Collie. I am very much looking forward to joining people there. What is happening in parliament over this November justifies every hour of your work—every spokes council, every public meeting and every tripod that goes up. It is time at last to link arms and push back. Your defiance and your creativity gives all of us hope that one day Australians will be able to take their place in the global community with a sense of pride that we played our part to avert the greatest crisis of our age.

It is very important to remember on days like today at least that you are not alone. I want to take this opportunity to pay my respects to some of the people around the country who are leading by example. These include people like Kelly Howlett and all her supporters in Port Hedland and South Hedland, who did the seemingly impossible earlier this year and was elected as mayor on a very clear platform of greening the town and demonstrating practical sustainability and conservation initiatives. On the same day, my hometown of Fremantle also got its very first Greens mayor, Brad Pettit, after a highly effective grassroots campaign that again emphasised working collaboratively with business, community groups, industry and all political sides to green the city.

Further afield, one of the highlights for me this year was meeting the representatives of farming communities around Gunnedah and Oakey who are standing up against proposals for massive coalmines in some of Australia’s most important farming areas. They have made themselves an inspiration for the defence of precious farming land right across the country. In the course of conducting the public transport inquiry this year, I was privileged to meet some of the virtual army of sustainable cities practitioners and theorists and remember what it was that got me into this job in the first place: the extraordinary sense of optimism and the can-do spirit that these advocates bring to their work.
There is also a group of people very close to my heart, the representatives of communities all over the country who are leading the defence against the nuclear nightmare and its delusional promises of climate salvation, from the elders in Central Australia who are defending their land against the radioactive waste dump to the ASAP mob in Alice Springs who have led the charge against a new uranium mine 20 kilometres from their town and who are back on the case today. We are all indebted to the three generations of antinuclear campaigners who have stood up to this destructive industry and who are still organising against it, most fiercely now in my home state of Western Australia where this industry has never been and must never be allowed to take hold.

I also acknowledge all of those in the renewable energy and energy efficiency sectors who have hung on for so long while renewable energy policy in this country veers between indifference and hostility. I share your frustration that all of the incentives in this deal before parliament today are aimed at keeping the clean energy sector at the margins while rewarding the largest polluters in the land. So many people around the country are making these contributions every day and are waiting for the people up here, on Capital Hill, to get behind these efforts and if not lead then at least get the hell out of the way.

What we saw this morning at the Prime Minister’s press conference underlines just how badly the major parties have gone off the rails—a transfer of, say, $5 billion or $6 billion from households to polluters on top of the enormous damage this deal would have done if the bill had passed unamended. It has been browned down substantially from its original brown state. We have seen a history in Australia and around the world of calculated underinvestment in a climate response but, of course, no limit to the resources that can be thrown at rescuing failing banks or sharpening the teeth of militarism in our region. The climate change crisis puts us at a crossroads: either we choose to further entrench the wasteful mistakes of the past, the existing inequalities and reliance on military ‘solutions’ or we choose to make our lives and make our way on this planet more ecologically, economically and socially sustainable.

When we read parliamentary debates about the trans-Atlantic slave trade in history books we shake our heads at the moral bankruptcy and the appalling arguments that were shamelessly peddled by the profiteers, the investors or those who had been successfully lobbied by them—those men who extended the slave trade because of how important it was to the economy. The ideas of Wilberforce and his allies were treasonous; it cost some of them their lives. They were accused of attacking the foundations of the economy and threatening some of the most powerful economic interests of the day.

I wonder whether our descendants or some of the folk in the gallery today will experience the same shame when they look back at this debate, and the debates over the last couple of years, and wonder what on earth we were doing. The moral abomination of cooking this planet, or in fact denying that it is even occurring, I think will arouse a similar disdain from future generations who will not thank us for not being capable of reining in the basic excesses of our economy or the gluttony of the coal industry.

Senators here would have heard me speak before about narrow military notions of security and the extraordinary theft of resources from genuine tools of security. Military notions of security can do nothing to alleviate the greatest security challenge of our age, which is climate change. Traditional tools of warfare are of absolutely no help at all when confronted by a tsunami, a hurricane, a
flood, a virus or a water shortage. The acquisition of arms and the current global military expenditure of $1.2 trillion a year still diverts enormous financial, technical and human resources from where they are really needed. We saw a local expression of this earlier this year and in the run-up to the production and tabling of the Defence white paper, which commits Australia to enormous and expanding military spending in an age where this must be seen as nothing more than an incredible misallocation of resources. These kinds of weapons are useless in facing the challenge of a hungry humanity on a warming and finite planet. Rather than simply being the backdrop for human actions, the theatre for war is a finite and fragile planet that cannot bear the weight of more carbon intensive war or preparation for war.

There are many people who will not be in this chamber when this appalling piece of legislation is put to the vote. When we do vote I would like their voices to be heard and recorded. The people whom Senator Hanson-Young and I met in Dharamsala, who work on what is known as the Third Pole Initiative, cannot believe or comprehend how rapidly the glaciers on the Tibetan plateau are receding. Billions of people are dependent on melt water from these Himalayan glaciers. I would like their voices to be lined up and recorded when we vote.

The voices of women in the non-industrialised world who are disproportionately affected by climate change must be heard as well. In many parts of the world, they collect the firewood, they draw the water, they plant the seeds and they harvest the crops. They have seen the disappearance of forests, the drying of wells and the polluting and silting of rivers. They have watched in despair as children go without food or clean water and sicken with disease. We know women often lead the way in their communities in conserving precious natural resources, adapting their food crops to changing soil and climatic conditions, and rebuilding following floods, earthquakes and other natural disasters. But women’s voices are largely absent from policy discussions and negotiations over global warming. Their voices, I also submit, must be heard in the global warming debate overwhelmingly dominated by men and they should be recorded in the vote.

My nephew Riley James, whose first birthday I just missed because I was over here and whose whole life will be shaped by the decisions that we make—or fail to make—in here and in parliaments elsewhere around the world gets no vote in here this week and yet his stake in this matter is greater than any of the people who will file in here when we finally vote on these bills. Today we are compelled to vote against this failure—a failure of government, a failure of opposition and a failure of our representative democracy to represent anything but the most abject, short-term self interests of a small but powerful sect of fossil capitalists. There is no point in denying that the greenhouse mafia have won this round, but it will not be the last. Eventually, the pointlessly self-interested rearguard action will fail and Australia will take its place in the 21st century, the renewable century.

I want to quickly acknowledge Senator Christine Milne and her staff who have carried this debate for the Australian Greens with enormous integrity through some pretty dark times, most recently through the introduction of the comprehensive safe climate bills which spell out for anybody who would like to know what a genuine safe climate response would look like when it finally comes from parliament. I still have enormous faith in this country and in our ability to seize leadership from the grassroots all the way up to Capital Hill. That day is not here yet, but it will come.
Senator XENOPHON (South Australia) (1.36 pm)—This package of Carbon Pollution Reduction Scheme bills is the most important this parliament has dealt with in its potential economic and environmental impact on the nation. Make no mistake about that. This is the second time these bills have come before the Senate and my position remains unchanged from when it was debated earlier this year. I cannot support these bills without substantial amendment because I believe they are fundamentally flawed both in the design of the scheme and in the targets that are being sought.

Senator Ludlam, in his contribution, just referred to the fears of the Himalayan ice caps melting. I was with Senator Ludlam and Senator Hanson-Young just a few months ago in northern India. The fear there among scientists is that, if the Himalayan ice caps melt, as Senator Ludlam has pointed out, we could have a situation where literally hundreds of millions of people in China and India will not have a steady source of water for agriculture or for living. We are looking at a monumental social disaster as well as an environmental one. That is why it is important that we do everything possible to mitigate the risk.

I do not have any doubt that anthropogenic climate change presents us with the most pressing and complex policy problem that we have ever faced. I think it is more complex because of what has been named the ‘Giddens paradox’ after Lord Anthony Giddens, who says that often politicians will not take action on a problem when the impact is many years away, but that when the impact of the problem becomes apparent it is too late to do anything about it. And that is the policy paradox we have here and which has so bedevilled the debate in relation to this.

This crisis is pressing, because the window of opportunity we have, in which to take abatement action and avoid irreversible climate change, is small. My plea to the climate change sceptics is to consider this as an issue of risk management. If thousands of scientists around the world are wrong—and I do not believe they are—then what would the ultimate harm be if we reduced carbon in the atmosphere? How can cleaner air, safer food production and a more environmentally sustainable world possibly be seen as a bad outcome, especially if the scheme that is adopted minimises the economic costs and harnesses the economic opportunities?

However, if the climate change sceptics are wrong then the result will be disastrous. There is no plan B; there is no planet B. I say to the sceptics: ‘Are you so sure of your position that you are willing to bet the world, literally, that you are right and thousands of scientific experts are wrong?’ My plea to them again is: at least think about this from a risk management point of view. You would not hop on a plane if there was a one-in-a-thousand chance that the plane would fall out of the sky. You would do everything to minimise the risk; you would not take unnecessary risks when the results could be catastrophic.

That said, I would argue that in taking action Australia needs to adopt a scheme that is credible internationally and sustainable domestically. If we choose the wrong scheme and irrevocably damage the economy or the environment or both that will serve as an excuse for other nations not to act, particularly in our region. That is why we must get this right. The rationale behind the government’s CPRS is to increase the cost of goods and services to reflect the damage done to the environment by greenhouse gas emissions. While I support this theory I cannot support the government’s approach. The government’s approach will result in too
much economic churn through government coffers with marginal environmental return. The government’s plan is a bit like recognising that a dying patient needs 500 milligrams of penicillin but only giving them 50 milligrams and then charging them double the amount. It is all economic pain with little environmental gain.

The five to 15 per cent target of this plan is simply not enough, given the potential disaster we face. The model proposed by Frontier Economics strikes a better balance between our environmental and economic responsibilities. My colleagues are aware that I, along with the coalition, commissioned the Frontier Economics report into the CPRS model and possible modifications to it. I was proud to be a part of that process because it was all about showing that there is another way—a better way—to a springboard for deeper cuts in emissions at a much lower economic cost. This report found that it was relatively simple to amend the government’s CPRS so that it is twice as green and 40 per cent cheaper—a difference of $50 million of GNP over a 20-year period. That estimate is conservative because the Frontier Economics modelling made the same assumptions as the government modelling—namely, that the rest of the world would fall into line with an ETS by 2011.

At the release of this report the opposition leader, Malcolm Turnbull, described this plan as greener, cheaper and smarter—and he was right. I call on those in the Liberal Party who are not climate change sceptics to keep advocating for what your leader has described as a better model. I will put one caveat on that: it has always been my position that we should go for deeper cuts. But the Frontier Economics model, with its intensity based approach, gives a springboard for achieving those deeper cuts that we need as an effective solution.

Malcolm Turnbull was right to praise the plan, and he would be right to keep pushing for the plan. But that does not appear to have been the case, from what I have seen of the deal that was done with the government today—which I understand is still subject to debate in the Liberal Party room. I do not know whether any of my colleagues from the coalition can tell me if they are still debating it. Senator Scullion is nodding.

I think it is very important that we put this into perspective. We cannot abandon every small and medium business in this country and condemn them to a massive spike in electricity prices in the first three years of the scheme. It is essential that we have a better approach—and the Frontier model has one—which keeps the vast majority of revenue of businesses where it belongs, on their balance sheets, but still achieves a better environmental outcome.

Senator Birmingham, in his speech during the second reading debate, advocated the coalition’s Frontier based proposals, which would ensure that the churn of money through the ETS is minimised; that agriculture is excluded and offsets like soil carbon are allowed; and that voluntary action is recognised, encouraged and facilitated within the scheme. I call on senators like Senator Birmingham to keep advocating for the best outcome. Do not let your party settle for a set of inadequate amendments. Please do not cave in to the government and destroy the economy for little environmental gain. No matter how you tinker with it, a flawed plan is still a flawed plan. When someone hands you an inedible, rancid sandwich there really is no point in asking for the salt.

The government’s CPRS requires substantial amendment, as outlined in the Frontier Economics modelling. The Frontier model is a better way; it allows us to go greener. In fact, further advice I have received from
Frontier Economics indicates that their approach could allow for a minimum 20 per cent reduction by 2020, and still be affordable. That is close to what the Greens are proposing, which is a minimum 25 per cent cut. Obviously, if I had a choice between the Greens proposal of a 25 per cent minimum mandatory cut, the government’s approach and the coalition’s approach, then I would support the Greens, because it is the responsible thing to do. If scientists are saying that we need to get to at least 450 parts per million and other scientists are saying it should be 350 parts per million then this approach of the government’s, with these very low targets, will not cut it.

In contrast to the government’s scheme the Frontier model does not reach as deeply into the pockets of business to create a kind of giant government pork barrel. This CPRS would see the government having complete control over who gets some of those funds and how much they get. I think Senator Ryan made a good point by saying that it will almost be a state of patronage. It would be like the days of the old tariff board, where you have to roll up and hope that you can get some government support in order to keep going. And I do not think that that is good for the economy.

If the compensation arrangements revealed so far by the government are anything to go by, it seems that rewards are more random than earned. I think that has been confirmed in what has occurred today. It seems that those who are best looked after are the largest and the loudest. To me that seems fundamentally unfair. For any scheme to work we need to reward good environmental and economic behaviour and punish bad behaviour so that there is a constructive change in behaviour. That is the beauty of the Frontier scheme: it is not all punishment, like the government’s scheme; it is a combination of carrots and sticks. By making the heavier polluters pay, it punishes those who should be punished, and does so more efficiently. For those doing the right thing, by keeping their emissions below the benchmark in their industry, there is no need to pay for the permits—in fact, they get credits. And for those who excel there is the potential to sell the permits they do not use to increase their business bottom lines. There is less churn and you switch the merit order in terms of pricing much more efficiently—these are important things.

I foreshadow that I will be introducing a number of amendments that will adapt the government’s proposed CPRS to a model that is in line with that recommended by the Frontier Economics study into possible modifications to the CPRS and to make it clear that I believe we need to go for a much deeper target. While these changes will not result in a ‘baseline and credit’ model in the purest sense, they will adapt the CPRS to work with the same effect, based on energy intensity. I believe the government’s model results in far too much churn, will impose too big an impost on the Australian economy and will not deliver enough for the environment.

This leads to my second amendment, which will lift the target for cuts to a minimum 20 per cent on 2000 levels by 2020. Again, Frontier Economics modelling has demonstrated that this target is not only possible, but possible to exceed. Surely this is an outcome that all Australians would want. Who wouldn’t want a scheme that has less impost on business and which produces better outcomes for the environment? If that amendment is unsuccessful I will be moving an amendment that would lock in 10 per cent cuts under the Frontier scheme. This is the ‘greener, cheaper, smarter scheme’, in the words of the Leader of the Opposition, which he praised just three months ago. I call
on the coalition to vote for what your leader said not so long ago.

Another of my amendments sets the baseline for the model and provides for how businesses can receive assistance. Importantly, it also provides criteria by which business plans must be used to demonstrate that they are working to reduce emissions while not putting jobs at risk. I have no problem with compensation and transitional funding going to businesses that are doing the right thing, but we need to be sure they are delivering. In short, businesses that do not produce a plan or perform against these plans will be liable to relinquish their assistance either in full or in part. If you take the cash, you have to change—it is that simple.

Fourthly, my amendments introduce a voluntary action plan. I know that the government has gone some way in relation to that with these amendments, but I am concerned that it is not robust enough. I believe it is important to both recognise domestic action and protect domestic savings. My amendments protect domestic savings from being taken up by polluters to reduce their requirement for action, which is completely undesirable. I am keenly aware of concerns in the community that people do not want their environmental action to go to waste. What this amendment will do is ensure that every Australian who makes a choice to reduce their emissions through voluntary action can do so knowing that they are contributing to a reduction in the emissions cap. The difficult aspect of this is how one measures voluntary action. Hence, my amendments would introduce an independent body to investigate and take submissions to quantify voluntary contributions. Let us have a robust process to deal with it. This will provide an important opportunity for community groups to develop environmental campaigns to document people's reduction in domestic emissions and, through submissions to this body, see their efforts making a difference. It also means businesses will be able to pollute more because households are polluting less.

Fifthly, my amendments enable agriculture and any emerging green technologies to be eligible for offsets. It is so vital that we encourage those emerging green technologies. I agree with Senator Milne and her colleagues that we have so much potential to really lead the world in terms of renewables and new technologies—and that is what we must do; that is what we must encourage. It is important we encourage every measure to reduce our emissions and value-add to the carbon pollution reduction model that is adopted. To do this into the future we will need flexibility, and these amendments will provide for that. I am worried that we will lock ourselves into failure with this scheme.

Finally, my amendments provide for extensive consultation as part of the development of a national white certificates scheme. I pay tribute to the work that Senator Milne and her party have done in relation to this. We need a white certificate scheme. This is something that is already operating in New South Wales, Victoria and my home state of South Australia. It can be expanded on and developed. It is a smart way of reducing emissions. It is a smart way of having a scheme in place that will actually make a substantial difference to reducing emissions in this country. Significant expertise has emerged from developing those schemes, and there are others in the community who have useful ideas on how such a scheme might work. This amendment provides for extensive consultation over a 12-month period for the minister to come up with the regulations, but it provides a framework for a comprehensive national white certificate scheme that will make a significant difference in emissions—in the millions and millions of tonnes. I will elaborate further on
these amendments during the committee stage.

Finally, I wish to foreshadow that I will be introducing a second reading amendment in the terms circulated in the chamber. This amendment would halt the progress of the bill until such time as the government releases adequate documentation in relation to the advice it has received on the Frontier Economics report. The Frontier report was released publicly on 10 August. Nine weeks later, on 12 October, the Treasurer launched an attack on the Frontier scheme, claiming Treasury had found a $3.2 billion hole in the Frontier modelling—although he was not willing to release the Treasury modelling that might prove this claim. The Treasurer asserted that there was a black hole, but I have to say I think the real black hole was in the Treasurer’s credibility in not even releasing the modelling in relation to that. It was a bit like being tried in some kind of kangaroo court, where they find you guilty but they will not tell you the evidence against you.

I believe the government has not come clean with the Australian people, by withholding key information that would provide a fuller picture of the options before us. Again, I agree with Senator Milne that there should have been modelling done on much higher targets. It would not have been difficult to do. It would not have been expensive to model the costs on a 25, 30 or 40 per cent target, but the government has not done that. Last week in the Senate, after a Senate order for production of documents, Senator Sherry provided a short summary of Treasury concerns, which raised more questions than answers. While willing to criticise the Frontier modelling, the government once again has proven less willing to provide evidence for its claims. I seek leave to table a report entitled ‘Response to Commonwealth Treasury’s critique of Frontier Economics’ provided by Frontier Economics.

Leave granted.

Senator XENOPHON—Thank you. I have here just some of the mistakes made by Treasury in its critique on Frontier. On the first page the Treasury note claims the Frontier electricity intensity based scheme is not a fully fledged policy proposal. This is demonstrably wrong. The reality is that more effort was made to flesh out the fiscal effects of the Frontier model than the government’s scheme and that the Frontier scheme is fully accounted over a 20-year period.

Let us go back a few steps. There is a real concern here that there has never been a good look at alternative emissions trading scheme approaches. The Garnaut report, the green paper and the white paper looked only cursorily at a baseline credit approach, which is not what the scheme is all about. That is very disappointing. I do not think government has been served well by the lack of adequate economic modelling on alternative scheme designs that could still fit within a cap-and-trade model.

The Treasury approach also involves some creative reading of Frontier’s work. For example, Treasury claims that Frontier’s modelling confirms that under the CPRS Australia would continue to prosper. My response to that is yes and no. Frontier did conclude that we would experience growth, but that growth would be $50 billion dollars less over 20 years than under the Frontier model and some regions would not experience growth but decline. So the growth would be uneven and inequitable and it would be patchy in some parts of the economy, particularly in the regions.

Treasury claimed that the Frontier scheme would do little to encourage energy efficiency, completely ignoring the white certificate plan which forms a key part of the Frontier scheme and which would lead to significant advantages in energy efficiency. Fron-
tier also argues that some of the Treasury conclusions arise from simple arithmetical errors in the MMA modelling. Specifically, when it comes to claims that abatement in the electricity sector in 2020 would come from improved electricity conservation by users and lower growth in energy demand, it is important to note this is what is known as a simple accounting estimation—it is a guess which does not take into account the relative inelasticity of demand for electricity and therefore the likelihood of price rises. Effectively, it is a guess, and I think we deserve better.

Perhaps most astonishingly, the Treasury critique claimed that, unlike the CPRS, the Frontier proposal would not provide any compensation to households. As a result, most households would be worse off under the Frontier model, the Treasury paper says. This completely ignores the fact that compensation is not needed under the Frontier scheme because wages would be higher by $800 a year and, what is more, under the Frontier plan there would be more jobs. Moreover, Frontier’s price rises would be slow and moderate, not sharp and radical as they would be under the CPRS.

Treasury also claims that the Frontier scheme is untested internationally. But guess what? Being internationally tested is hardly the be all and end all; we have seen the problems with the European scheme. Treasury also argues that its scheme would provide economic certainty for businesses. This is what I take the greatest issue with. For hundreds of thousands of small and medium-sized businesses in Australia, the only certainty is that things would get a lot harder as they faced a sharp significant rise in energy prices with no assistance from the government under the CPRS. Today, the government announced that it would give $1 billion. That would not be anywhere near enough to assist small businesses who would face price rises.

In the Frontier scheme models, based on the government’s own modelling, price rises would be five per cent for the first three years under the Frontier scheme compared to 25 per cent under the government’s scheme. That is based on the assumption that every other country—the rest of the world—will come on board by 2011. I just do not see that and I predict here and now that the price rises could be in the order of 40 to 50 per cent or even more in the next three years. That would be a shock to small businesses, again for little environmental benefit.

My plea to Liberal Party senators is this: if you lock in a fundamentally flawed scheme, there will be no going back. We will lock ourselves into low targets, we will lock ourselves into higher electricity prices and you will simply not be able to change it, because, in the electricity sector, hedging contracts worth billions of dollars will be signed by generators and retailers on the day of royal assent. That is the sort of thing that needs to be considered. I urge the Senate not to support this bill unless there are significantly higher targets and unless its design is fundamentally improved.

Senator MILNE (Tasmania) (1.55 pm)—As I rise to speak today, the earth, its people and its ecosystems are facing a planetary emergency driven by global warming and the Rudd government has demonstrated not only that is it not up to the task of addressing a global emergency but also that it has deliberately, willingly and knowingly turned its back on this generation, future generations and in particular all of those people in developing countries who are already suffering from climate change.

It is extraordinary that in human history one generation of humans has the power to impact overwhelmingly on all generations to
What we have seen here in this parliament today is a government thinking that a superficial political deal will suffice as a response to climate change. Taking $6 billion away from Australia’s households and handing it across to the coal industry—to coal-fired generators—is not an appropriate response to climate change.

Let us forget any notional view that this Carbon Pollution Reduction Scheme which we are going to be debating for the next few days has anything to do with the climate. It has nothing to do with the climate. It is a political deal to try to cover the back of the Rudd government and it will absolutely fail to do that.

In particular, it is a prescription for the death knell of the Great Barrier Reef. We have heard the Prime Minister and the Minister for Climate Change and Water talk about the Great Barrier Reef, and now they should admit that the pathetically weak targets that they are adopting will roll the dice against future generations and against the Great Barrier Reef. There is less than a 50 per cent chance of the Great Barrier Reef surviving. There is less than a 50 per cent chance of avoiding catastrophic climate change. And that is the basis on which the Prime Minister looks to the Australian people and tries to suggest that the action he is taking is some kind of appropriate response to climate change. It is simply payday for polluters here in Parliament House. It is a slight on future generations and it is the doublethink that George Orwell warned about in his novel 1984 when people hold two contradictory ideas in their head at the same time and believe them both to be true.

How can the Prime Minister say that there is a moral imperative to address climate change and then pay the polluters and lock in failure to achieve the kind of climate that will be safe for future generations? Where is the commitment to 350 parts per million? Where is that commitment from our science minister and from our climate change minister? There is no commitment to 350 parts per million. There is no commitment to getting rid of coal-fired generation. There is none. What is more, there is a determination to lock in coal out to 2020, and that is what this does. (Time expired)

Debate interrupted.

**QUESTIONS WITHOUT NOTICE**

**Asylum Seekers**

Senator **FIERRAVANTI-WELLS** (2.00 pm)—My question is to the Minister for Immigration and Citizenship, Senator Evans. Minister, I refer to the answer given by Mr Metcalfe, the secretary of your department, at Senate estimates on 20 October that an asylum seeker who is transferred from Christmas Island to Australia after processing has commenced but is not completed will ‘remain an excised person’. With overcrowding and increased tensions on Christmas Island, is the government now planning to increasingly use this procedure early on in the processing period as a way of fast-tracking people from Christmas Island and into mainland detention facilities?

Senator **CHRIS EVANS**—I thank the senator for her question. I was relying on Senator Abetz to say, ‘Yes or no? Yes or no?’ and I was going to say no and sit down, but I indicate—

The PRESIDENT—Order! Just answer the question, Senator Evans.

Senator **CHRIS EVANS**—to the senator that the answer is no. What we have indicated is that we will continue to process unauthorised offshore arrivals on Christmas Island in accordance with the policy we took to the last election. The previous government built a large detention centre at Christmas Island as its major investment in detention...
facilities in this country. It unfortunately did not upgrade Villawood, which is in a very poor condition, and I was pleased to see the committee report to that effect that was tabled yesterday. It is our policy and our commitment to process unauthorised boat arrivals on Christmas Island. They are mandatorily detained. They receive health, identity and security checks, and if they seek asylum, those asylum claims are assessed. There are no plans to alter that process. I have made it very clear publicly that that is the case.

The claims of overcrowding on Christmas Island are exaggerated. We have continued spare capacity on Christmas Island, and I have also made public the contingency plans we put in place to expand capacity on Christmas Island, including the transportation of accommodation dongas that were previously allocated to FaHCSIA to Christmas Island. I am not sure whether they have arrived yet, but they were certainly due to arrive around now. They will be erected and will add to the capacity. I am confident that we are able to continue to process people on Christmas Island as has been our stated policy, and there are no plans to change that policy.

Senator FIERRAVANTI-WELLS—Mr President, I ask a supplementary question. Given the indications of expansion at Christmas Island which we heard at the last estimates, Minister, what is the current detention capacity of Christmas Island? Can the minister rule out transferring asylum seekers to mainland Australia if this capacity is exceeded?

Senator CHRIS EVANS—The opposition have been trying to work up a scare campaign about this for a couple of days now. I have just tried to make it very clear to them that we have capacity on Christmas Island and we have initiated plans to expand the capacity. Current capacity is about 1,400 but that is flexible because it depends in part on the types of groups that arrive: whether they are women and children, because they are accommodated separately—those sorts of issues. But currently the figure is about 1,400. We have a range of contingencies, which I have discussed publicly and in this chamber and have answered questions on, that will be applied if need be. I have also said publicly that we could use the Northern Immigration Detention Centre in Darwin for final stage processes if we needed to. But our first preference is to use Christmas Island, and we have invested in additional capacity there. That is all on the public record. It has been on the public record for months.

Senator FIERRAVANTI-WELLS—Mr President, I ask a further supplementary question. Will the government’s new fast-tracking processes make it easier for people smugglers to sell the promise of permanent residency to asylum seekers, given the shorter period of time they are likely to spend on Christmas Island before shifting to the Australian mainland? Does the fast-tracking from Christmas Island to Australia amount to yet another indication that the Rudd government is soft on border protection?

Senator CHRIS EVANS—The senator asked me two questions. I flatly denied the assertions she made in them and referred her to previous comments that both I and the Prime Minister had made. The second supplementary was based on the premise that I had agreed with her original propositions, which I have not and which are not true. So, Senator, this argument about fast-tracking people to the mainland when I have said we are not doing it is clearly a question based on a false premise. We are implementing Labor policy, which is the same policy that the previous government employed in terms of mandatory detention and offshore processing on Christmas Island. Those measures are in
place. They will continue to be applied. I have made comments about contingency plans on a number of occasions, which the senator is well aware of. There is no fast-tracking being applied on the mainland, and it is just another Liberal scare campaign.

Climate Change

Senator FEENEY (2.05 pm)—My question is to the Minister for Climate Change and Water, Senator Wong. Can the minister please outline to the Senate why we need to act on climate change?

Honourable senators interjecting—

The PRESIDENT—Just wait, Senator Wong. When there is silence in the chamber from both sides you will be given the opportunity to answer the question. It is completely disorderly to be shouting across the chamber. Senator Wong, answer the question please.

Senator WONG—I thank Senator Feeney for the question. There are a great many facts which have been put before parliamentarians and senators as to why we should act on climate change, and it is regrettable that there are some in this chamber who still—despite all of the facts, all of the evidence and all of the campaigning by Australians for action on climate change—refuse to acknowledge the need for action.

There are two simple facts that we must remember when we consider why we need to act on climate change: first, that Australia is one of the hottest and driest continents on earth; second, that we will be hit hardest and fastest by climate change.

Opposition senators interjecting—

The PRESIDENT—Order! Whilst there is disorder in the chamber, Senator Wong, I will ask you to resume your seat. We are entitled to hear the answer of the minister.

Senator WONG—We know that one of the most strident opponents of any action on climate change resides in the National Party. There are many National Party senators who should listen closely to this: without action on climate change there is a risk that Australia will become a net importer of wheat as soon as 2050. It is very difficult to understand how it is that anyone could stand in here and claim to represent rural Australia and yet ignore these warnings. It is very difficult to understand how you could come in here as a responsible representative and simply ignore these warnings.

Senator Joyce—And your tax is going to fix that?

The PRESIDENT—Order! Senator Wong—address your comments to the chair. Senator Joyce—it is completely disorderly to continue to interrupt.

Senator WONG—This government was elected to tackle climate change, and for the last two years we have engaged in detailed analysis and design of the mechanism that will deliver practical action to reduce Australia’s carbon pollution for the first time in this nation’s history and reduce our contribution to climate change. Today, we on this side stand ready to take that step. We on this side stand ready to take our Kyoto commitments and to deliver a scheme that will deliver an Australia with a low-pollution economy. We are prepared, on this side, to deliver—(Time expired)

Senator FEENEY—Mr President, I ask a supplementary question. Can the minister outline to the Senate what progress the government has made on action on climate change?

Honourable senators interjecting—

The PRESIDENT—Order! When there is silence on both sides I will ask the minister to respond. The time for debating this issue is at the end of question time, not during question time. I call on the minister to answer the question.
Senator WONG—Because we on this side want to hold to our election commitment—because we on this side believe it is important to act on climate change—we have made significant concessions to see action taken to ensure we move from policy to action. The final package being offered by the government includes a number of gains for the environment as well as delivering significant additional assistance to help Australian industry make the transition to a low-carbon future.

At the same time as doing all of this, the government will maintain the level of support for households that we promised. Action on climate change this week will give Australian businesses the certainty that they need to make the investments we want them to make. It will mean that Australia goes to Copenhagen with a means to deliver our targets—the targets those opposite have supported. We have delayed action on climate change too long: it is now time to act.

( Time expired)

Senator FEENEY—Mr President, I ask a further supplementary question. Can the minister inform the Senate of what further progress is required for Australia to act on climate change?

Senator WONG—The progress that is required is for various senators in this chamber to understand the risks that climate change poses. What is required is for people to look to the national interest and not their party interest, because failing to act today is the riskiest course of action open to the parliament. Failing to act today is a roll of the dice with our children’s future. We are asking our colleagues to take action for the future, to take action for our children and for our grandchildren, to take action to protect the Australian economy, to take action to protect Australian jobs and to act for the future and not for the past—to act for our children. This day has been 10 long years in the making—10 long years where the tough decisions have been ducked and where the challenges of today were simply buck passed to the leaders of tomorrow. It is time for no more buck passing: now is the time to act.

Asylum Seekers

Senator BACK (2.11 pm)—My question is to the Minister for Immigration and Citizenship, Senator Evans. I refer to the minister’s media release of 23 October 2009, in which he stated:

... the vast majority of claims are being dealt with in about 100 days.

Less than a month later, the government offered those aboard the Oceanic Viking a special deal of resettlement within 28 to 42 days. How does the Rudd government expect those who are in immigration detention or the Australian public to have any confidence in our immigration system when it appears that the government is making policy on the run, with special deals and fast-tracked processing?

Senator CHRIS EVANS—I thank Senator Back for the question. It is, of course, similar to questions I received all last week and this week, which are based on an assertion that there is a special deal in relation to those who disembarked from the Oceanic Viking. As I have been at pains to report to the Senate the disembarkation of the Oceanic Viking passengers in Indonesia was agreed between the Australian and Indonesian governments as a way of dealing with those persons who were rescued at sea in the Indonesian search and rescue zone.

Under those arrangements, we agreed with the Indonesians as to what would happen when those people disembarked. We did not suggest they be processed on the ship, as suggested by Dr Stone, the opposition spokesperson. We did not agree to bring them directly to Australia, as suggested by
Colin Barnett, the Western Australian premier. We said they needed to disembark in Indonesia. Finally, they agreed to disembark in Indonesia and have gone into Indonesian detention, where they will be processed.

They will be processed in accordance with the agreements between the two governments. Those processes have commenced; UNHCR is conducting those processes in the normal way, and those processes will find that those who are found to be refugees will be resettled in accordance with UNHCR processes. Those who are found not to be refugees will be returned by the Indonesian government to their country of origin. That is what they have stated publicly and that is the position that the Australian government adopts as well, and I expect that to occur.

All those processes are normal processes that are applied in Indonesia, and the treatment of those off the Oceanic Viking is part of the arrangements made with the Indonesian government. The processes for those currently found not to be refugees are not dissimilar to those standard ones.

Senator BACK—Mr President, I ask a supplementary question. I refer the minister to assertions by, amongst others, Dennis Shanahan and Paul Kelly from the Australian—

Government senators interjecting—

Senator Cash—But wait! There’s more.

The PRESIDENT—Order!

Senator BACK—There is more, Mr President. Tony Wright and Josh Gordon of the Age, Annabel Crabb from the Sydney Morning Herald and even Barrie Cassidy of the ABC all report the existence of a special deal affording preferential treatment to those aboard the Oceanic Viking.

Government senators interjecting—

The PRESIDENT—Order! Senator Back, stop there. Senators on my right, I need to hear the question. I need silence. Continue, Senator Back.

Senator BACK—Will the minister now finally admit the existence of a special deal and this pattern of spin and deceit over Labor’s approach to border protection?

Senator CHRI S EVANS—The answer to the last part of the question is no, Mr President. I remind the senator that to develop policy or come to conclusions purely based on what a couple of journalists have written or said is not a very sound approach, because as I understand it, Mr President, all those journalists are agreed on one other matter—that is, that the Liberal opposition are a complete rabble, that they are divided, that they are undermining their leader, that Senator Minchin is in open revolt in defiance of his leader and that they are a standing joke in Australian politics. If Senator Back wants to rely on the combined opinions of certain journalists, I refer him to their views on his and his colleagues’ performance. Senator, none of this is a replacement for development of sound policy and prosecution of that policy. (Time expired)

Senator BACK—Mr President, I ask a further supplementary question. Today the Australian reports that a team of five Australian immigration officers has been assembled from posts around the region to process the claims of the 78 Sri Lankan asylum seekers. Is this yet further evidence of a special deal and border protection on the run?

Senator CHRI S EVANS—It is, in fact, not an indication of a special deal as claimed. I will remind Senator Back of when these mobile teams were used previously. They were used from 2003 for operations in Beirut, Nairobi, Pretoria, Cairo, Bangkok and Jakarta. Who was in government in 2003? I cannot recall! This is standard practice that has been applied in a range of cases as it has been applied tens of times by the former
governments. It is standard immigration practice to support Indonesia, and just because the Australian reports it as part of the quota of asylum seeker stories it is required to file each day does not mean that it is newsworthy. I remind you that the only time there has not been a front-page story about asylum seekers in the last few weeks, to the best of my knowledge, was the day the people came off the Oceanic Viking. Putting that to one side, this is standard practice that has been used on many occasions. (Time expired)

Climate Change

Senator POLLEY (2.18 pm)—My question is to the Assistant Treasurer, Senator Sherry. Can the Assistant Treasurer inform the Senate of the important economic considerations that have gone into developing the government’s response to climate change?

Senator SHERRY—I thank my colleague Senator Polley. The government’s response to the very real dangers of climate change is a continuation of its reformist agenda and its commitment to make major and decisive decisions in the interests of all Australians. We have seen an example of that most recently in the Rudd Labor government’s decisive actions to the global financial and economic crisis, so tough decisions have been needed and will be needed. It was not easy to float the Australian dollar; it was not easy to pull down tariff walls; it was not easy to open up financial markets or introduce national superannuation, and responding to climate change is certainly the most difficult of all of these policies.

We are tackling climate change through economic reform, for climate change is already affecting the world economy as well as national and local economies. The flow-on of these effects will mean more changes for households, family budgets and jobs. The Garnaut inquiry highlighted some inconvenient truths for some in this place. What would happen if we did nothing about climate change? Irrigated agricultural production in the Murray-Darling Basin could drop by more than 90 per cent this century if we do nothing. Unmitigated climate change would increase the cost of food by more than 10 per cent relative to other goods.

Senator Boswell interjecting—

Senator SHERRY—I am glad the National Party senators are at least listening. Unmitigated climate change would lead to falling wages and rising prices, reducing the level of consumption for every Australian by around $5,700. The International Energy Agency has estimated every year of delay would cost the world economy some $500 billion. They are just some of the economic costs of doing nothing. Our economic prosperity is at risk. The impact of climate change on infrastructure alone would reduce our GNP by nearly 2½ per cent this century.

Senator POLLEY—Mr President, I ask a supplementary question. Can the Assistant Treasurer inform the Senate about whether there are economic opportunities we as a nation would be squandering if we fail to take the lead in meeting the challenges of a world in which climate change is a clear and present reality.

Senator SHERRY—The low-carbon economy of the future offers an enormous opportunity. It offers opportunities to those people in those countries ready to take action. China, for example, as a significant trading partner offers enormous opportunities for business to benefit from its low-carbon development. The recent report by PriceWaterhouseCoopers for the China Greentech Initiative estimated the total addressable market size for clean- and low-pollution industries in China could be between US$500 billion and US$1 trillion by 2013, so it presents significant opportunities for value add-
ing for those countries like Australia that act early and decisively in responding to this very significant economic challenge. The low-carbon future will bring a new wave of innovation without putting the renewable energy sector, expected to grow some 30 times its current size—\(^{(Time \ expired)}\)

Senator POLLEY—Mr President, I ask a further supplementary question. Can the Assistant Treasurer inform the Senate about how business leaders in Australia and around the world are responding to the challenges of climate change in the way they operate? How can Australia maximise these economic opportunities in a world that is adapting to climate change?

Senator SHERRY—It is very important for the world to adapt to climate change and not take the National Party approach and duck back under that doormat of theirs.

Senator Joyce—The Labor Left live under the doormat!

Senator SHERRY—Senator Joyce, all the representatives of the doormat party can talk about is that roast lamb will rise to $100. We will remember your prediction in five years time. Mr President, we will see just how accurate the scare stories that Senator Barnaby Joyce has been presenting are. There is no real consideration of the issues, only silly scare stories about roast lamb costing $100.

Senator Joyce—More than $100.

Senator SHERRY—So it is more. We will see just how true your scaremongering is in five years time. There are many companies and economies that are ready to step into the new economic race to develop low-pollution goods and services. \(^{(Time \ expired)}\)

Health Services

Senator HUMPHRIES (2.24 pm)—My question is to the Minister representing the Minister for Health and Ageing in the Senate, Senator Ludwig. Can the minister confirm that before the last election Mr Rudd promised, ‘I’ll take responsibility for fixing our hospital system,’ and further said, ‘The buck will stop with me’? Can the minister also confirm that prior to the last election Mr Rudd promised to take over public hospitals if the states and territories had not begun implementing a national health reform plan by mid-2009? Does the minister concede that this promise, particularly the timing of it, has been spectacularly broken, and will he tell the Senate why?

Senator LUDWIG—Those opposite really need to hark back to when they managed the health and hospital system and led it into a billion-dollar debt. This government has undertaken the most comprehensive root-and-branch review of the health system ever. Ideas like a clearer separation between emergency and elective surgery have been proposed by the Health and Hospitals Reform Commission, and we will be considering those recommendations very carefully. We are not going to be ruling any one target recommendation in or out. It is important for Australia to have strong public debate on the options put forward. I welcome the opposition engaging in the public debate, but they also need to put it in the frame of how they contributed to the health and hospital system when they were in government. This government is undertaking a significant health and hospital reform agenda that is going to deliver. We have already delivered $64 billion over five years in health and hospital funding—more than what the opposition considered.

Senator Humphries—Mr President, I rise on a point of order: relevance. I did not ask what the government’s plans were. I asked: has Mr Rudd broken the promises about health he made explicitly before the last election?
The PRESIDENT—I cannot tell the minister how to answer the question, as I have said before. You have 47 seconds remaining to answer the question, Senator Ludwig.

Senator LUDWIG—Thank you, Mr President. Perhaps the opposition are not listening to what I am saying. We have been going through the Health and Hospitals Reform Commission’s recommendations and we have indicated that we are not ruling anything in or out. I ask the opposition to engage in the process, rather than being sideline critics of it. We have held 75 consultations across all states to seek people’s views on directions for health reform. The health reform system is becoming unsustainable and has reached a tipping point, after 12 years of neglect by the Howard government, by those who sit opposite us today. We realise our population is ageing, health costs are rising and there are also severe shortages—(Time expired)

Senator HUMPHRIES—Mr President, I ask a supplementary question. I refer to the Prime Minister’s promise to end the buck-passing between the states and the Commonwealth on hospitals. Given that the ACT bed occupancy rates at the moment are dangerously high and that there are more than 600 people in this territory on elective surgery waiting lists, will the minister admit that the ACT hospital system—one of those ones Mr Rudd promised to fix—is in chaos, that the government has not fixed the hospital system that Labor promised it would fix and that the government has therefore broken its election promise?

Senator LUDWIG—Let me reject the propositions that are being put forward. The opposition have really missed the point of what I have indicated. What this government has done, in contradistinction to what the Liberals did when they were in government, is deliver $750 million for emergency departments across 50 hospitals. That is what this government has done in the health and hospital system, unlike those opposite, who did not look at how to deal with the health and hospital system over the period they were in government. We have also delivered $600 million for elective surgery waiting lists, which is an extra 41,000 operations, and stage 2 of that is for 109 hospitals. This government has put its money where its mouth is and has started to address the serious difficulties that have been experienced in health and hospital systems across Australia—unlike those opposite, who did not turn their minds to how they could fix the health and hospital system. They did not start the process. This government has started the process and has been putting the effort in. (Time expired)

Senator HUMPHRIES—Mr President, I ask a further supplementary question. Let us turn to another issue. Thirty-one GP superclinics were promised by the Rudd Labor opposition—31. So far the government has opened just one GP superclinic after two years in office. Will the minister admit that, in this area, the government has spectacularly broken its election promise?

Senator LUDWIG—This government went to the election with a commitment to establish 31 GP superclinics. This number has now increased to 36. Every GP superclinic will deliver additional health services to their local community—for example, in Ballan the GP superclinic is already providing a range of services including increased GP services and dental services. At five other sites—southern Lake Macquarie, Palmerston, Devonport, the Blue Mountains, and Warnervale on the north Central Coast of New South Wales—early services are also being provided to the community. Each of the GP superclinics must meet the program objectives that require the clinic to meet the needs of the local community. Those oppo-
site need to get their facts right when they rise to ask a question in this area, because this government is working with the local communities to establish GP superclinics and of course they do provide— *(Time expired)*

**Water**

Senator HANSON-YOUNG (2.31 pm)— My question today is to the Minister for Climate Change and Water, Senator Wong. I refer the minister to comments she made yesterday when she told the ABC that a call from scientists to return 700 gigalitres of water as environmental flows to the dying Lower Lakes and Coorong River system in our home state of South Australia would not be a responsible way forward. Given scientists have warned that the Lower Lakes and the Coorong will collapse if this action is not taken, does the minister consider doing nothing to be more responsible? Is it responsible to ignore the science?

Senator WONG—What is irresponsible would be for senators from our home state of South Australia to argue for a position which essentially says that we will not draw any drinking water for Adelaide from the Murray River. The report recommends some 3,800 gigalitres be delivered to the Lower Lakes but fails to note that because of climate change and drought we are at record low levels. To get that amount of water, Senator Hanson-Young, would be more than all the water for six out of seven years—all the water that was diverted for drinking, farming and environmental purposes. That is what this would require. I absolutely stand by my proposition that it would be irresponsible.

Of course we are acting on the science. That is why we have taken over basin-wide planning. That is why we will ensure that this government will deliver what we said we would deliver, which is, for the first time in the nation’s history, a cap on extraction from the Murray-Darling Basin based on science—something no party in this chamber has previously delivered. We are acting on the science, but if we are going to talk about how we handle the extremely low levels of water that we currently are experiencing, particularly in the southern Murray-Darling, then we should get the facts on the table. I would say this to the senator: does she believe it is responsible for her to lobby for the imposition of a total ban on South Australian towns and cities—

Senator Bob Brown—Mr President, I rise on a point of order. The senator asked a question about the scientists and 700 gigalitres of water returning to the Murray Lower Lakes region. It has not been answered and it is not the place of the minister to be asking questions of the questioner.

The PRESIDENT—I believe the minister is answering the question. The minister has 20 seconds remaining to answer the question.

Senator WONG—This is the essential question: how do we conjure up this water when over the last three years we know we have been at one-fifth of the long-term average? Is the senator really suggesting that we should impose, as a matter of policy, a total ban on South Australian towns and cities, including Adelaide, from drawing water from the Murray?

Senator HANSON-YOUNG—Mr President, I ask a supplementary question. I note minister’s answer. Given the South Australian government’s recent moves in the last week to relax Adelaide’s water restrictions, in the time that the minister suggests to be the driest and toughest in terms of allocating water, does she perhaps suggest that this is a responsible move?

Senator WONG—If the senator is not aware, water restrictions are not a matter for the federal government. They are matters either for the state or, in some states, for local government to impose. They are certainly
not matters that the federal government deals with.

I want to come back to this issue of rejecting the science. Rejecting the science is a proposition that pretends not to notice that we do not have enough water. That is what rejecting the science is. Responsibly acting on the science is ensuring we have policies to recognise that we have a significant reduction in water, to impose a limit based on science and to purchase water and invest in irrigation savings to return water to the river. That is the responsible course of action and an action absolutely predicated on the science rather than pretending that we can simply conjure up water that anybody who looks at the facts knows is simply not there.

Senator HANSON-YOUNG—Mr President, I ask a further supplementary question. I have listened to the minister’s answers and I guess the doublespeak coming from the minister is the same as the doublespeak coming from the minister over climate change—all talk and no action, all spin and no substance.

The PRESIDENT—It is question time, Senator Hanson-Young.

Senator HANSON-YOUNG—Does the minister agree that lifting water restrictions in Adelaide is responsible? This is the minister for water in this country, does she have a position or does she not?

Honourable senators interjecting—

The PRESIDENT—Order! When there is silence on both sides, question time will proceed.

Schools: Computers

Senator MASON (2.38 pm)—My question is to the Minister representing the Minister for Education, Senator Carr. I draw the minister’s attention to Mr Rudd’s campaign launch speech, where he said:

... if elected, Federal Labor will undertake a ground-breaking reform by providing for every Australian secondary school student in years nine to 12 with access to their own computer at school. Given the Prime Minister’s commitment to deliver one million computers and the fact that, two years on, only 15 per cent have been delivered, will the minister now admit this is yet another Rudd government broken promise?

Honourable senators interjecting—

The PRESIDENT—Order! I will give you the call when there is silence, Senator Carr.

Senator CARR—Senator Mason has done a valiant job to try to arouse some interest in this matter, but once again I am afraid he has relied on the Australian, and it is always a grave weakness in the approach that you take, Senator Mason.

The PRESIDENT—Address the question.

Senator CARR—The Rudd Labor government is investing over $2.2 billion over six years in the Digital Education Revolution. Two point one billion dollars is directed to the National Secondary School Computer Fund, including $807 million for on-costs associated with the deployment of additional computers. To date the fund has approved over 475,000 additional computers in secon-
dary schools. Already 178,000 computers have been delivered to almost 1,900 schools across Australia. I repeat that: 178,000 computers have been delivered to almost 1,900 schools across Australia. If Senator Mason thinks that a commitment to invest $2.2 billion over six years is some small matter then I suggest he spend more time in the party room, because he is obviously running the numbers against Mr Turnbull. Two point one billion dollars is in fact directed towards the National Secondary School Computer Fund, and I repeat that it includes $807 million for the on-costs associated with computers.

Senator Bernardi interjecting—

Senator Conroy interjecting—

The PRESIDENT—Order! Just resume your seat, Senator Carr, because there is disorder in the chamber. Senator Bernardi and Senator Conroy, it is completely disorderly to carry on a debate across the chamber. Senator Carr, you have 14 seconds remaining to answer the question.

Senator CARR—All secondary schools in Australia have been given the opportunity to obtain funding to bring them up to a one to two computer to student ratio. This is the first time in Australia’s history that this sort of investment has been made by an Australian government. (Time expired)

Senator MASON—Mr President, I ask a supplementary question. I also draw the minister’s attention to Mr Rudd’s pre-election commitment to deliver the computers in schools program at a cost of $1 billion. Given that the program has already required an additional $800 million and is still progressing at a snail’s pace, will the minister admit that this is yet another Rudd government broken promise on education?

The PRESIDENT—The minister.

Senator Mason—Thus costing twice as much and only getting 17 per cent. That’s what’s happened.

The PRESIDENT—Order! Senator Mason, you have had the chance to ask the question. It is not much use continuing to debate the question after you have asked it. I call on the minister.

Senator Faulkner—it’s very, very disorderly, Brett.

The PRESIDENT—Order! I am waiting to call the minister to address the question.

Senator CARR—Senator Mason means well. Unfortunately, he has relied upon some misinformation. I just have to remind him yet again that the Commonwealth—the Rudd Labor government—is providing some $2.1 billion to the National Secondary School Computer Fund.

Senator Conroy—How much?

Senator CARR—Two point one billion dollars, Senator Conroy. To date, funding has been approved for over 475,000 additional computers for secondary schools, and over 178,000 computers have been delivered to 1,900 schools across Australia. How Senator Mason can suggest that this is a broken promise is a little beyond me. I am a little puzzled. This is a government that is investing $2.2 billion over six years in the Digital Education Revolution. We are providing assistance to schools to ensure that schools move to a ratio of one— (Time expired)

Senator MASON—Mr President, I ask a further supplementary question. I further draw the minister’s attention to Mr Rudd’s 2007 policy speech where he stated: I announce today that if elected we will connect Australia’s more than 9,000 primary and secondary schools to our National Broadband Network—at speeds of up to 100 megabits per second.
Will the minister confirm that two years later not a single classroom has been connected to Labor’s promised 100 megabits per second internet service and that this is yet another broken election promise?

Honourable senators interjecting—

The PRESIDENT—Order! The time for debating the question is after question time.

Senator CARR—With regard to high-speed broadband to schools, $100 million has been invested to support the deployment of high-speed broadband connections to schools across Australia. High-speed broadband is of course the foundation on which information technology can be integrated into our schools, making a new approach to learning and teaching possible. If we have a little bit more assistance from the opposition with regard to the rollout of the broadband network, I am sure that we will be able to make even further progress on what is a magnificent achievement by this government, a magnificent initiative that is being directed by this government, and that we will be able to provide a learning environment that students have not seen ever in the history of the Commonwealth.

Honourable senators interjecting—

The PRESIDENT—I remind senators that this is not the time for debating and shouting across the chamber. When there is silence we will proceed.

Honourable senators interjecting—

The PRESIDENT—When there is silence on both sides we will proceed.

Honourable senators interjecting—

The PRESIDENT—Order on both sides! Senator Hutchins.

Building the Education Revolution Program

Senator HUTCHINS (2.46 pm)—How much time do I have, Mr President?

The PRESIDENT—Senator Hutchins, I have just given you the call.

Senator HUTCHINS—My question is to the Minister Assisting the Prime Minister on Government Service Delivery, Senator Arbib. Can the minister inform the Senate of the latest details regarding the rollout of the education infrastructure stimulus? Is the minister aware of recent positive survey results of school principals which show overwhelming support for Building the Education Revolution?

Senator ARBIB—I thank Senator Hutchins for the question and for the outstanding work he has done in the past and continues to do. I think it has now been a number of weeks since we have received a question from Senator Mason or the Liberal Party about the Building the Education Revolution. They seem to have forgotten about the Building the Education Revolution, but the Rudd government has not.

I can report to the Senate that there are now 11,000 projects approved, with 8,000 school projects underway. There are 2½ thousand projects with on site work, with activity taking place right now on school campuses, supporting schools for the future. Twenty-nine projects have already been completed. In terms of science and language centres, there are over 500 projects already approved, almost 400 underway and 30 with construction having started.

Opposition senators interjecting—

Senator ARBIB—The coalition can interject, they can criticise, they can laugh, but this is supporting Australian jobs. This is supporting tradespeople throughout the countryside—plumbers, electricians, carpenters and bricklayers. It is supporting their businesses and supporting small business. The coalition may have forgotten about small business but the Rudd government has not. We will not forget about the small businesses
who need support during the global recession, and this is how the Rudd government is responding to the global recession. We are doing it through infrastructure—infrastructure in schools—something you forgot about.

I can also do some research through the newspapers. Queensland’s *Courier-Mail* of 6 November refers to property and construction consultants Davis Langdon. What did they say about the Building the Education Revolution? They said:

Without the BER program, which is projected to be complete first quarter of 2011 there is no doubt there would be wholesale job losses in the construction industry.

That is what business is saying. They need this stimulus. They need these projects. Australian schools need the projects. *(Time expired)*

**Senator Hutchins**—Mr President, this is my first supplementary question. Can the minister provide examples of how the education infrastructure stimulus is supporting jobs as well as delivering vital school infrastructure? Is it true that there is only one complaint unresolved regarding the education infrastructure stimulus? Is it also true that there have been only 60 complaints regarding the education stimulus out of a total of 24,000 projects?

**Senator Arbib**—Thank you, Senator Hutchins. Yes, I can confirm those figures are true. There have only been 60 complaints, with one unresolved complaint out of 24,000 schools. I think that is a pretty good strike rate—there is only one unresolved school matter. A recent survey of 300 principals at the Australian Primary Principals Association conference found that 85 per cent of principals highly approved of the BER and the P21 scheme.

Senator Mason liked doing his research in the media. So do I. Burnie’s *The Advocate* says that infants are relocating. *Coolum & North Shore News* says that learning for the 21st century begins at the Yandina Primary School. North Queensland’s *Daily Mercury* says ‘Blackboards done and dusted’ as they move to the new electronic blackboards. The *Sunday Herald Sun* says, ‘Science for all’, with science and language centres—

**The President**—Senator Arbib, that is not in order. You can read from the articles but not display them as such. Continue.

**Senator Arbib**—I am happy to read from these. The *Cooma Monaro Express* says, ‘Construction begins in schoolyards’. The *Tumut & Adelong Times* says, ‘Millions in funds for school building— *(Time expired)*

**Senator Hutchins**—Mr President, I ask a further supplementary question. This might be a little longer! What has the level of public response been to the Senate Education, Employment and Workplace Relations References Committee inquiry into Primary Schools for the 21st Century? How many schools have taken up the generous offer of Senator Fifield to write in and complain about the school infrastructure that the opposition voted against? How many submissions has Senator Fifield personally made to the committee to pass on the concerns of schools, which he also offered to do in his letter-writing campaign?

**Senator Arbib**—The Liberal Party and National Party senators made a great deal out of the inquiry that they put forward in the Senate, and I did promise to follow up and check on the figures. Can I advise the Senate that the committee secretariat advise on their website that a total of 33 submissions have been received. Senator Fifield wrote to every school principal in Victoria—and we are talking about almost 2,200 schools that he wrote to—asking them to complain and asking them to put in a submission. Of those 2,200, how many put in a submission?
grand total of 12. And it gets better for Senator Fifield and the Liberal Party. Of those 12, six had positive things to say. There were six complaints out of 2,200 principals. That is what they think about the Building the Education Revolution. Did Senator Fifield put his own submission in? You would be surprised, but he had no submission. *(Time expired)*

**Broadband**

[Senator MINCHIN]—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Welcome back, Senator Conroy. I refer the minister to a recent editorial on Labor’s record on broadband in my hometown newspaper the *Adelaide Advertiser*, which quite astutely observed:

So far, not one household or business has been hooked up to anything they could not have accessed before Labor took government.

Can the minister explain to the Senate why it is that two years after the government’s election, and despite having made extravagant election promises to the Australian people, he has failed to deliver a single new broadband service to a home, business, school or farm under the guise of his much touted National Broadband Network?

[Senator CONROY]—I congratulate Senator Minchin on taking time out from attacking his leader to ask a question in the chamber.

The PRESIDENT—Just address the question, Senator Conroy.

[Senator CONROY]—That is very good of him, because if Senator Minchin had spent more time on his portfolio in recent months he would perhaps have noticed my recent visit to Adelaide where I launched a project, Adam Internet’s new WiMAX network, which was created entirely—

[Senator Minchin]—That was under the Australian broadband guarantee!

[Senator CONROY]—Senator Minchin interjected that that was under the ABG. For those in the chamber who are not aware of this, the previous government decided not to fund the ABG at all. In the outyear columns of their budget document was zero, zero, zero, zero. This government took the decision that this is a program that needs to be expanded. Because of the hard work of the Rudd government and the Rann government, we see Adam Internet being able to have a footprint across the city of Adelaide for its 500,000 people. As we demonstrated by going not only to the main hub but also to the homes of some of the first people connected, the service in Adelaide is up and running. So the basic premise of the question is false.

Honourable senators interjecting—

[Senator Birmingham]—On a point of order, Mr President: Senator Conroy either is quite clearly misleading the Senate now or was misleading the Senate when he used to sit on this side of the chamber, because back then he used to call WiMAX a dog of a system and now he seems to be in love with it.

The PRESIDENT—That is not a point of order, Senator Birmingham.

[Senator Chris Evans]—I have another point of order, Mr President. I do not think it is appropriate for senators to use spurious points of order to make claims against ministers that they have misled the Senate. I ask you to rule on that. It is of interest to find Senator Birmingham defending Senator Minchin. It is an occasion worth noting, but it is quite inappropriate for senators to abuse the time of the Senate by making points of order to make claims against ministers.

The PRESIDENT—Order! There is no point of order. Senator Conroy, you have 26 seconds remaining.
Senator CONROY—The entire premise of Senator Minchin’s question is due to the fact that he has spent almost the last three months undermining his leader. What we have seen is the government begin the rollout in Tasmania: trenches are being dug, cables are being strung and ducting is being put up. We are about to announce the Backhaul blackspots program. *(Time expired)*

Honourable senators interjecting—

The PRESIDENT—Order! I need order on both sides. Senator Minchin is entitled to ask his question in silence.

Senator MINCHIN—I ask a supplementary question, Mr President. Will the minister acknowledge that, as a result of his cancellation of the coalition government’s Optus Elders broadband project, which would have delivered new and affordable services to up to 900,000 underserved premises across rural and regional Australia this year, Australians are without doubt worse off under the Rudd government despite its grandiose election promises?

Senator CONROY—As I mentioned to the chamber before, Senator Minchin is taking a sweep on that side of the chamber to see whether or not he can get himself moved out of this portfolio or get himself replacing the Leader of the Opposition—

Honourable senators interjecting—

The PRESIDENT—Order! Just address the question, Senator Conroy. You are not asked to address that.

Senator CONROY—What we are seeing now is the 175th press release. I am sure you have sent a few more out that have been attacking Mr Turnbull, so I do not count those ones, Senator Minchin.

The PRESIDENT—Order! Senator Conroy, you and Senator Minchin should not be having a discussion across the chamber.

Senator CONROY—Order! Senator Minchin hankers after OPEL.

Senator Birmingham—That was a dog!

Senator CONROY—Let me confirm exactly what Senator Birmingham just said: it was a dog. It was such a dog that it actually failed the precedents in your own contract signed by Senator Coonan, who is sitting behind you. Senator Coonan put in place a series of hurdles that the OPEL project had to meet. Let me be very clear: it failed them because they had no spectrum; they were not prepared to commit the resources. *(Time expired)*

Senator MINCHIN—Mr President, I ask a further supplementary question. Considering the minister has failed to deliver a single new broadband connection via his National Broadband Network in his two years in office, how can he possibly justify a decision to pay disgraced former Labor MP and party apparatchik Mike Kaiser $450,000 per annum out of taxpayers’ money as a spin doctor with NBN Co, a company which generates no revenue, has no customers and delivers no services to anybody?

Senator CONROY—One of the problems when you are deeply engaged in activities other than your own portfolio’s is that perhaps you forget what you have done and said in the past, because it is not that long ago that a gentleman named Mr John Short was foisted on Telstra. He was in actual fact terminated by Telstra and, after the intervention of somebody with the president of the company, he was re-employed, did not have to pay back his redundancy package and was paid a minimum starting salary of $400,000. Everyone pointed the finger at Senator Minchin. What did Senator Minchin have to say? A spokesman for Senator Minchin confirmed the minister had known Mr Short for
several years but would not say whether he had any role in him being rehired by Telstra. Senator Minchin has known John Short for a long time, but the company’s management policy is entirely a matter for the company. Obviously in his role as finance minister—(Time expired)

DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence of former Senators Allison and Stott-Despoja up in the gallery. I hope they have enjoyed question time as much as we have!

QUESTIONS WITHOUT NOTICE

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Schools: Computers

Health Services

Senator MASON (Queensland) (3.02 pm)—I move:

That the Senate take note of the answers given by the Minister for Innovation, Industry, Science and Research (Senator Carr) and the Special Minister of State (Senator Ludwig) to questions without notice asked by me and Senator Humphries today, relating to education and health.

I heard in the corridor today that today is a very unattractive anniversary—two years since the election of the Rudd government. Some will be celebrating; many, many more will be commiserating. I want to touch on the failures in education policy this afternoon.

Who remembers those wonderful political optics of Mr Rudd before the last election, holding up a laptop computer? Do you remember that? He said, ‘This is the toolbox of the 21st century.’ He promised the delivery of one million laptop computers to every year 9 to year 12 student in this country. This was a core promise. It was a headline in the education revolution.

Two years later, what has happened? After two years only 150,000 have been delivered—a little bit better than one in seven. That is after two years. This is more shambolic implementation by the Rudd Labor government. What is worse is this: the government had budgeted about $1 billion for those one million computers. In fact, it is costing $1.8 billion. That is 80 per cent more than was budgeted. Why? It is because they did not budget for the ongoing costs—the cost of licences, storage, electricity, air conditioning and teaching teachers how to use them. They did not budget for that. So in fact the project is costing $800 million more than was budgeted for. They still cannot get it right.

The computers, even more importantly, were supposed to be connected to the internet because otherwise they are basically just glorified typewriters. What has happened after two years? None of those 150,000 computers have been connected to the 100 megabytes per second internet. Not one has been after two years. The government says, ‘We have to wait. Don’t worry. Wait for Senator Conroy and the National Broadband Network, because Senator Conroy is going to fix up our problems.’ What is the chance of that happening? What is the chance that Senator Conroy is going to fix up this problem? The fact is you have one million computers being rolled out hopefully over the next few years and not one of them has been connected to the National Broadband Network and not one of them has been connected to the promised 100 megabytes per second internet—not even one after two years. So what have we got? We have glorified typewriters. This is absolutely shambolic implementation. There was great political optics but no implementation at all.
Without going into the shambolic implementation of the Building the Education Revolution and the Julia Gillard memorial halls, I want to touch on an issue that not much attention has been given to. Not enough attention has been given to this. Do you remember the sorry speech? In February 2008 Mr Rudd made his famous sorry speech and he promised to build 35 children and family centres in remote communities, principally for Indigenous children. That was a centrepiece of the sorry speech and a centrepiece of the education revolution. How many of those centres have been delivered? None. Not one. Construction has commenced on how many of those centres? Not one. Coming on to two years, not even one has commenced. Thirty-five children and family centres in remote communities were to deliver early learning, child-care and family support programs to Indigenous children. None of the promised 35 centres are in existence or for that matter anywhere close to coming into existence. That is after nearly two years. Indeed, no consultations with local communities have even taken place in the overwhelming majority of locations. No construction has commenced at all.

I have no doubt Mr Rudd was sincere in his sorry speech, but the fact is this government is typified by great rhetoric but absolutely appalling implementation. These 35 children and family centres in remote communities were the centrepiece of the sorry speech and, after two years, not even one has been delivered at all. Whether it is the supply of computers to year 9 to year 12 students, the connection to the internet or the 35 children and family centres in remote communities, the delivery of all these educational services has been absolutely appalling.

Senator STERLE (Western Australia) (3.07 pm)—I rise to take note of answers given to questions today. But before we go any further, I would like to respond to Senator Mason’s contribution. There is a bit of a history lesson there that I would like to touch on before I go to the core of taking note of the answers. I do remember November 24, 2007. What a remarkable day that was. What a fantastic day it was. I am still celebrating, as are a lot of other Australians. Fortunately we on this side of the chamber are a responsible government—there are no ifs or buts about that. We have a major job at hand. We have just come through the biggest global financial crisis since the Depression in the thirties. We on this side of the chamber are very disciplined because there is a task at hand—that is, to nation build and to deliver the best outcomes that we possibly can for Australian voters. It is not to display absolute disunity and disgust in our leader like those on that side over there do. We actually support our leader for doing a fantastic job, as do our entire leadership team. Senator Mason touched on the November 2007 elections. The thoughts of those on the other side of the chamber were that somehow there was this political mistake made. I do not think it was a political mistake when the former Prime Minister actually lost his own seat of Bennelong. That says something in itself.

Senator Mason also wanted to talk about the National Broadband Network. He blamed us because computers have not been connected to the National Broadband Network. Let us take a step back here. In the 12 years of government of those on the other side, under Mr Howard, I do not recall any broadband networks being flagged and I do not recall any infrastructure spending on a broadband network. There was nothing—it was not even in the pipeline. Yet Senator Mason stands up here and grandstands and lectures us about waiting for Senator Conroy and our National Broadband Network. That side of this chamber has voted against all our legislation. Let us not forget that those on that side over there voted against it, and yet
they stand up in this chamber and slag us off for having a go—for wanting to deliver a national high-speed broadband network to 98 per cent of Australians. Those opposite will not even vote for it. I am not going to get emotive and carry on and scream like others on that side do in taking note. I am just gobsmacked at the hypocrisy of that side of this chamber at times, and those in the other place as well.

Let us talk about the national apology—that fantastic day. I had the absolute good fortune—and I am sure that a lot of senators and members on the other side of politics had the same heartfelt warmth that I did—to actually stand in the centre of this great building and watch for the first time ever a welcome to country ceremony, recognising the traditional owners on whose land we meet. It was a very rewarding day. It was moving to see the thousands of Indigenous Australians out there with tears in their eyes that they had actually been recognised and that the stolen generation was not something that we would turn our back on or put our head in the sand about and pretend did not exist. It did exist, sadly. The Prime Minister has done the right thing. I spend a lot of time in Aboriginal communities in Western Australia and the feeling in the Aboriginal community is still one of warmth and happiness when they talk about the national apology. It was also the start of closing the gap—and, my God, don’t we need to close that gap. To quote some words of the Leader of the Government in the Senate ‘over the years—and this is not being political—governments so far have not got it right’. We are determined that we will get it right.

We will also get it right on closing the gap in the Building the Education Revolution. I must go back for a minute to the 12 years of the Howard government. There were no great infrastructure projects—sorry, I take a step back: there was a railway line built from Adelaide to Darwin. I do remember that. It still has not made any money, but it was built. Apart from that, what were their great nation-building projects?

Senator Ian Macdonald—It was Alice Springs actually.

Senator STERLE—Senator Macdonald, I will take that interjection, through you, Mr Deputy President. Senator Macdonald, you were a minister in that helpless government. Be very careful about wanting to have a crack, because you were the one who actually got taken out in that Christmas of 2006. I remember that.

The DEPUTY PRESIDENT—Senator Sterle, please address your comments through the chair.

Senator STERLE—Yes, Mr Deputy President, I will. Let us go back to the Digital Education Revolution. I do remember the Prime Minister making it very clear that education was a very important platform for our election in 2007. As Senator Carr said, $2.2 billion is to be spent over six years. I will stand corrected in this place if anyone on that side of the chamber can highlight for me where the Howard government spent $2.2 billion on education—they did nothing for young Australians.

Senator IAN MACDONALD (Queensland) (3.12 pm)—The facts always speak louder than the spin of Mr Rudd and his minions like Senator Sterle. Let me give you some facts. After 13 years of Labor government in the eighties and nineties, the coalition government took office. We found that the Australian public had been lied to about the state of the books. There was actually a $96 billion deficit run up by 13 years of Labor governments, most of which was kept secret from the Australian public. Over the next 10 very difficult years, the Howard government—a government in which, as Senator Sterle rightly said, I was a minister; and I am
very proud of having been a minister in that
government, which is something that Senator
Sterle will never be able to be proud of hav-
ing been—paid back the $96 billion. But, lo
and behold, within two short years of the
Labor Party again winning office, we have
already a net government debt of $153 bil-
lion. Let us compare this to the state of the
books when the coalition left office—not
only did we have no net government debt but
we actually had almost $45 billion in credit.
We had $45 billion put aside for a rainy day.
So it went from a $45 billion surplus to $153
billion of net government debt by 2013.

When we left office the coalition had a
budget surplus of some $19.7 billion. I want
to emphasise that. After two years of Mr
Rudd and Labor mismanagement we now
have a $57.7 billion deficit. We have gone
from $20 billion plus to almost $60 billion
minus. It just shows that you cannot trust
Labor with money. I can understand why. I
do not want to be personal about this but if
you spend your life as a union organiser, bul-
lying your fellow unionists, what chance
have you got of running a business or a gov-
ernment? Absolutely none, and that shows in
the fact that they cannot manage their
money.

Under the coalition government do you
know what we paid in annual interest on
government debt at the end of that period?
Not a cent in interest on government debt.
Do you know what we are paying today? We
pay $8.2 billion annual interest on govern-
ment debt that could be better used to build
hospitals, roads and look after Indigenous
people’s welfare. It is $8.2 billion that could
have gone to something special instead of
being thrown away to mainly foreign money
lenders.

Under the coalition government, when we
left office, the net government debt per Aus-
tralian person was zero. Do you what it is
today? Every one of us in this chamber, eve-
ryone in the gallery and everyone who might
be listening have a debt, racked up by Mr
Rudd and his economic illiterates on the
other side, of $6,375 per person. We are all
in debt as a result of the incompetence and
mismanagement of the Labor Party.

That is in a simple two-year period.
Heaven knows what it is going to be by the
time the election comes around in one year’s
time. I certainly hope by that time that the
Australian public will realise that their fi-
nances, their money, their economy has been
mismanaged by Mr Rudd and, as I say, his
economic illiterates on the other side.

Senator FURNER (Queensland) (3.17
pm)—I rise to take note of answers to the
questions about the GP superclinics. Before
our election we went to the electorate to es-
tablish 31 GP superclinics and that was with
$275 million on the table. That number has
recently been increased to 36 clinics. In Sep-
tember this year the official opening oc-
curred for the first fully operational super-
clinic at Ballan. The clinic there is providing
increased GP and dental services for the first
time to the local community. A further five
sites—Southern Lake Macquarie, Palmer-
ston, Devonport, Blue Mountains and
Warrnambool—have new and ready services
that have been available and provided to the
community. In one example in Palmerston,
almost 9,000 patients have visited the clinic
since it opened last December, with 92 per
cent of those patients being treated at the
clinic and helping to take pressure off the
Royal Darwin Hospital.

In the electorate of Dickson, of which I
am a duty senator, I have had firsthand expo-
sure to seeing the construction of that par-
ticular clinic. In fact, I have met with the
person that won the contract, Dr Evans, and
he is working tirelessly with the local com-
community, including the Indigenous population,
to make sure they are understood and provided for when that clinic opens. The clinic is well in advance of the schedule. This folly about us not delivering on health, particularly GP superclinics, is just farcical.

The official launch of that particular clinic was reasonably well attended by the local Moreton Bay regional councillors, the Mayor of Moreton Bay region and me, but there was one person that was silent and could not even bother to turn up on the day. Who was that? It was none other than the member for Dickson, the shadow health minister, Peter Dutton. Where was he? Was he down at McPherson? Was he down at one of those electorates at the Gold Coast trying to win a preselection down there? Most likely he could have been down there but for some reason he did not have the decency to bother turning up for that official first stage of the Strathpine GP superclinic. However, he has recently come out on Lateline on 28 July and said:

... I think there is overwhelming support in the Australian public for significant change to take place so that we cannot repeat the same mistakes over the next decade that we’ve repeated over the last decade.

How is that from a shadow health minister, admitting that there were mistakes 10 years ago when they were in government, and coming out and saying on Lateline that they cannot afford to make the same mistakes over again.

These superclinics work through set criteria, which includes identifying high levels of need in addressing chronic disease, poor access to services, particularly GP shortages and Medicare services, poor health infrastructure and taking pressure off the local public hospital. These clinics are all about addressing health concerns in our regions and ensuring that we do not end up with the problems that we had in the past.

If you look in the past we had a government that neglected to train enough nurses and doctors. They allowed Australian nursing shortages to reach 6,000 nurses; 60 per cent of the country is affected by health workforce shortages. They cut funding for public hospitals by $1 billion and left 650,000 people languishing on public dental waiting lists, with many waiting years for care. They neglected aged care and some of the most vulnerable people in our communities. At times when they needed care the most, they were left in hospital beds every night because of the shortage of aged-care places. And what did we get? We only got the same rhetoric of the blame game for 12 years, and they played that blame game with the state governments and never came up with a long-term plan to improve our hospitals. Here are some key facts and figures on our proposals. (Time expired)

Senator HUMPHRIES (Australian Capital Territory) (3.22 pm)—It was great to hear from Senator Furner about what they have been doing, the clinics that have been promised and the clinics that are actually open, but I want to know what has happened to the clinics that have been promised and not yet opened. You promised 31 GP superclinics. You then promised 36 GP clinics. You might as well promise 336 GP clinics for all the ones that have actually been opened. When are we going to get the other 30 clinics that you promised two years ago to open? After two years in office it is time to be able to start to judge the performance, not just the rhetoric, of the Rudd Labor government, to start to say: ‘You put these promises on the table. You said you would do these things. Where do you stand today? What have you actually delivered?’ The situation is pretty grim, pretty unattractive.

In question time today we asked about the promise to fix the public hospitals of Australia. We asked about the delivery of the 31/36
GP superclinics. We asked about the end to the buck-passing which has characterised health care in this country. On all those issues we had nothing but stonewalling from the minister. I remind the government that hospitals are essentially a state and territory responsibility, but in the 2007 federal election campaign the Rudd Labor opposition, particularly Mr Rudd, acquired that issue by saying, ‘I will fix this problem.’ The question at this point is: what has he done?

The report of the AMA on the state of Australia’s public hospitals was published just a few weeks ago. Let’s see what it says about this:

Major metropolitan teaching hospitals commonly operate on a bed occupancy rate of 95 per cent or above. These rates are too high. Hospital overcrowding is the most serious cause of reduced patient safety in public hospitals.

Is that fixing a public hospital system, I ask you? The AMA goes on to say:

… public hospital infrastructure has been allowed to decay in many areas. Equipment, facilities and environment need updating, modernising and brought up to standard.

Is this fixing Australia’s public hospitals? I don’t think so. ‘The declining performance on emergency cases is unacceptable,’ says theAMA. Is that fixing our public hospitals? I don’t think so.

Let’s look at a more specific proposal put forward by the Rudd Labor government to ‘fix these problems’. In November 2008 the Council of Australian Governments entered a landmark deal for the national health care agreement, providing $64.4 billion over five years. At the time, the Prime Minister said:

Together with the investments the Government has already made in hospitals, this could support an additional 3,750 beds in 2009-10, growing to 7,800 additional beds by 2012-13.

What does the AMA say about that?

To date, there is no evidence to show that these new beds have been opened.

It is two years since these promises were made. Where are we seeing the delivery? We are seeing very little delivered in the way of GP superclinics. We are seeing an increase in private health insurance costs, even though the government promised not to touch that area. We are seeing changes to the extended Medicare safety net rebate after there was a promise made not to make any changes there.

The fact is that public hospitals are slipping backwards. It is obvious to every person in this place, I think, and indeed every health consumer around the country, that our public hospital systems are not being fixed. They are not getting better, as promised. They are going backwards. Mr Rudd and his government apparently have no answer to that question except to say: ‘We’re working on it. We’re spending money. Something is being done. Just leave it to us—we’ll get around to it in due course.’ The problem is that you promised to fix it by the middle of this year. You said: ‘I’ll fix the problem by the middle of 2009 or I’ll take the public hospitals over. I’ll have a referendum and I will deliver a federally controlled public hospital system.’ Neither of those things is happening. We are not seeing the hospitals fixed and we are not seeing a federal takeover. It is still a work in progress. Although citizens of this community might be prepared to give the federal government the benefit of the doubt for a little while longer, sooner or later you have got to actually put the goods on the table. You have to show that you are delivering something that improves our public hospital system, and the evidence to date is that you are not improving the public hospital system. In fact, things are going backwards. We are entitled to ask questions about that and get answers, and we are not getting answers today.
Question agreed to.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Dialysis Services in Central Australia

Senator LUDWIG (Queensland—Special Minister of State and Cabinet Secretary) (3.28 pm)—I table a response to a question Senator Siewert asked in question time on Monday, 23 November. I seek leave to incorporate it in Hansard.

Leave granted.

The answer read as follows—

SENATE QUESTION WITHOUT NOTICE

Additional information

DATE ASKED: Monday 23 November 2009

SENATOR SIEWERT asked the Minister representing the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery, during Senate Question Time on Monday 23 November 2009:

Could the Minister tell me how much of the $5.3 million of funding the Commonwealth is contributing to dialysis services in the Northern Territory will be available to new interstate patients from the Western Desert in Western Australia and from the APY Lands in South Australia? Will any of those people have access to any of the $5.3 million that the Commonwealth is making available to the Northern Territory?

SENATOR LUDWIG—The Minister representing the Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery has provided the following answer to the honourable senator’s question:

The Australian Government investment of $5.3 million over five years aims to improve access to renal dialysis and related support services for remote communities in the Northern Territory.

The NT Government is responsible for the operation and management of these new facilities. This includes the management of patient flows. Information on how much of the $5.3 million in funding is available to interstate patients’ is an NT Government matter.

The $5.3 million initiative is creating additional dialysis places through a mobile dialysis service pilot in Central Australia, the establishment of drop-in self-care dialysis facilities, one in Darwin and one in Alice Springs, and the establishment of three renal ready rooms to be co-located at Community Health Centres.

Jurisdictions are currently negotiating arrangements for the management of interstate patients.

Joint Replacements

Senator LUDWIG (Queensland—Special Minister of State and Cabinet Secretary) (3.28 pm)—Senator Xenophon asked me about artificial joint replacements on 18 November. I seek leave to incorporate an answer in Hansard.

Leave granted.

The answer read as follows—

Question without Notice—additional information to question asked by Senator Xenophon, 18 November 2009

Artificial Joint Replacement

My question is to Senator Ludwig, Minister representing the Minister for Health, Minister Roxon and relates to artificial joint replacement.

In the Australian newspaper on 25th August this year, Minister Roxon is reported to have said that: “99 per cent of patients are provided joints that are less dependable and often more expensive that the most reliable one.

I ask the Minister, is it accurate that in Australia the best prosthesis is only used in one percent of joint artificial joint replacements?

Answer: The comments made by the Minister were drawn from information published in the 2008 Australian Orthopaedic Association Annual Report of the National Joint Replacement Registry Hip and Knee Arthroplasty. The NJRR’s findings about the hip femoral stems and acetabular cup combinations with the lowest revision rates are at pages 55-56 of the report. The report also includes information on the total number of surgeries, and numbers involving particular components and component combinations. The report is available at:

It should be noted that the Minister’s speech included advice that devices identified by the NJRR as having the lowest revision rates were not necessarily appropriate for all patients requiring joint replacement surgery.

Supplementary:
Mr President, I ask a supplementary question.
The National Joint Replacement Registry was established in 1998 and earlier this year a levy was introduced to support its work.

- Does this Registry record how many of the new joint replacement products approved in the last four years have performed better in relation to rates of revision than the products previously available?

Answer: Yes, in relation to some components and surgeries. The Registry records and publishes information on the outcome of joint replacement surgery in Australia, including comparative revision rates observed with different components used in surgeries. The most recent publication of the NJRR on hip and knee replacement surgeries is the 2009 Australian Orthopaedic Association Annual Report of the National Joint Replacement Registry Hip and Knee Arthroplasty, which was published in October 2009 and is available at: http://www.dmac.adelaide.edu.au/aoamirrinublications.jsp?section=reports2009. This report includes information about the outcomes of hip and knee replacement surgeries between 1999 and 31 December 2008.

The Registry is now also recording information about the outcomes of other types of joint replacement surgeries, including shoulder, elbow, wrist, ankle and spinal disc arthroplasty, but only some of this data would be available prior to 2007. Most hospitals began providing data on these additional arthroplasty procedures on or after the official commencement date of 15 November 2007. The Registry did collect data about these additional arthroplasty procedures from a number of hospitals prior to the commencement date, so there is some data from 16 April 2004.

The reports on other types of joint replacement surgeries, including Demographics of Shoulder, Elbow, Wrist, Ankle and Spinal Disc Arthroplasty (published October 2009) and Analysis of State and Territory Health Data—All Arthroplasty (published November 2009), are also available at the above website address.

- If so, how many joints were approved and what proportion performed better?
The number of total joint implants approved by Therapeutic Goods Administration in the last 4 years is:

Hips —36
Knees —38
Shoulders —16

Information about revision rates recorded by the National Joint Replacement Registry associated with all components used in joint replacement surgeries is available from the published reports on the Registry’s website.

Supplementary:
Mr President, I ask a further supplementary question.

- Can the Minister inform the Senate how many of these new joint replacements underwent two years clinical trial prior to being approved for use in Australia?

The Australian regulatory system for medical devices is based on an internationally harmonised approach to medical device regulation. The framework adopts a risk-based approach which balances regulatory oversight with provision of timely access to new technology for Australian users.

Prior to marketing, manufacturers are required to demonstrate the device is compliant with standards (referred to as Essential Principles) for safety and performance, including provision of appropriate clinical evidence, such as performance under clinical trial or international post-market surveillance data. The Australian regulatory system allows for recognition of overseas reviews of this evidence when conducted by a recognised agency with similar regulatory controls to those employed in Australia.
NOTICES
Presentation

Senator Back to move on the next day of sitting:

That—

(1) The following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 1 June 2010:
An assessment of the effectiveness of Airservices Australia’s management of aircraft noise under its responsibilities to provide air traffic services and protect the environment from the effects associated with the operation of aircraft for which it has legislative jurisdiction.

(2) In undertaking this inquiry, the committee shall consider whether Airservices Australia:

(a) has conducted an effective, open and informed public consultation strategy with communities affected by aircraft noise;
(b) engages with industry and business stakeholders in an open, informed and reasonable way;
(c) has adequate triggers for public consultation under legislation and whether procedures used by Airservices Australia are compliant with these requirements;
(d) is accountable, as a government-owned corporation, for the conduct of its noise management strategy;
(e) has pursued and established equitable noise-sharing arrangements in meeting its responsibilities to provide air traffic services and to protect the environment from the effects associated with aircraft for which it is responsible;
(f) requires a binding Community Consultation Charter to assist it in consulting fully and openly with communities affected by aircraft noise; and
(g) any other related matter.

Senators Back, Williams and Milne to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) Commonwealth Scientific and Industrial Research Organisation scientists have warned that Australia will experience more high fire danger days,
(ii) three Australian states are on high fire danger alert and record high temperatures are being recorded for November 2009 in several Australian cities and towns including Adelaide,
(iii) a government report in 2005 said that no single state or territory is likely to have the human and material resources required to resolve a catastrophic natural event; and

(b) calls on the Government to:

(i) acknowledge the Australian Emergency Management Committee’s 2005 Review of Australia’s ability to respond to and recover from catastrophic disasters,
(ii) examine the existing Commonwealth Disaster Plan to assess its adequacy in the event of a catastrophic natural disaster,
(iii) establish criteria by which the Commonwealth should take a coordinating role in natural disasters crossing state or territory borders, and
(iv) implement the remaining recommendations of the 2005 review.

Senator Johnston to move on the next day of sitting:

That the following matters be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 18 March 2010:

(a) the nature, scope and purpose of an ‘Equity and Diversity Health Check’ in the Royal Australian Navy, and under what authority such an investigation is conducted;
(b) the equity and diversity issues at large on board HMAS Success (Success) giving rise to the ‘Equity and Diversity Health Check’ which was carried out on board Success between 21 April and 9 May 2009 including inter alia all disciplinary issues, the transfer of a Royal Navy exchange sailor, the management of equity and diversity issues by the ship’s Commanding Officer and his Executive Officer both before and after the ‘Equity and Diversity Health Check’;

(c) the nature and veracity of complaints and allegations made by a Petty Officer or any other person concerning equity and diversity issues on Success;

(d) the reasons and factual evidentiary basis for the ship’s Commanding Officer resolving to land a Chief Petty Officer and two Petty Officers (the senior sailors) at Singapore on 9 May 2009 from Success and the circumstances of that landing and removal from the ship including whether the Commanding Officer acted under the direction of any superior officer;

(e) whether the senior sailors were informed of the full nature of the allegations and factual evidentiary basis for the subsequent landing in a timely fashion or at all, and whether procedural fairness was provided to those senior sailors;

(f) the circumstances and events that led to the Commanding Officer of Success addressing members of the crew in relation to the landing of the senior sailors, whether the Commanding Officer referred to the senior sailors by stating words to the effect of ‘there was a rotten core on this ship and the core has now been removed’ and if so, the extent that those comments may have prejudiced any subsequent inquiry;

(g) whether the Inquiry Officer as appointed pursuant to terms of reference, dated 15 May, and as set out in Minute S1804843, dated 10 July 2009, declined to interview any relevant witnesses in circumstances where the senior sailors were prohibited from attending Success and or contacting any of the ship’s company;

(h) the way in which the inquiry into the events on Success was conducted, whether the method of questioning witnesses and gathering evidence was conducted according to the principles of justice, whether the inquiry process was free from any perception of bias, and whether any witnesses were threatened with disciplinary or other action during the course of giving evidence;

(i) whether the senior sailors requested access to evidence gathered during the inquiry into the events on Success, whether any such request was denied, and whether any subsequent finding is reasonable in the circumstances;

(j) the facts and circumstances of the treatment of the Legal Officer (the lawyer) assigned to the management and defence of the case of the senior sailors including any threats, bullying, adverse conduct and prejudice generally, including any threat of posting to Western Australia, and whether any such conduct constituted an attempt to compromise the lawyer’s capacity to represent the best interests of the senior sailors without fear or favour;

(k) the knowledge and awareness of the ship’s Commanding Officer, the Australian Defence Force Investigative Service investigators and the broader naval chain of command of the facts and circumstances relating to the Channel 7 News reports on 4 July and 7 July 2009 (the media reports) and the dates and times of such personnel being availed of such knowledge and awareness;

(l) the knowledge and awareness of the media reports by the responsible Minister and the dates and times of the Minister being availed of such knowledge and awareness; and

(m) all and any other matters relating to the justice and equity of the management of the senior sailors in their removal from the ship and the subsequent administrative
process or processes, including their complaints as to the flawed process as set out herein.

Senator Colbeck to move on the next day of sitting:

That, for the purposes of paragraph 48(1)(a) of the Legislative Instruments Act 2003, the Senate rescinds its resolutions of 15 September 2009 disallowing the following instruments:

(a) the Export Control (Fees) Amendment Orders 2009 (No. 1), made under regulation 3 of the Export Control (Orders) Regulations 1982;

(b) the Australian Meat and Livestock Industry (Export Licensing) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 108 and made under the Australian Meat and Livestock Industry Act 1997;

(c) the Export Inspection (Establishment Registration Charges) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 109 and made under the Export Inspection (Establishment Registration Charges) Act 1985; and

(d) the Export Inspection (Quantity Charge) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No. 110 and made under the Export Inspection (Quantity Charge) Act 1985.

Senator Cormann to move on the next day of sitting:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 June 2010:

Consumer access to pharmaceutical benefits and the creation of new therapeutic groups through the Pharmaceutical Benefits Scheme (PBS), including:

(a) the impact of new therapeutic groups on consumer access to existing PBS drugs, vaccines and future drugs, particularly high cost drugs;

(b) the effect of new therapeutic groups on the number and size of patient contributions;

(c) consultation undertaken in the development of new therapeutic groups;

(d) the impact of new therapeutic groups on the classification of medicines in F1 and F2 formularies;

(e) the delay to price reductions associated with the price disclosure provisions due to take effect on 1 August 2009 and the reasons for the delay;

(f) the process and timing of consideration by Cabinet of high cost drugs and vaccines; and

(g) any other related matters.

Senators Barnett and Mason to move on the next day of sitting:

That the Senate—

(a) notes:

(i) the National School Chaplaincy Program (the program) was introduced by the former Coalition Government in the 2007-08 financial year with a commitment of $165 million for its first 3 years,

(ii) the program offers pastoral care, spiritual guidance and counselling in a range of areas such as bullying, mental health, family relationships and drug and alcohol abuse, operates in 2,700 schools and enjoys strong support among principals, schools and in the community generally,
(iii) the Coalition has announced that if elected, it will continue funding the program at present levels on an ongoing basis,

(iv) the Government has been forced to respond and has extended funding for the program, at a reduced level, for another year until the end of 2011, after which time there may be no more funding despite the program’s social benefits, sound administration and strong community support, and

(v) the Government’s announcement does not go far enough and does not allow for any new chaplains to be engaged and, as a result, does not provide certainty into the future for chaplains; and therefore

(b) calls on the Government to make a commitment to extend the program to new schools that apply for a chaplain and to maintain current levels of funding into the future on an ongoing basis.

Senator Ludwig to move on the next day of sitting:

That, on Wednesday, 25 November 2009:

(a) the hours of meeting shall be 9.30 am to 6.30 pm and 7.30 pm to 11.40 pm;

(b) the routine of business from 7.30 pm shall be consideration of the government business order of the day relating to the Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and 10 related bills; and

(c) the question for the adjournment of the Senate shall be proposed at 11 pm.

Senator Siewert to move on the next day of sitting:

That the Senate—

(a) notes that Sunday, 29 November 2009 is the inaugural R U OK? Day, a suicide prevention initiative that brings Australians together to help prevent the isolation that can play a part in someone considering, or taking, their own life;

(b) acknowledges the need to inspire Australians to reach out to anyone struggling, to show that people care and are there to help;

(c) is aware that suicide claims the lives of approximately 2 000 people each year and is the biggest killer of men and women 15 to 35 years old; and

(d) recognises that a simple conversation could change a life and that the key thing someone can do is regularly ask the people we care about, ‘Are you OK?’, regardless of whether they are at risk or not, as that connection is good for all of us.

Senator Milne to move on the next day of sitting:

(1) That the Senate—

(a) recalls that on 17 November 2009 it agreed to the following order, ‘That there be laid on the table, no later than 4 pm on 18 November 2009, the assessment by Geoscience Australia reportedly identifying prospective sites for underground carbon dioxide storage sites in Victoria, Queensland and Western Australia, referred to in an article, ‘New hope for viable clean coal projects’ published in The Australian on 24 October 2009’; and

(b) notes that the Government tabled a response saying, ‘The Government is not able to comply with the Order because there is no document in the precise form requested. In any event, the Minister asks the Senate to note that the Government is using a report containing an assessment along the lines sought, containing also the work of others, for the purpose of assisting the Government’s consideration of competitive applications for funding under the CCS Flagships program. The report will be released at the time the grants under that program are announced’.

(2) That there be laid on the table, no later than 4 pm on 25 November 2009, the report ‘containing an assessment along the lines sought’.
Senator Siewert to move on the next day of sitting:

That the Senate notes:

(a) 25 November 2009 is national Go Home On Time Day;
(b) Australians work more than 2 billion hours of unpaid overtime each year;
(c) Australians work the longest hours in the western world;
(d) excessive unpaid overtime has significant industrial, economic and social implications; and
(e) long working hours can have negative consequences for physical and mental health and personal relationships.

Senators Ludlam, O’Brien, Parry, Fielding and Xenophon to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) Wednesday, 25 November is the International Day for Elimination of Violence Against Women which is symbolised by the wearing of a white ribbon,
(ii) White Ribbon Day marks the start of 16 Days of Activism Against Gender Violence, a global event calling on action to end violence against women,
(iii) one in three Australian women will experience physical or sexual violence in their lifetimes,
(iv) gender-based violence costs the Australian economy more than $15.1 billion each year which includes costs in terms of health, work absenteeism, police and court costs, and
(v) the Asian Forum of Parliamentarians on Population and Development (AFPPD), of which the Australian Parliamentary Group on Population and Development is a member, has established the AFPPD Standing Committee of Male Parliamentarians on Prevention of Violence against Women and Girls on 7 September 2009 which is a significant step in bringing together male parliamentarians from across Asia as role models and outspoken activists for the prevention and elimination of violence against women and girls; and

(b) calls on all men to actively participate in White Ribbon Day by ‘swearing to end violence against women, to never commit violence against women, to never excuse violence against women, and to never to remain silent about violence against women’.

Senator Siewert to move on the next day of sitting:

That the Senate calls on the Federal Government to require that the use of Commonwealth dialysis resources, including the provision of the transportable dialysis facility in Alice Springs, is contingent the on lifting of the Northern Territory Government’s ban on new interstate renal patients, so that all citizens can access these services on the basis of need.

Senator Hanson-Young to move on the next day of sitting:

That the Senate—

(a) notes:

(i) the Federal Government’s ongoing commitment to continuing with the excised territories of Christmas Island, Cocos Islands and Ashmore Reef, and
(ii) the sheer expense of running the offshore detention facility on Christmas Island;

(b) recognises concerns raised by the Australian Human Rights Commission, Amnesty International and the Refugee Council of Australia, to the limited access to sufficient health facilities, resources, and torture and trauma counselling services, due to the remoteness and isolation of the Christmas Island detention facilities from mainland Australia; and

(c) calls on the Government to end the policy of excision and bring all offshore arrivals to the mainland for processing.
COMMITTEES

National Broadband Committee

Meeting

Senator PARRY (Tasmania) (3.30 pm)—by leave—At the request of Senator Fisher, the Chair of the Select Committee on the National Broadband Network, I move:

That the Select Committee on the National Broadband Network be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 25 November 2009.

Question agreed to.

NOTICES

Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 2 standing in the name of Senator Xenophon for today, proposing a reference to the Community Affairs References Committee, postponed till 25 November 2009.

Business of the Senate notice of motion no. 3 standing in the name of Senator Boyce for today, proposing a reference to the Community Affairs References Committee, postponed till 25 November 2009.

General business notice of motion no. 648 standing in the name of the Leader of the Family First Party (Senator Fielding) for today, relating to the third reading the of Carbon Pollution Reduction Scheme Bill 2009 [No. 2] and related bills, postponed till 25 November 2009.

Presentation

Senator RONALDSON (Victoria) (3.31 pm)—Pursuant to standing order 78(1), I give notice of my intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion No. 1 standing in my name for today for the disallowance of the definition of electioneering in subregulation 3AA(11) in item [1] of Schedule 1 of the Parliamentary Entitlements Amendment Regulations 2009 (No. 1) Amendment Regulations 2009 (No. 1), as contained in Select Legislative Instrument 2009 No.250 and made under the Parliamentary Entitlements Act 1990. I seek leave to make a short statement in relation to this matter.

Leave granted.

Senator RONALDSON—Very briefly, there has been a significant amount of concern from the opposition parties and minor parties in relation to the unintended consequences of changes that were recently made in relation to printing entitlements. The minister has undertaken to me that he will take these concerns back to the entitlements group with a view to addressing those very real concerns. On the back of the minister’s undertaking, which I accept unequivocally, I will now be withdrawing this notice of disallowance.

COMMITTEES

Finance and Public Administration References Committee

Meeting

Senator PARRY (Tasmania) (3.33 pm)—by leave—At the request of the Chair of the Finance and Public Administration References Committee (Senator Bernardi), I move:

That the Finance and Public Administration References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 25 November 2009, in relation to its inquiry on the relationship between the Central Land Council and Centrecorp Aboriginal Investment Corporation Pty Ltd.

Question agreed to.

Economics References Committee

Reference

Senator WILLIAMS (New South Wales) (3.34 pm)—I seek leave to amend business
of the Senate notice of motion No. 4 standing in my name for today, proposing a reference to the Economics References Committee relating to the role of liquidators and administrators before asking for it to be taken as a formal motion.

Leave granted.

Senator WILLIAMS—I move the motion as amended:

That the following matter be referred to the Economics References Committee for inquiry and report by 31 August 2010:

The role of liquidators and administrators, their fees and their practices, and the involvement and activities of the Australian Securities and Investments Commission, prior to and following the collapse of a business.

Question agreed to.

Foreign Affairs, Defence and Trade Committee: Joint Meeting

Senator O’BRIEN (Tasmania) (3.35 pm)—At the request of the Chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade (Senator Forshaw), I move:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 25 November 2009, from 11 am, to take evidence for the committee’s inquiry into Australia’s trade and investment relations with Asia, the Pacific and Latin America.

Question agreed to.

Community Affairs References Committee Extension of Time

Senator SIEWERT (Western Australia) (3.35 pm)—I move:

That the time for the presentation of the report of the Community Affairs References Committee on the impact of gene patents on the provision of healthcare in Australia be extended to 18 March 2010.

Question agreed to.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Defence

Senator FAULKNER (New South Wales—Minister for Defence) (3.35 pm)—I seek leave to make a very brief statement. I just want to correct a date in the Hansard.

Leave granted.

Senator FAULKNER—I thank the chamber. I want to add to a response I gave to a question on Wednesday of last week. In that answer I stated that the closure of RAAF Glenbrook was a decision of the previous government and that it will be closed next year. I have been advised by Defence that, while originally scheduled for closure in 2010, requirements to construct facilities at RAAF Amberley have delayed the planned closure. The best advice I can give the Senate at the moment is that Defence are now planning to close RAAF Glenbrook by mid-2015. I appreciate the Senate providing me with that courtesy.

BORDER PROTECTION COMMITTEE OF CABINET MEETING

Order

Senator FIERRAVANTI-WELLS (New South Wales) (3.37 pm)—I move:

That there be laid on the table by the Minister representing the Prime Minister, no later than 2 pm on Wednesday, 25 November 2009, documents outlining or including, the following:

(a) the date, time and duration of the meetings of the Border Protection Committee of Cabinet since it was established in about April 2009;

(b) in relation to each of the meetings referred to above, details of all the attendees at each meeting, including the name and position of each attendee and the capacity in which they attended the meeting;

(c) in relation to any ministerial staff attending any meeting, the level of security clearance of all ministerial staff who attended each meeting;
(d) all documents relating to the formulation, discussion and approval (including any drafts) of the letter from Mr Jim O’Callaghan, Minister-Counsellor Immigration, Australian Embassy, Jakarta, Indonesia, entitled Message to the 78 passengers on the Oceanic Viking, dated November 2009, including by the Border Protection Committee of Cabinet or any other committee, taskforce or entity;

(e) all documents relating to the formulation, discussion and approval (including any drafts) of the letter from Mr Andrew Metcalfe, Department of Immigration and Citizenship to Senator Evans, Minister for Immigration and Citizenship, dated 16 November 2009, including by the Border Protection Committee of Cabinet or any other committee, taskforce or entity;

(f) in relation to the formulation, discussion or approval referred to in paragraphs (d) and (e), which was undertaken by any other committee, taskforce or entity other than the Border Protection Committee of Cabinet, documents outlining or including:

(i) the name of the other committee, taskforce or entity,

(ii) the date, time and duration of the meeting/s of the other committee, taskforce or entity, and

(iii) details of all the attendees at each meeting of the other committee, taskforce or entity, including the name and position of each attendee and the capacity in which they attended the meeting;

(g) in relation to any ministerial staff attending any meeting, the level of security clearance of all ministerial staff who attended each meeting of the Border Protection Committee of Cabinet or any other committee, taskforce or entity;

(h) in relation to approval referred to in paragraphs (d) and (e) above, details of the date, time, duration and attendees at the meeting or meetings that resulted in such approval by the Border Protection Committee of Cabinet or any other committee, taskforce or entity;

(i) details of when the Prime Minister became aware of the decision of the Border Protection Committee of Cabinet or any other committee, taskforce or entity to make the offer referred to in paragraphs (d) and (e) above and how he became aware of this decision;

(j) in relation to the letter from Mr Jim O’Callaghan, Minister-Counsellor Immigration, Australian Embassy, Jakarta, Indonesia, entitled Message to the 78 passengers on the Oceanic Viking, dated November 2009, all documents relating to the formulation, discussion and approval (including drafts) of any arrangements, undertakings or special circumstances with the United Nations High Commissioner for Refugees regarding processing and resettlement of the asylum seekers;

(k) in relation to the letter from Mr Jim O’Callaghan, Minister-Counsellor Immigration, Australian Embassy, Jakarta, Indonesia, entitled Message to the 78 passengers on the Oceanic Viking, dated November 2009 and the letter from Mr Andrew Metcalfe, Department of Immigration and Citizenship to Senator Evans, Minister for Immigration and Citizenship, dated 16 November 2009, all documents relating to the formulation, discussion and approval (including drafts) of any arrangements, undertakings or special circumstances with Indonesia regarding the detention, processing and resettlement of the asylum seekers; and

(l) in relation to any approval covered by paragraphs (h) and (i), a statement of whether the Prime Minister or any member of the Prime Minister’s staff approved any part, aspect, detail or condition contained in the letter from Mr Jim O’Callaghan, Minister-Counsellor Immigration, Australian Embassy, Jakarta, Indonesia, entitled Message to the 78 passengers on the Oceanic Viking, dated November 2009 and in the letter from Mr Andrew Metcalfe, Department of Immigration and Citizenship to Senator Evans, Minister for Immigration and Citizenship, dated 16 November 2009.

Question put.
The Senate divided. [3.41 pm]
(The President—Senator the Hon. JJ Hogg)
Ayes........... 33
Noes........... 33
Majority........ 0

AYES
Abetz, E. Abetz, E. Adams, J.
Back, C.J. Back, C.J. Barnett, G.
Bernardi, C. Bernardi, C. Boswell, R.L.D.
Boyce, S. Boyce, S. Bushby, D.C.
Cash, M.C. Cash, M.C. Colbeck, R.
Cormann, M.H.P. Cormann, M.H.P. Eggleson, A.
Ferguson, A.B. Ferguson, A.B. Fielding, S.
Fierravanti-Wells, C. Fierravanti-Wells, C. Fifield, M.P.
Fisher, M.J. Fisher, M.J. Heffernan, W.
Humphries, G. Humphries, G. Joyce, B.
Kroger, H. Kroger, H. Macdonald, I.
Mason, B.J. Mason, B.J. McGauran, J.J.
Minchin, N.H. Minchin, N.H. Nash, F.
Parry, S. * Parry, S. * Payne, M.A.
Ryan, S.M. Ryan, S.M. Scullion, N.G.
Troeth, J.M. Troeth, J.M. Trood, R.B.
Williams, J.R. Williams, J.R.

NOES
Arbib, M.V. Arbib, M.V. Bilyk, C.L.
Bishop, T.M. Bishop, T.M. Brown, B.J.
Brown, C.L. Brown, C.L. Cameron, D.N.
Collins, J. Collins, J. Conroy, S.M.
Crossin, P.M. Crossin, P.M. Farrell, D.E.
Faulkner, J.P. Faulkner, J.P. Feeney, D.
Forshaw, M.G. Forshaw, M.G. Furner, M.L.
Hanson-Young, S.C. Hanson-Young, S.C. Hogg, J.J.
Hurley, A. Hurley, A. Hutchins, S.P.
Ludlam, S. Ludlam, S. Lundy, K.A.
McLucas, J.E. McLucas, J.E. Milne, C.
Moore, C. Moore, C. O’Brien, K.W.K. *
Polley, H. Polley, H. Pratt, L.C.
Siewert, R. Siewert, R. Stephens, U.
Sterle, G. Sterle, G. Wortley, D.
Xenophon, N. Xenophon, N.

* denotes teller

Question negatived.

RWANDA

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (3.45 pm)—I move:

That the Senate, noting that:

(a) Rwanda’s nomination to join the Commonwealth will be decided at the Commonwealth Heads of Government Meeting in Trinidad and Tobago from 27 November to 29 November 2009; and

(b) Rwanda’s ruling party, the Rwandan Patriotic Front, has actively stopped alternative political parties from operating and has been implicated in electoral irregularities and restrictions on press freedom,

calls on the Government to review Rwanda’s record on human rights according to the standards agreed to by the Commonwealth’s 1991 Harare Declaration, before supporting its membership of the Commonwealth.

Question put.

The Senate divided. [3.46 pm]
(The President—Senator the Hon. JJ Hogg)
Ayes.......... 7
Noes.......... 37
Majority....... 30

AYES
Brown, B.J. Brown, B.J. Fielding, S.
Hanson-Young, S.C. Hanson-Young, S.C. Ludlam, S.
Milne, C. Milne, C. Siewert, R. *
Xenophon, N. Xenophon, N.

NOES
Bilyk, C.L. Bilyk, C.L. Bishop, T.M.
Boyce, S. Boyce, S. Brown, C.L.
Bushby, D.C. Bushby, D.C. Cameron, D.N.
Cash, M.C. Cash, M.C. Colbeck, R.
Conroy, S.M. Conroy, S.M. Crossin, P.M.
Eggleson, A. Eggleson, A. Farrell, D.E.
Feeney, D. Feeney, D. Ferguson, A.B.
Fierravanti-Wells, C. Fierravanti-Wells, C. Forshaw, M.G.
Furner, M.L. Furner, M.L. Heffernan, W.
Hogg, J.J. Hogg, J.J. Hurley, A.
Tuesday, 24 November 2009

SENATE 8715

Question negatived.

**DEFORESTATION PROTESTS**

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (3.49 pm)—I move:

That the Senate, noting the recent deportation of journalists and environmentalists from Indonesia for highlighting widespread deforestation in that country, supports the right of people to peacefully protest against climate damaging deforestation around the world and the right of journalists to cover such protests.

**Senator LUDWIG** (Queensland—Special Minister of State and Cabinet Secretary) (3.49 pm)—by leave—The Australian government cannot support the proposed notice of motion in its current form. The Australian government again places on record its objection to dealing with complex international matters such as the one before us by means of formal motions. Such motions are blunt instruments. They force parties into black-and-white choices that support or oppose. They do not lend themselves to the nuances which are so necessary in this area of policy. Furthermore, they are too easily misunderstood by some audiences as statements of policy by the national government.

The Australian government is happy to continue to work with the minor parties on notices of motion of this nature. We will not support notices of motion in the Senate unless we are completely satisfied with their content. The Australian government is aware of the recent deportation of a number of people from Indonesia. The media reports a number of reasons for these deportations, including that those involved did not have the necessary Indonesian visas or permits for protest. As no Australians were deported, the Australian and Indonesian governments have not been in contact about these events. In the absence of clear information about these events the Australian government cannot be satisfied that the reason for the deportation stated in the motion is wholly accurate. The Australian government upholds the right of people to protest peacefully and lawfully.

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (3.51 pm)—by leave—What the government executive is saying here is that the Senate should be totally ignored, that it has no right to discuss international matters and that is the prerogative of the executive which has, of course, turned the House of Representatives into a rubber stamp. What nonsense is this? If the government believes that the for and against of a motion like this and the preceding motion on Rwanda have not being adequately canvassed, then I suggest it finds private members’ time. The government will be aware that the Greens are moving to establish reasonable private members’ time to allow such matters to be debated.

The government cannot have it both ways. It cannot on the one hand block private members’ time from being properly established so that there is reasonable time for discussing such motions and on the other hand say, ‘We won’t support such motions because we haven’t had time to debate them.’ That is a total abuse of argument before a chamber which ought to be discussing just these matters. It should be not past note here that on the matter of Afghanistan, which is extraordinarily important to this nation, there has been no full debate about Australia’s involvement in that country, because the government and presumably opposition do not
want such a debate. I have flagged a motion to allow that issue to be properly debated when we come back in the first session next year. Of course that should be debated in this place, and the government should make it possible for such a debate to take place. Copping out like this is no excuse.

Question negatived.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (3.53 pm)—by leave—I did not call a division because I know there are other important matters that some senators want to go to, but I note that the government and opposition opposed that motion.

COMMITTEES

Corporations and Financial Services Committee

Meeting

Senator KROGER (Victoria) (3.53 pm)—At the request of the Deputy Chair of the Parliamentary Joint Committee on Corporations and Financial Services (Senator Mason), I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 25 November 2009, from 5 pm, to take evidence for the committee’s inquiry into the continuing oversight of the operations of the Australian Securities and Investments Commission.

Question agreed to.

Agricultural and Related Industries Committee

Meeting

Senator KROGER (Victoria) (3.53 pm)—At the request of the Chair of the Select Committee on Agricultural and Related Industries (Senator Heffernan), I move:

That the Select Committee on Agricultural and Related Industries be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 24 November 2009, from 4 pm, to take evidence for the committee’s inquiry into food production in Australia.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Border Protection

The PRESIDENT—I have received a letter from Senator Parry proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

The continued failure of the Rudd Government’s border protection policy.

I call upon those senators who approve of the proposed discussion to rise in their places.

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

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

Senator FIERRAVANTI-WELLS (New South Wales) (3.54 pm)—I rise to speak on this matter of public importance and have to say I just cannot believe the Minister for Immigration and Citizenship’s responses again in question time today and how he persists in this assertion that really there was no deal. Everybody in Australia knows that there was a deal, but he and the Prime Minister still persist in saying black is white and in trying to spin this as much as they can. I would like to pick up on a number of points that were made in the House. The Prime Minister, in this whole sad and sorry episode in relation to what has now become the shambles of our border protection and the breakdown of immigration policy, has not been honest and upfront with the parliament and the Australian people. With the ineptitude that we have seen in the Prime Minister’s handling of the relationship with Indo-
nesia, it is not surprising to see that the President of Indonesia’s visit to Australia was cancelled. We have seen our Prime Minister hide behind spin, weasel words and his description of what is clearly a special deal as ‘non-extraordinary’. For a prime minister who craves control to now tell us that he knew nothing about this and nothing about the terms of the deal absolutely beggars belief.

The Prime Minister and the minister rail against comments in the Australian that are supposedly critical of them—and of course the Prime Minister dismisses the Australian—but I would like to point to the now growing tide of media commentary on this matter. Dennis Shanahan in the Australian on 18 November said that the Sri Lankans ‘will disembark because they have wrung a special deal from the Rudd government’. Greg Sheridan, again in the Australian on the same day, said:

For some bizarre reason Rudd keeps saying the people on the Oceanic Viking have not got a special deal. This simply defies the ordinary meaning of language and common sense.

Paul Kelly, again on the same day, said:

He seems to think almost any line can be spun and will be believed, even when it is nonsense.

Of course, the Prime Minister has this fondness for railing against the Australian as a so-called ‘right-wing’ newspaper, so let us look at other commentary. Tony Wright in the Age—and I would hardly call the Age ‘right wing’—said:

There was no special deal for the Sri Lankans, Rudd insisted.

Which, presumably, is why the last of them were content to leave the ship yesterday after refusing to budge for more than a month.

Annabel Crabb in the Sydney Morning Herald on 18 November said:

Against this crowded palette of lunacy, it’s almost possible to overlook lesser offences against human intelligence—such as the Prime Minister’s insistence that the Sri Lankan passengers disembarking the Oceanic Viking have not received any sort of special deal.

Annabel Crabb, again, said on 19 November:

A Denialist so shameless that he can stare bare-facedly back at electors and his parliamentary opponents and deny, again and again and again, that a bunch of Sri Lankans currently being processed in record-fast time in Indonesia are not in receipt of any “special deal”.

In the Prime Minister’s own state, Dennis Atkins on 19 November in the Courier-Mail stated:

THE consensus view that the Rudd Government provided a special deal for the 86 asylum seekers on the Oceanic Viking is now stronger than the much-trumpeted world scientific agreement on the causes behind climate change.

Michael Gordon on 18 November in the Age said:

The truth is that the group was offered a special deal to leave the boat …

Of course, my favourite is the ABC. I do not normally rely on the ABC and I think senators know my record as far as the ABC goes but, goodness me, Prime Minister and Minister Evans, even the ABC’s Barrie Cassidy has said, ‘Just to say there is no special deal is silly.’

Even the Financial Review on 19 November said:

Mr Rudd’s refusal to give a straight answer to opposition questions on the asylum issue follows a consistent and unattractive pattern of behaviour.

The Prime Minister is in denial. Despite everything that has been said to us by the International Office of Migration, the Indonesian ambassador, the Sri Lankan ambassador, the New Zealand Minister of Immigration and even the Australian Federal Police, this Prime Minister still persists in denying that the changes to immigration and border protection frameworks in this country have re-
sulted in pull factors which have now resulted in the arrivals that we have seen.

My question to Minister Evans today was about the current conditions on Christmas Island. At estimates it was made very clear to us that people would be moved from Christmas Island—in fact it is probably best if I quote Mr Metcalfe directly. He said:

I think the minister has made clear that, in the hypothetical, were a person brought to Australia before a protection visa had been granted to them, it would be at the end of the processing, where they were clearly on the pathway to a protection visa …

The point that I was asking the minister about was whether what we are actually seeing on Christmas Island at the moment is because of the sheer numbers of people and the conditions on the island. The difficulties that we are now seeing—on Saturday night we had a riot involving 150 men on the island—are symptomatic of a greater problem on the island. That is, in this perceived situation—no, not even perceived—we are seeing the reality that some asylum seekers are being treated more favourably than others and this is naturally creating more tension.

What we are seeing now with the situation on Christmas Island is that we are pushing them through a lot more quickly. The minister has assured us—at estimates we had assurances—that, no, security and other checks would be dealt with to the same standard. I am not sure that that is the case, because the minister today refused to even countenance that this fast-tracking system could result in standards not being met to the levels that we expect. The reality of the situation—what we will see—is that people are going to be fast-tracked through the system. This is now going to become the norm. People will simply land and, instead of waiting on Christmas Island until towards the end of the processing, they are going to be taken off Christmas Island very quickly and onto the mainland, which will have its own consequences.

The government says, ‘Yes, but we are only talking about a number of boats.’ There have been 54 boats since the government changed its border protection policies—and over 2½ thousand arrivals is not an insubstantial number—but what does that do for the broader picture of our immigration policy. What sort of message does that send out? Of course it sends the message not just for people smugglers who bring people out here on boats, but for people smugglers who are now in the rackets in relation to bringing people here by air. Today we see this article in the Australian, titled, ‘Refugees pay $40,000 to come by plane’. The article reads:

ASYLUM-seekers are arriving in Australia by air in numbers that dwarf boat arrivals, after paying people-smugglers up to $US40,000, for a package that includes airfares, false passports and forged Australian visas.

Do you know why that is happening? It is because we have laid out the welcome mat. We have laid out the red carpet. We have said in big bold letters, ‘We have softened our borders; we have softened our immigration policy.’ Therefore, it is open slather. When you dismantle the intricate framework that had become our immigration framework which was fair but firm under the previous Howard government through a whole series of changes—and the minister comes in here day after day but he does not tell the Australian public about all the changes that have been effected throughout his department, he does not tell us about all the changes that have been made across 26 programs in his department, he does not tell us about messages that have been sent through the changes and the dismantling of the detention debt system, he does not tell us about the effect of the changes of the 45-day rule which means now that people will come here on visas—lo and behold, at a particular point in time they will
turn around and say, ‘I’m going to claim asylum’ and then go through the whole process. Having worked in the past and done my fair share of immigration law I have watched these cases go on for years and years, clogging up our legal system, and that is what this means. This is the deception that the Labor government is perpetrating out there in not being upfront with the Australian public about the effects the dismantling of their immigration framework will actually have on the ground.

Recently, we had reports in the press about how well informed people are in places like Sri Lanka and Afghanistan about Australia’s immigration framework. Of course they are. They probably monitor it quite closely. The more we dismantle our system, the easier we make it and the more it is going to be a much faster system and a broader legal framework to enable people to take advantage of the situation and come in. Immigration has to be about order and process. We are a country of migrants. I am the daughter of migrants to this country. But millions of migrants came to this country and they came in through the front door. They came in in an orderly and organised manner.

This debate is about order and process. It is about the breakdown of order and process. It is about people. We have a system where we have a specific number that come in during a given year. Under our humanitarian program we are very generous. But every person that jumps the queue—people who have held our government to ransom in relation to what happened on the Oceanic Viking—will be given preferential treatment. They are being given preferential treatment.

Today we see another example of how this is a special deal: the fact that we have specialists who have been flown in to help people specifically on this. I will not go through how I have asked for a series of documents to be produced. I would really like to see if the government is actually going to produce all the documents that I have asked it to produce, because I think those documents are going to show the extent to which this government has misled the Australian public in relation to the deal that it has done and, more importantly, the extent to which the Prime Minister knew about the deal and has, through his weasel words and his hiding behind quaint language, tried to evade answering the question. Of course, Minister Evans in this chamber has done likewise. He gets upset because I ask him the same questions. Of course he gets upset, because he does not answer the questions, so I will keep asking him, because the reality is that he is not being upfront with the Australian public and he is not being upfront with the Senate, and I am going to pursue that issue until I do get straight answers.

But, of course, in the end the reality is, as I said before, what we have heard from the AFP, from the Indonesian ambassador, from the UNHCR, from the asylum seekers themselves and from the Sri Lankan Ambassador to the United Nations. That is that it is the pull factors that have resulted not only in what is now a growing number—we have had 54 boats and over 2½ thousand people since the government dismantled its border protection framework—but in the fact that we are now seeing that increasingly we are going to get people coming in by plane and paying people smugglers for similar packages—the difference being that it is now US$15,000 by boat and US$40,000 by plane. So, if you can pay that, you will jump the queue.

Senator MARK BISHOP (Western Australia) (4.09 pm)—It has really been a remarkable feature of this opposition for the last two years that they have failed to develop and release any effective policies relating to topical discussions that have gone on
for months and months and months in this place. You only have to look at the series of debates we have been having since November 2007 in the area of telecommunications and broadband, welfare and pension reform, defence funding and reform, electoral reform, industry policy changes and the CPRS—the list is virtually endless. In each of those major issues of debate from time to time, the government had a well-considered, well-thought-out, well-expressed policy arguing for change and reform, and in each of those issues the opposition, through its spokesperson at the time, had no position other than to nitpick, carp, oppose and eventually have no resolution.

As we have had two years of government, the government has got on with the implementation of its platform relating to significant pension reform, maintenance of employment at record levels, huge new capacities in schools, a fair go in the workplace and major progress in implementation of broadband reform—all done, it must be said, in the midst of the worst economic crisis since the Great Depression of the 1930s. So let us address this MPI debate—this matter of public importance—in the context that I have just outlined.

In my contribution I want to discuss a number of key features that now are right to the front in this area of asylum seekers, border protection and border control: firstly, as is always important, the historical context; secondly, the factors driving the irregular movement of people down into the sea areas bordering the continent of Australia; thirdly, the key features of the Australian border protection plan which has been put into place over the last two years by Senator Evans on behalf of the current government; and, fourthly and fifthly, the health, security and identity checking for irregular maritime arrivals and the settlement services for holders of refugee and humanitarian visas.

Each of those topics was mentioned in passing but without any serious discussion by Senator Fierravanti-Wells. As her contribution to the discussion came to a conclusion, she said, ‘What is this debate about?’ She said it was about order and process. I would suggest that the debate about asylum seekers and people seeking to come to this country is really about four things, not just about order, process and whether the form has been filled out correctly. It is about an effective border control system, it is about a sound immigration system, it is about fairness to asylum seekers and it is about unrelenting opposition to people smugglers who cause all of these horrible circumstances to occur.

In terms of historical context, if one looks back over the last 30 years, there have been four or five major shifts in illegal immigration, in whatever form, down into this country. From 1976 to 1981 there were about 2,059 illegal boat arrivals under the then Fraser government. What was the cause of that surge? It was simply a result of the Indochinese refugee crisis, a massive outflow of refugees arising from the fall of the South Vietnamese government. From 1989 to 1993, when we were in government, there were 735 boat arrivals. What was the source then? The source then was mainly Cambodians fleeing conflict between the government of Cambodia at that stage and the insurgent forces under the Khmer Rouge.

During the period 1984 to 1998—including the last days of the Keating government and the first couple of years of the Howard government—there were almost 2,400 illegal boat arrivals. What was the cause of that? The people involved were mainly Sino-Vietnamese and Chinese seeking relief from economic hardship in the border areas of their own countries. The major increase in numbers occurred during the middle years of the Howard government,
from 1999 to 2001, when there were 12,000 boat arrivals, including over 5,000 in 2000 alone. What was the reason for that temporary upsurge in boat arrivals of illegal immigrants coming into this country? Again, it was for a particular reason: mainly Afghans and Iraqis fleeing the brutal regimes in their homeland—the Taliban in Afghanistan and Saddam Hussein in Iraq. More recently the fifth major shift of boat people coming to this country has been as a result of the current stage of the Afghan civil war and the final stage and aftermath of the Sri Lankan conflict. Each of the periods of increases in the number of boat people seeking comfort in this country can be characterised into one-, two- or three-year periods arising from the breakdown of civil law and order in the homeland of a particular group of individuals. The factors that drove those people are clear: civil war, breakdown and economic dislocation, forcing them to flee and seek refuge in this country.

Senator Fierravanti-Wells tried to manufacture an argument that there were pull factors, not push factors, involved in people coming to this country. One has to make the obvious point that in the last two years, since the current government came to power, there has been a huge increase in recurrent funding for all of the organs of the state involved in border protection. In the order of $700 million in additional funding has been provided to police the sea lanes to the north and west of this continent. We have maintained the Christmas Island facility, we have regularly increased the number and timing of sea and air patrols, and, most importantly—as is never acknowledged but is understood by all who participate in this debate—we have maintained mandatory detention facilities around this country. Finally, via negotiations at an international level, we have tried to get agreement with nearby countries that they will not be used as a conduit to pass people from South Asia down through Singapore, Indonesia and Malaysia into Australia. In terms of international factors, the pull factors that Senator Fierravanti-Wells referred to have to be understood in the context that 95 per cent of the policies of the previous government, in particular mandatory detention facilities, have been maintained.

If pull factors—the change in legislation, the change in government, having a new minister with responsibility for implementation of border protection measures in this country—are not responsible and cannot be responsible for the temporary increase in the number of people in boats coming to this country, one asks the question: ‘What is driving the increase that has occurred?’ We know what it is. It is the breakdown in law and order. It is the breakdown in civil responsibility arising out of the civil war in Afghanistan and the aftermath of the civil war in Sri Lanka, forcing people to come east and to come south. But what are the other push factors that have been involved?

As I said earlier, from 1991 to 2001, under the Howard government, Australia saw over 12,000 unauthorised boat arrivals. The government at the time did not claim that it was pull factors that were causing that movement, and indeed it was not. What was driving people in 1999 through to 2001 was a breakdown in civil administration in both Afghanistan and Iraq. Indeed, that has been well noted by all those who have participated in the debate. So what happened to the number of boat arrivals to Australia after 2000? They declined dramatically. The UN Secretary-General noted in a recent report to the Security Council that 2008 ended as the most violent year in Afghanistan since 2001. The increase in arrivals in more recent times, 2008-09, is due—unsurprisingly, it must be said—to the irregular movement of Afghan asylum seekers as a result of the ongoing warfare in that country. In 2008 there was an
85 per cent increase in the number of Afghani asylum seekers claiming protection in industrialised countries around the world. Australia is not immune from this global trend and is also seeing an increase in asylum seekers from Afghanistan.

The other country which is topical at the moment, Sri Lanka, is emerging from the aftermath of a long-running civil war—in the order of over 30 years—which has been brought to a conclusion in the last four or five months. Again, violence increased significantly in that country in 2008 and climaxed in the final stages of the war earlier this year. The United Nations High Commissioner for Refugees estimated that the number of people displaced in the final stages of the fighting exceeded 100,000. Indeed, it was said in answer to questions today in question time that the immediate demand for replacement of destroyed homes in the northern and eastern parts of Sri Lanka is in the order of 100,000 new units needing to be developed. So the increase in people seeking comfort in this country arises not from the pull factors identified by Senator Fierravanti-Wells in her contribution but from the breakdown in law and order, and the breakdown in civil administration due to the ongoing civil war in Afghanistan and the aftermath of the civil war in Sri Lanka.

In that context, it has to be said that the changes brought to bear by the current government in the last two years has resulted in Australia having one of the toughest and most sophisticated border security regimes in the world. We have a system of extensive air and sea patrols. We have excision and offshore processing. We have mandatory detention of unauthorised boat arrivals and unlawful non-citizens who pose a risk to the Australian community. The Rudd government has reinvigorated Australia’s engagement with regional neighbours to detect and prevent what can only be described as the insidious trade of people-smuggling. As I said earlier, we have committed $654 million to substantially increase aerial and maritime surveillance and detection operations in this region. That ongoing commitment to sustained border protection means that we have an immigration detention system that protects the Australian community and treats people humanely.

On that platform we were committed to reform and we were elected to implement a more humane detention policy. In the middle of last year the government announced seven key immigration detention values which have been the key principles given effect in the discussion that has occurred in this place over the last three or four months. The first of those seven detention values is that mandatory detention is an essential component of strong border control. The second is that to support the integrity of Australia’s immigration program, three groups will be and are subject to mandatory detention: firstly, all unauthorised arrivals for management of health, identity and security risks to the community; secondly, unlawful non-citizens who present unacceptable risks to the community; and finally, unlawful non-citizens who have repeatedly refused to comply with their particular visa conditions. The third of the detention values is that children, including juvenile foreign fishers and where possible their families will not be detained in an immigration detention centre—and that is a thing this government has set about and it is a key factor that this government is very proud of. (Time expired)

Senator CASH (Western Australia) (4.24 pm)—Since the first boat arrived under Labor’s watch in August 2008, day after day, week after week, month after month the Australian people have had to sit by and watch our strong border security regime unravel before their very eyes. Do they get any answers from the Rudd government as to why
this is occurring? Do they get any answers from the Rudd government as to why we see boats being intercepted in Australian waters on almost a daily basis? Does the government stand up, take responsibility and tell the people of Australia how it is going to stop the boats from arriving? No, it does not. In this chamber we are subjected to, question time after question time, the minister indulging in his little game of the politics of avoidance. He avoids answering any question that the coalition puts to him about Labor’s failed border protection regime. What about the Prime Minister? Does he tell the people of Australia what he is going to do to stop the boats from arriving? Again, the answer is quite simply no. Malcolm Turnbull so correctly said:

All we get from the Prime Minister is a daily diet of weasel words, obfuscation and blame shifting. We have seen a Prime Minister, in an abject abdication of leadership, washing his hands of the responsibility for his own colossal policy failures. When it gets too tough, what does the Prime Minister do? In good old Kevin Rudd style he reverts to Ruddspeak, speaking in verbal knots as he tries to slip and slide away from the answers to the questions—it is not that he cannot answer them—that he does not want to answer. Remember, this is the Prime Minister of Australia who, in response to questions about Australia’s strained relationship with Indonesia, said:

My dealings with President Yudhoyono ... are in first-class working order right across the spread of the bilateral relationship.

We all know what that means—that is nothing more and nothing less than Ruddspeak for: ‘I have stuffed up the relationship with Indonesia, but I don’t want the people of Australia to find out’. Mr Rudd is playing a very dangerous game with the people of Australia. He is failing to discharge his first responsibility as the Prime Minister of this country: to keep our nation secure. Mr Rudd knows this because he has put it on the Hansard record. He knows that this is the No. 1 fundamental responsibility of a government, but instead of taking that responsibility, instead of discharging his No. 1 fundamental responsibility, what does he do? Mr Rudd decides to play the game of politics of appeasement. He plays the politics of appeasement between the left and the right factions of his own party.

Mr Rudd’s policies are not being formulated in the national interest. His policies are all about appeasing the right and left factions of the Labor Party at the expense of the Australian people. Nowhere is the politics of appeasement more obvious than in Mr Rudd’s failure on border security. He deliberately adopts hardline language to appease the Labor Right when he uses the term ‘illegal immigrants’ to describe suspected asylum seekers. Then you have a complete contradiction from him: you have the decision to grant asylum to refugees from a boat that exploded near Ashmore Reef in April ahead of a coronial inquiry that will investigate whether or not the fire was deliberately lit. This can only be a move to appease the left of the Labor Party and to make the left-leaning minister happy.

We all know that the left wing of the Labor Party thinks that Mr Rudd’s stance on border protection is way too hard. And we all know that the right wing of the Labor Party thinks that he is being too soft. Therein lies the dilemma for our great Prime Minister, Mr Rudd. Who does he appease—the Labor Left or the Labor Right? We all know what a true leader would do. A true leader would put aside factional differences and govern in the interests of the nation. But Mr Rudd is not a true leader. He is self-indulgent. He continues to make policies to appease his own people at the expense of the Australian public.
The facts continue to speak for themselves. We have had—but wait, there's more!—another boat arrive. We are now up to 54 boats and approaching 2,500 people since August 2008 when the Rudd Labor government began winding back Australia's strong border protection regime. Worse than that, under Rudd Labor it is the asylum seekers who are now deciding who comes to this country and on what terms. This is despite the Prime Minister and the minister continuing to tell the people of Australia that they do not do special deals with asylum seekers. Let me tell you this: yes, they do.

Mr Haase, the member for Kalgoorlie, raised in the other place the case of Mr and Mrs Kemp, who came here from South Africa. They were granted working visas and they applied for permanent residency. But the problem for Mr and Mrs Kemp is that, because the Department of Immigration and Citizenship is in a state of disarray, they have actually missed some important time frames. They are now looking at having to leave this country because the immigration department's resources have been diverted to looking after those who are getting special deals. They tried contacting the immigration department, but guess what? The department were too busy to actually speak with them. Yet we had a special deal offered to the Sri Lankan asylum seekers which said:

You could have assistance with your refugee applications.

Yes. A highly professional team of Australian officers will be working with you every day to assist you in the process.

What do you say to Mr and Mrs Kemp, who came here and did the right thing? Do you say, 'Too bad. We don’t have a place for you because we are listening to what the people smugglers are saying'? The Prime Minister of this country needs to be upfront with the Australian people about the impact of his decisions on Australia. He deserves to be condemned.

Senator CAROL BROWN (Tasmania) (4.32 pm)—A great deal of Senator Cash's contribution was based on some apparent divide within the Labor Party. That is coming from the coalition on a day like today. Where are they at the moment? It could be a marathon running of their party room. I just want to remind Senator Cash what was said by coalition members when the coalition changed their policy on reintroducing TPVs—temporary protection visas. We know there were a number of coalition members who spoke out against that policy. There was the member for Kooyong, the member for McMillan, the member for Pearce and Senator Troeth—all coalition members. I understand that the Liberal party room was not even consulted on the policy. Senator Troeth was quoted in the Age newspaper as saying:

I’m sad and disappointed at the change of coalition policy.

She said it was sad and disappointing but not surprising. The reason why, I suspect, Senator Troeth does not find it surprising is because she has seen it all before. It is about the fear factor. It is about trying to demonise a group of people. We know that is the opposition's policy. They have indicated that. They have sent out their emails to their caucus members saying that this is what they are going to do. They do not want to talk about policy. They are not interested in that. They are interested, on this issue, in demonising certain people.

We are back in this place and we have begun this week again as we began last week. It would have been good to get something fresh from those opposite but, no; those opposite have come into this place with the same old tired lines that we have heard over and over again. It is nothing more than the opposition using scare tactics and political
scaremongering to create trouble on this very complex issue. We heard it over and over again all last week and we will probably continue to hear it until they decide that it is an issue that is not working for them. Unfortunately on such an important and complex issue they have gone for cheap political point scoring.

We have also heard this today from my colleague the Minister for Immigration and Citizenship, Senator Evans. He has provided those opposite with clear and concise answers on this extremely complex issue. It seems to me that, when those opposite do not get the answer they want to help them spin their political line, they then resort to the low road in an attempt to score those cheap political points. My Senate colleague Senator Bishop in his contribution here today talked about four issues that we are dealing with. I will highlight them again because it is very important to understand where the government are coming from. They were: (1) effective border controls; (2) sound immigration policy; (3) fairness to asylum seekers; and (4) an unrelenting opposition to people smugglers.

Senator Bishop was quite right in his contribution when he clearly articulated the government’s position. He clearly refuted the attacks by the opposition. Their attacks are all based on fear and scare tactics. So once again we are debating another MPI on this issue. We are not here debating something constructive; we are here of course for the opposition to try to create more mischief. Once again the motion that we are debating here today is another example of the opposition attempting to gain some political points. While those opposite will wallow in this attempt to sling mud, we on this side of the chamber are committed to enforcing tough border security programs.

First of all, let us get right to the crux of the issue regarding the Oceanic Viking. Right from the start let us be clear, as has been reiterated time and time again not only by the Prime Minister and the Minister for Immigration and Citizenship but also by many other government ministers, that there is no special deal for the asylum seekers on the Oceanic Viking. Contrary to what opposition senators like to think, and despite what those opposite might like to continue to spin to the public to gain political points, there is no special deal. Let me just recap the situation to clear it up again. The Australian government responded to a distress call on the high seas. This was a rescue situation. Did those opposite not want us to respond to this situation? Did they want us to ignore the calls for help? I certainly hope not. Then, under international law, the asylum seekers were transported to Indonesia. It was made clear to the asylum seekers that they would be disembarking there, and not in Australia as they wanted. That is what subsequently has occurred. No special deal has taken place. The asylum seekers have disembarked in Indonesia, as was the agreement with the Indonesian government.

Those persons disembarking the Oceanic Viking will now be assessed by the UNHCR and those persons found to be refugees will be referred by the UNHCR to countries for resettlement. This is directly in line with the normal processes which take place, so I am not sure where those opposite are getting this idea that a special deal has been done. Whilst those opposite continue to try and score cheap political points out of this complex situation, the Rudd Labor government remains vigilant about protecting our borders. A significant number of international push factors, as highlighted by Minister Evans this week and last week—and this was also highlighted by Senator Bishop in his contribution—are playing a major role in driving up
the number of asylum seekers. As those opposite would be aware, international push factors have occurred in the past and they are currently occurring right now. So it is now more important than ever that we maintain appropriate actions to protect our borders.

As I have stated, governments in the past have also had to deal with push factors; and senators on the other side of the chamber would be well aware of this, because, after all, between 1999 and 2001, on the watch of the Howard government, we saw 12,000 asylum seeker arrivals. And of course back then the Liberal Party certainly did not claim that pull factors were the cause of the movement of so many unauthorised boat arrivals. How could they? It was aspects such as the brutal regimes of the Taliban in Afghanistan and Saddam Hussein in Iraq which were causing people to flee their own countries and seek asylum in other countries around the world. After the fall of the Taliban regime at the end of 2001, 2002 resulted in a large-scale voluntary return program of many Afghan people who were residing in Pakistan and Iran. Then, in 2003, Iraq was invaded and the regime of Saddam Hussein was brought to an end, and, not surprisingly, we saw a dramatic decline of boat arrivals in Australia. And so, push factors, such as the ones which saw an increase in boat arrivals between 1999 and 2001, are starting to become prominent once again and have caused an influx of asylum seekers entering our waters.

In fact the UN Secretary-General highlighted these factors in a recent report to the UN Security Council where he stated, ‘2008 ended as the most violent year in Afghanistan since 2001.’ This was backed up by General David Petraeus of US Central Command, who indicated that violent unrest in Afghanistan has risen by 60 per cent compared with last year. According to the United Nations Assistance Mission in Afghanistan, the armed conflict intensified significantly throughout Afghanistan during 2008 and during the first six months of 2009. This has consequently seen a rise in the number of civilian casualties and a reduction in the area of humanitarian space. Thus it will come as no surprise to anyone that increased irregular movements by Afghan asylum seekers have occurred as a result.

In fact in 2008 there was an 85 per cent increase in the number of Afghani asylum seekers claiming protection in industrialised countries worldwide. It is worth noting, especially for those opposite, who seem to be deniers of push factors, that this was the largest increase seen among the major countries of origin for asylum seekers. The UNHCR highlighted this by stating that applications for asylum in industrialised countries by Afghans were actually up by 52 per cent during the first half of this year compared to the same time last year. We all know that Australia is not immune from this global trend, and we have seen an increase in asylum seekers from Afghanistan requesting asylum here in Australia.

Another significant push factor, which we are seeing directly increase the number of asylum seekers entering our waters, is due to Sri Lanka emerging from the aftermath of a long-running civil war. Violence in Sri Lanka increased significantly in 2008 and climaxed in the final stages of the conflict earlier this year. The UNHCR estimated that the number of people displaced by the final stages of fighting exceeded 100,000. Again, it is clearly not surprising that there has been a spike in the irregular movement of Sri Lankans. In 2008 there was a 24 per cent increase in the number Sri Lankan asylum seekers claiming protection in industrialised countries worldwide. This trend has seen an increase in the number of Sri Lankans coming to Australia seeking asylum.
Whilst we have seen an influx of asylum seekers into Australia in recent months, the number of arrivals to Australia still remains low by world standards. The overwhelming majority of asylum seekers still head towards Europe. Amongst industrialised countries in 2008, 96 per cent of Afghan, 97 per cent of Iraqi and 82 per cent of Sri Lankan asylum seekers sought asylum in Europe. There were over 162,000 asylum applications lodged in industrialised countries worldwide during the first half of this year.

Australia has taken its share of those seeking asylum over the past two decades—in fact, this figure has averaged about 1.5 per cent of the total number of people seeking asylum around the world. What these facts and figures clearly tell us is that irregular boat arrivals are driven by significant push factors such as persecution and conflict. To help protect our borders from these push factors, the Rudd Labor government has maintained a tough and stringent border security regime since coming to office. In this year’s budget we committed $650 million to combat people smuggling. This was in direct response to the push factors I have already mentioned and which are currently resulting in a heightening of activity amongst people smugglers.

I place on record some of the funding initiatives we have put in place to combat people smuggling. We have included as part of the budget announcement $324 million to increase maritime patrols in our northern waters, as well as a funding increase of almost $63 million for aerial surveillance, including $16 million in extra funding to deliver two new aircraft to help patrol our coastlines for asylum seekers and illegal fishing activities. We have also committed $22 million over four years to establish a dedicated area in the Australian Customs and Border Protection Service to tow and dispose of those vessels we intercept.

The Rudd Labor government is committed to continuing to operate its strict border protection regime. We will stick with the processing of asylum seekers on Christmas Island and we will conduct security, health and identity checks on these people. These are the policies which are proving effective in helping to combat this complex situation.

Senator EGGLESTON (Western Australia) (4.48 pm)—The whole issue of what happened recently in Indonesia has to be regarded as being of the gravest significance to our relationship with Indonesia. As a result of the bungled handling of the refugee situation there, last weekend we saw the President of Indonesia, Susilo Bambang Yudhoyono, cancel a state visit to Australia. That is a very serious matter indeed. Indonesia is our closest neighbour and we have had a very long and sometimes stormy relationship. It has had its ups and downs and we have worked very hard to improve that relationship in recent years. But, as I said, last weekend we had the President of Indonesia cancelling a state visit to this country. That was no doubt a result of the fact that the President regarded the way he and his country had been treated by the Rudd government as less than satisfactory.

Whether or not the government is prepared to accept it, it is quite obvious that Mr Rudd has been very clumsy in his handling of Indonesia and he has obviously deeply offended the Indonesian government. Mr Rudd claims and somewhat trades on the fact that he is an Asian specialist. He claims a special relationship with China. He speaks Mandarin, as we all know. Yet we hear that these days the Chinese government say they much preferred dealing with Mr Howard because, although Mr Howard did not speak Mandarin, he had a very simple and straightforward view of the relationship with China. It was very businesslike and they could deal with him and trust that what he had to say
was a bond which would be followed through. Here we have Mr Rudd causing a rupture in our relationship with this very important country of Indonesia, our closest neighbour, with a population of 220 million, to the point that the President cancelled a state visit. I can only express great concern that this relationship has been damaged and that the very significant degree of engagement which the Howard government established with Indonesia on people smuggling may well be compromised by the actions of the Rudd government during the recent episode where a boatload of people were left for nearly a month on a ship in the Riau Islands.

The government denies that there was any sort of special deal with Indonesia over how these people would be handled, but I recall hearing that they would be off the boat and into some sort of assessment facility within a very short time. Quite obviously, there was more to that arrangement than we were told publicly and the Indonesians feel let down by the failure of the Rudd government to honour an agreement, even if we do not know the full details of it. There are 42 million refugees in the world, I am told. It is an awfully large number of people. Australia has always had a responsible policy on refugees within the context of our controlled immigration policy.

Australia has never had an open door. In recent years we have developed a policy based on skills and we have taken, variously, between 80,000 and 150,000 immigrants a year. We also take around 15,000 refugees, who we accept from United Nations High Commissioner for Refugees camps, where these people are assessed in terms of their identity—it is very important to know who they are—and in terms of their criminal records and their security records. That is a very orderly way of taking refugees, and Australia in fact takes a higher percentage of refugees in its overall migration program than many other countries in the world. So we have a very fine and respectable program and record there.

But something has changed in the last few years. If you look at the records of boat arrivals, it is very interesting. In the early part of the 2000s there were in fact no boats. In 2002-03, for example, there were no boats and no refugees arriving by sea. In 2003-04 there were three boats with 82 people. In 2004-05, still during the Howard government, there were no boats, no refugees. In 2005-06 there were eight boats, 61 refugees. In 2006-07 there were four boats. In 2007-08, there were three boats. But then you come through to 2008-09, when there were 22 boats with 1,039 people, and so far this year 22 boats and 1,029 people. So obviously something is different and that difference has to be the approach of the Rudd government.

The Rudd government’s policies on our borders are obviously weaker in terms of border protection, and the people smugglers who make a business of bringing people to Australia in boats obviously think that under the Rudd government it is going to be easier to get these people to Australia and that there will be a better opportunity for refugees to come in by irregular means. This is very sad, because of course those journeys over the ocean in small boats are very dangerous. Lots of people drown and it is certainly not good for the government to have weakened our border protection policies. I think the Rudd government has a lot to answer for in that regard.

The ACTING DEPUTY PRESIDENT (Senator Hurley)—Order! The time for discussion has now concluded.

MINISTERIAL STATEMENTS

Freedom of Information

Senator SHERRY (Tasmania—Assistant Treasurer) (4.55 pm)—On behalf of the Special Minister of State, Senator Ludwig, I ta-
ble a ministerial statement on reforms to freedom of information policy.

AUDITOR-GENERAL’S REPORTS

Report No. 13 of 2009-10


HEALTH INSURANCE LEGISLATION

Return to Order

Senator SHERRY (Tasmania—Assistant Treasurer) (4.55 pm)—I table a statement relating to the order for the production of documents concerning the Health Insurance Amendment (Revival of Table Items) Bill 2009.

COMMITTEES

Procedure Committee

Report

Senator PAYNE (New South Wales) (4.56 pm)—On behalf of Senator Ferguson, the Deputy President, I present the fourth report of 2009 of the Procedure Committee, relating to rules for question time and public interest immunity claims.

Ordered that the report be printed.

NOTICES

Presentation

Senator Payne to move on the next day of sitting:

That the Senate adopt the temporary order relating to question time contained in the attachment to the Fourth Report of 2009 of the Procedure Committee.

DOCUMENTS

Tabling

The Clerk—Documents are tabled in accordance with the list circulated to senators.

Details of the documents appear at the end of today’s Hansard.

AUSCHECK AMENDMENT BILL 2009

FEDERAL JUSTICE SYSTEM AMENDMENT (EFFICIENCY MEASURES) BILL (No. 1) 2008

NATIONAL CONSUMER CREDIT PROTECTION BILL 2009

NATIONAL CONSUMER CREDIT PROTECTION (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) BILL 2009

Returned from the House of Representatives

Messages received from the House of Representatives agreeing to the amendments made by the Senate to the bills.

CUSTOMS TARIFF AMENDMENT (INCORPORATION OF PROPOSALS) BILL 2009

First Reading

Bill received from the House of Representatives.

Senator SHERRY (Tasmania—Assistant Treasurer) (4.58 pm)—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 SHERRY (Tasmania—Assistant Treasurer) (4.58 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—

The Customs Tariff Amendment (Incorporation of Proposals) Bill 2009 contains several amendments to the Customs Tariff Act 1995 (the Customs Tariff).
The amendments in this Bill were given effect through the tabling of Customs Tariff Proposals in the House of Representatives during 2009. Schedule 1 of the Bill creates a new concessional item 41H in Schedule 4 to the Customs Tariff. Item 41H provides duty free entry into Australia for goods for use in the testing, quality control, manufacturing evaluation or engineering development of motor vehicles designed or engineered in Australia but not necessarily manufactured in Australia.

The new item will encourage automotive manufacturers to undertake design and engineering work for the international automotive market, as well as reducing administrative costs in importing such equipment.

Schedule 2 of the Bill amends rates of duty for certain alcohol and tobacco products that are imported under the Australia-Chile Free Trade Agreement. The legislation that gave effect to Australia's tariff commitments under that Agreement did not include subsequent increases in the excise equivalent component of customs duty for these goods.

Schedule 2 of the Bill applies the increased rates of duty for these goods, where required, from the commencement of the Free Trade Agreement on 6 March 2009. This ensures that customs duty imposed on alcoholic and tobacco products imported under the Australia-Chile Free Trade Agreement is the same as the duty imposed on these goods when imported from other countries and also the same as duties of excise imposed on these goods when manufactured in Australia.

Schedule 3 of the Bill amends rates of duty for certain beer and grape wine products. The Customs Tariff Amendment (2009 Measures No. 1) Act 2009 provided revised definitions for beer and grape wine products in the Customs Tariff. These revised definitions also required the creation of new subheadings in the Customs Tariff.

This legislation provided rates of duty for these subheadings that did not take into account subsequent increases in rates of excise equivalent customs duty. Schedule 3 of the Bill applies the increased rates of duty, as required, to beer and grape wine products from the date of commencement of the legislation on 28 August 2009. This ensures that customs duty imposed on these beer and grape wine products is consistent with duty imposed on other alcohol products and the excise duty imposed when these products are manufactured in Australia.

The creation of item 41H is a substantive amendment to the Customs Tariff with benefits to the Australian automotive manufacturing industry. The amendments relating to alcohol and tobacco products are technical but necessary to avoid a loss of Government revenue and discrepancies between duty rates applying to imported and domestically manufactured alcohol and tobacco products.

Debate (on motion by Senator Sherry) adjourned.

CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) BILL 2009

Assent

Message from the Governor-General reported informing the Senate of assent to the bill.

COMMITTEES

Economics Legislation Committee

Report

Senator McEWEN (South Australia) (4.59 pm)—Pursuant to order and at the request of the Chair of the Economics Legislation Committee, Senator Hurley, I present two reports on legislation from the committee, as listed at item 15 on today's Order of Business, together with the Hansard records of proceedings and documents presented to the committee.

Ordered that the report be printed.

Corporations and Financial Services Committee

Report

Senator PARRY (Tasmania) (5.00 pm)—I present the report of the Parliamentary Joint Committee on Corporations and Financial Services, Financial products and services in
Australia, together with the Hansard record of proceedings.

Ordered that the report be printed.

Senator PARRY—On behalf of Senator Mason, the deputy chair of that committee of that committee—I move:

That the Senate take note of the report.

Senator PARRY—I seek leave to have Senator Mason’s tabling speech incorporated into Hansard and leave to continue my remarks.

Leave granted.

The speech read as follows—

As Deputy Chair of the Parliamentary Joint Committee on Corporations and Financial Services, it gives me great pleasure to table this report on financial products and services in Australia.

The committee inquired into financial products and services regulation with a particular focus on the issues raised by recent collapses such as Storm Financial and Opes Prime.

The committee received nearly 400 submissions, more than 200 of which were from people affected by the collapse of Storm Financial. The collapses of Storm, Opes Prime, and others, have certainly had a devastating effect on the people who invested in them. On behalf of the committee, I would like to thank those individual investors who took the time and effort to assist the committee with its deliberations while in the midst of such difficult personal circumstances.

When taking evidence on these collapses - most notably Storm Financial - the committee has taken the approach that we are not a judicial body and are in no position to make judgements about individual claims that have been made to us. Nor has it been possible to resolve the contradictory evidence received from Storm investors, the banks who provided margin loans, and Storm Financial themselves.

The committee can say this: investors were frequently given financial advice from Storm’s financial advisers that was clearly inappropriate for them. The committee has been highly critical of the one-size-fits-all investment strategy offered by Storm, especially when that strategy involved borrowing to invest against the value of people’s homes. We cannot reconcile the fact of Storm recommending aggressive, leveraged investment strategies to people on low incomes at or near the end of their working lives, with their obligation under the Corporations Act to provide advice appropriate to their clients.

The committee also considers the confusion between Storm and the banks over the provision of margin calls to be unacceptable, and we are concerned that some banks were lax in their lending practices when allowing Storm clients to borrow against their homes. The margin lending and consumer credit protection bills which the parliament has debated this year should rectify gaps in legislation that allowed these circumstances to occur outside the regulatory system.

The committee has taken into account the circumstances of these collapses when making recommendations for regulatory change to guard against similar events in the future. As a committee we recognise that isolated corporate collapses do not necessarily indicate regulatory failure. However, the committee received broad and consistent evidence telling us that improvements are needed to raise the overall quality of financial advice Australians receive. The committee’s recommendations are designed to increase professionalism within the financial advice sector and improve consumer confidence and protection.

A better regulatory framework for managing financial advisers’ conflicts of interest is needed. The product distribution role of financial advisers - and the remuneration they receive from product providers for recommending certain financial products - too often leaves consumers getting advice that is not in their best interests. The law needs to explicitly state that financial advisers must place their clients’ interests ahead of their own. The committee has recommended that the Corporations Act be amended to include a fiduciary duty requiring advisers to put their clients’ interests first.

The committee believes that payments from product providers to financial advisers - such as commissions and volume bonuses - create entrenched conflicts that are very difficult to manage. The committee has therefore recommended
that the government consult with industry on the most appropriate way to cease payments from product manufacturers to financial advisers. In order to make transparent fee-for-service payments more appealing, the committee has also recommended that the government consider the implications of making the cost of financial advice tax deductible.

Greater professionalism could also be achieved by requiring those wishing to call themselves financial advisers to become members of an independent, industry-based, professional standards board. The committee has recommended that ASIC immediately consult with industry on setting up this body, which would establish, monitor and enforce nomenclature, competency and conduct standards for the industry.

Recent collapses have also shown the need for more effective regulatory enforcement. The committee has recommended that ASIC be appropriately resourced to perform effective risk-based surveillance of advice provided under licence and perform financial advice shadow shopping exercises annually. We recognise that it is often difficult for ASIC to take action when it identifies problems. The committee has therefore made two recommendations designed to lower the threshold for ASIC to remove individuals and licensees from the industry.

To protect investors when collapses do occur, the committee has recommended that the government investigate options for a statutory last resort compensation fund for investors.

I thank the committee secretariat for their assistance with this inquiry. Finally, I would again like to express my sincere thanks to all those that provided submissions to this inquiry and provided evidence at one of our public hearings. We as a committee hope that this report will lead to change to improve the regulation of financial products and services in the years ahead.

**Senator WILLIAMS** (New South Wales) (5.01 pm)—I congratulate the committee on the report that they have put together on this issue. I moved a notice of motion to have an inquiry into Storm financial activities around banks et cetera just prior to the Joint Parliamentary Committee on Corporations and Financial Services establishing this inquiry. The committee learnt a lot about the tragic events around the stock market and Storm Financial. It was a harrowing, terrible time for many people—people who are not 30 or 40 years of age but 60, 65, 70 years of age and older—who, because of the Storm model and their investments with Storm, lost virtually everything. The committee heard clear evidence that many of these people were lent money that they should never have been lent. The products were geared too high. It was basically a lending spree for some of the banks.

Of course, when the market crashed the inevitable happened. The product was simply geared too high, and it was sad to see that when the margin calls were triggered many were not notified. The Commonwealth Bank claimed that they notified Storm and said that it was Storm’s obligation to notify the clients that they were in margin call. Storm said that it was not their duty to do so and that in 2002-03, when margin calls were being acted on, it was the bank’s duty. This was the buck passing that carried on during the whole inquiry. In my opinion, there were ridiculous, risky lendings carried out by the banks. Unfortunately for many investors, they simply trusted their advisers, hence the committee has recommended that a fiduciary duty of care be instigated so that the client’s interest must be put first and foremost and the adviser is not to seek a product that gives trailing commissions and the most money to the adviser. That is a very good recommendation by the committee. The committee also saw that the fact that people could obtain an Australian financial services licence by doing a few weeks work on the internet was simply not good enough. Hopefully the bar will be raised for those who seek to achieve financial licences in the future.

As I said, it was a very stressful time for many of those involved. I must make note of
SICAG, the Storm Investors Consumer Action Group, who in January this year met at Redcliffe, just out of Brisbane. I attended the meeting. They formed that group because there were hundreds and hundreds of people who did not know where to turn. Thanks go to those who formed that group and to John McLennan for going up there and instigating it so that they had someone to fight for them. Thanks also go to Noel O’Brien, Mark Weir, Graham Anderson and others who have given so much. They are under so much financial stress and are in such a financial mess themselves, but they have committed so much of their time to help others. That was a noble act, and let us hope that the settlements come forward. I do acknowledge that the Commonwealth Bank have said that they will right the wrongs and have admitted to those. That is a step in the right direction. I myself know what it is like to fight in the courts against a bank for some 10 years. It is not a lot of fun, I can assure you. It is costly and it is stressful, and hopefully these people can rebuild their lives, get back on track and retain their houses. Hopefully many of them who are in the twilight of their lives can enjoy the rest of their lives and be able to sleep at night.

I commend the committee. It worked well together. As always, the staff were terrific. Shona, Andrew and the others worked so hard. We travelled to many areas to hear the stories and the evidence. Let us sincerely hope that, because of this inquiry, people do not find themselves in this situation again at some time in the future. I again commend those in SICAG who worked so hard at giving moral support, at listening to people who were in a state of anger and frustration and who did not know where to turn. There was someone there for those people to call. There was someone to talk to them. Many simply did not know where to go in life. Let us hope that their futures are a little bit rosier. The committee had some 400 submissions, and we brought that to the public’s attention. I think that the media were very fair all the way through the inquiry. Let us hope that no one has to stand up in this place in years to come and discuss the same issues again.

Senator McLUCAS (Queensland) (5.06 pm)—I too rise to take note of what I think will be an important report that will assist in policy development. It will perhaps assist people to make better decisions. Hopefully, as Senator Williams said, we will not end up here in 10 or 15 years time placing down on the record another report that talks about the devastation of thousands of families’ lives, as we have seen in this case.

I was very pleased to be able to join this committee after they had actually started this inquiry because there are many of my constituents, particularly in North Queensland, who have been affected by the collapse of Storm Financial. The toll on these people is devastating. Many of these people have lost everything that they owned, and the many personal stories that people openly shared with us explained their situations. We should take this opportunity to thank them for their openness about their personal financial situation and the toll it is taking on their health and, in some cases, on their mental health.

It is important to note that this inquiry is simply that: an inquiry into the facts surrounding what happened, not only in Storm but in Opes Prime as well. It is not a court—it cannot find guilt—and I know from the commentary I have seen today that people who are involved in this know that. There are other places for fault to be found, and those processes are proceeding as we speak.

If I focus simply on the Storm inquiry, there was much conflicting evidence from the various sides of the story. The evidence that troubled me particularly was evidence given by the owners of Storm Financial, Mr
and Mrs Cassimatis. Mr Cassimatis indicated to the committee that clients of Storm Financial essentially self-selected. They would go to the so-called ‘information evenings’ and then decide to ‘join’—and I put ‘join’ in inverted commas. They ‘joined’ Storm.

That is the language that I have heard used in my communities as well—that people ‘joined’ Storm. That is not the language we should hear when we talk about people receiving financial advice. Financial advice needs to be tailored to the individual circumstances of a person who is looking for that advice in order to invest—you do not self-select a product. Certainly, if you tell your planner that you are a very conservative investor you should not end up with what I think is one of the riskiest products that is on the market: to take a mortgage out over your own home to invest that money in the stock market, then—and this was the problem that occurred when the stock market crashed in mid- to late last year—not to be advised either by the bank or by your so-called financial adviser that you are in margin call. That is what happened. Many people lost thousands of dollars and are now living in circumstances that they certainly were trying to avoid.

We have made recommendations about the need for financial planners to have a fiduciary duty that would require a planner to put the interests of the client above all interests. That is what should be in place and that is what we have recommended.

The other conflicting advice that I think was very troubling is that five or six people came before the committee and said they had signed forms that were not filled in. There are two people at fault in that circumstance; one is the person who signed the form that was not filled in. Of course we know that we should not do that, but they were lulled into some sort of sense of security that everyone would look after them in the end—‘Just sign here, it will be okay.’ The person who signed it should not have. But surely there is a responsibility on a person who is asking a client to sign a form that has not been completed: firstly, not to ask for it and, secondly, to ensure that the figures are accurate. Some of the most appalling stories we heard were about pensioners with loan application forms indicating that they were receiving $120,000 a year in income. This is bizarre stuff, but it was too regularly repeated.

The conflicting evidence, however, came from the advice given to us by some of the banks, saying that no forms would have been signed prior to being completed. This is another matter that other avenues of redress will look at, but it certainly is an area of concern. I was very pleased to hear from three banks in particular—the Commonwealth Bank of Australia, the Bank of Queensland and the ANZ Bank—that they did accept some responsibility. The Commonwealth Bank in particular has indicated that they will assist clients in need. I encourage the other banks to ensure that their reputations are not sullied further by ensuring that they seek out every client they possibly had, ascertain their personal financial circumstances and do whatever they can to shield them from the devastation that may be in store for them.

I also want to acknowledge the role of SICAG. SICAG is a group of people—three very dedicated gentlemen—who have taken it upon themselves to provide advice, emotional support and friendship to the many hundreds of people who are in need of that assistance. I commend SICAG for the work that they have done over 12 months.

Finally, I also want to acknowledge the role of the very professional committee secretariat, and I commend them not only for their ability in dealing with the complexity of
the material that was in front of us but also their compassion in dealing with people who needed tenderness and support in sharing their stories with the committee. They did an excellent job, and I think it is a quality report. I want to pay tribute to the chair of the committee, Mr Bernie Ripoll. I think he did a fine job of making sure that all the voices that needed to be heard were heard. It is important that this report is a unanimous report, and I have read that the Minister for Human Services, Mr Bowen, is pleased to receive it. I commend the report to the Senate and I seek leave to continue my remarks.

Leave granted; debate adjourned.

**CARBON POLLUTION REDUCTION SCHEME BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]**

**AUSTRALIAN CLIMATE CHANGE REGULATORY AUTHORITY BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES—CUSTOMS) BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES—EXCISE) BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CHARGES—GENERAL) BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME (CPRS FUEL CREDITS) (CONSEQUENTIAL AMENDMENTS) BILL 2009 [No. 2]**

**EXCISE TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009 [No. 2]**

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**CUSTOMS TARIFF AMENDMENT (CARBON POLLUTION REDUCTION SCHEME) BILL 2009 [No. 2]**

**CARBON POLLUTION REDUCTION SCHEME AMENDMENT (HOUSEHOLD ASSISTANCE) BILL 2009 [No. 2]**

Second Reading

Debate resumed.

**Senator MILNE (Tasmania) (5.15 pm)—** Just before question time I was responding to the government’s Carbon Pollution Reduction Scheme and news of the deal that has been put forward by the government to take almost $6 billion away from household compensation and hand it straight over to the coal-fired polluters, to the whole industry that is causing the problem in the first place. I think it is really important to recognise here that the Greens are the only political party in this parliament who said from day 1 that our position on climate change is driven by the science. We recognised there is a global emergency climate code red. We are the ones who have listened to the scientists who have come in here one after the other and said that, if we are to give the planet a fair chance and reduce the risk of going into catastrophic climate change to less than 50 per cent, we have to reduce emissions deeply and quickly: global emissions must peak by 2015 and then come down.

Even in Bali in 2007 the world agreed that developed countries like Australia should take a cut of somewhere between 25 and 40 per cent below 1990 emissions by 2020 so that developing countries can continue to grow and develop and we can give ourselves a chance of avoiding catastrophic change. Scientists now regard 350 parts per million as the trajectory we should be aiming for, and yet the government is putting us on a trajectory of only a five per cent reduction, a possible 15 per cent and a 25 per cent that is
so conditional that everybody knows it will not happen. If Australia adopted those targets and the rest of the world adopted Australia’s targets we would be looking at 550 parts per million or above and way above the two degrees that everybody recognises as catastrophic climate change.

How can the Prime Minister look at the Australian people and say that he is taking action on climate change? He is not. It is a complete fraud on the Australian people to suggest that the targets in the Carbon Pollution Reduction Scheme take us anywhere near what we need to avoid catastrophic climate change. There is no basis for the claim that this is economically efficient—and I will come to that in a moment. On both counts does it do what we need to do to avoid catastrophic climate change? The answer is no, nowhere near it. Does it reduce emissions in the most cost effective way? No, no way. There is not a single economist who will come out and tell you that what the government is now presenting to the Senate is in any way, shape or form economically efficient. It is economically irrational, inefficient and in fact locks us into the worst case scenario out to 2020 and will lead to catastrophic climate change if the rest of the world adopts that strategy.

Again I ask how the Prime Minister can do this. How can he stand there and say it? Earlier I referred to George Orwell in my speech. He said in his novel 1984 that doublethink is the power of holding two contradictory beliefs in one’s mind simultaneously and accepting both of them; to tell deliberate lies while genuinely believing in them; to forget any fact that has become inconvenient and then when it becomes necessary again draw it back from oblivion for just as long as it is needed; to deny the existence of objective reality and all the while to take account of the reality which one denies, and all this is indispensably necessary. Even in using the word doublethink it is necessary to exercise doublethink, for by using the word one admits that one is tampering with reality. By a fresh act of doublethink one erases this knowledge and so on, indefinitely, with the lie always one leap ahead of the truth. In question time today we had a classic example when Minister Wong stood up and tried to suggest that other people were engaged in doublethink. No, she is the minister engaged with two contradictory beliefs in her mind simultaneously, accepting both of them and believing in both of them when they are clearly contradictory.

Minister Wong and the Prime Minister say that Australia is vulnerable to global warming, that billions of dollars worth of coastal infrastructure are at risk because of rises in sea levels, that extreme fires and extreme temperatures are examples of climate change and that the Great Barrier Reef is at risk if we fail to act to constrain global warming to two degrees above pre-industrial levels. All those claims are true and correct, but at the same time the Prime Minister and the government are saying that the Carbon Pollution Reduction Scheme represents the action that will constrain temperatures to stop these outcomes—and that is wrong. It is in fact a lie to claim that a five to 25 per cent target imposed globally would do those things, that it would stop those outcomes. We are already seeing accelerated climate change; we are already seeing the loss of the Arctic summer sea ice; we are seeing the retreat of the glaciers in the Himalayas; we are seeing these impacts right now and the climate scientists and the Great Barrier Reef scientists will tell you that the Great Barrier Reef is dying and will die if you accept a five to 25 per cent target globally. If that became the global target, that would be it.

That is what this government is engaged in. Why are they doing it? Why are they saying this when it completely fails the envi-
environmental test and the economic test? Why does it fail the economic test? Because it locks in coal fired power, it locks in the polluters and it stops the transformation out into the future. What it will lead to is new investment in coal fired power in Queensland and New South Wales, refurbishment in Victoria and recommissioning in Western Australia, bringing back coal fired power. It will undermine any investment in renewables. How do we know this? Because it is already happening. Solar Systems has gone into voluntary administration in Victoria. The renewable energy target has been completely undermined and badly designed, yet in this package today we find the government is offering loan guarantees to coal fired generators to keep going on even in the face of financial difficulties into the future.

This is Prime Minister Rudd, King Coal. The duplicity was there from the start. The day that the CPRS was introduced into the federal parliament the Prime Minister was in the Hunter Valley turning the first sod on the new coal railway trebling coal exports out of Newcastle. If that was not a signal I do not know what is. There was the same sort of duplicity at Bali. The Prime Minister was happy to take the accolades and the standing ovation for ratifying the Kyoto protocol while Minister Wong, chairing the umbrella group, was making sure the 25 to 40 per cent target was taken out of the text and put as a footnote, and now we know why. She did not want it in the text because she did not want Australia to actually adopt the reduction in emissions the rest of the world recognised was necessary from developed countries in order to avoid catastrophic climate change.

What about the argument that something is better than nothing and you have to start somewhere? That is a total nonsense because of the laws of physics and chemistry, the carbon budget and the fact that there are real tipping points. Four hundred and fifty parts per million is the tipping point for ocean acidification. It is no use saying, ‘Let’s start slowly and try and fix this up in the future,’ because on an environmental level once you get the feedback loops in place you can never go back and fix it up; it is lost forever. If we lose the Arctic sea ice we do not know what that will do to the thermohaline conveyor. We certainly have lost the Arctic sea ice before in geological time, but that was before the continents were where they are today. We simply do not know what that would mean for the world’s climate. So you cannot start slowly in an environmental sense, because you will go past the tipping points.

In an economic sense, what is the point of starting slowly? By starting with a low target you end up with a low carbon price, massive compensation to coal-fired generators which is completely unjustified and compensation to the emissions-intensive trade-exposed sector beyond their trade exposure and certainly beyond their profitability. That is what the government is doing here. You are doing all of that and you are locking it in. The legal advice that the Greens have quite clearly shows that, if you try and increase the level of effort under the CPRS for those big polluters once this is locked in, they can sue for compensation because it is beyond what they understood. That is because they are making investment decisions right now based on these targets. Do not let us pretend that one government cannot lock in another. We have seen it with the forests in Tasmania in particular. Once you get massive compensation written in, what you get is a complete lack of courage and willingness from future governments to change it. If the world decided we had to do something dramatically and Australia’s targets increased, it would not be the polluters making the effort. They are locked in. They are now protected, sandbagged and looked after into the future, even
as far out as 2025. It would be the commu-
nity and the rest of society that would have
to pay dearly in order to try and get the emis-
sions down while 50 per cent of our emis-
sions were locked up in coal fired genera-
tion.

This is a fraud. What is going on here is
immoral. The rest of the world is struggling,
developing countries in the Pacific are say-
ing, ‘We are drowning in our own back-
yards,’ and Bangladeshis are wondering
whether they are going to actually have a
country in the next few years because they
could potentially lose so much land as a re-
sult of sea level rise. We are going to have
massive conflict. A billion people live in the
river valleys of the four great rivers of Asia.
There will be a billion people without fresh
water for six months if we lose the Himala-
yan glaciers. This is not a risk that developed
countries should be taking with the world’s
people, yet the Prime Minister has the temer-
ity to stand up and say: ‘We need to take ac-
tion on climate change. We’re going to do
something that, if the world followed us,
would lead to the outcomes that we say we
do n’t want.’

I want to say something to future genera-
tions. As a student of history, I look back at
Easter Island and some of the civilisations of
South America and think to myself: were
there people then who could see that they
were going to destroy themselves com-
pletely, and were those people silenced, run
out or killed? Whatever happened to those
people? There must have been people there
then who knew that, who tried to blow the
whistle, who tried to offer leadership to their
communities and who were repressed. In the
15th century Machiavelli, very strongly and
in a very profound way, pointed out:
… there is nothing more difficult to carry out, nor
more doubtful of success, nor more dangerous to
handle, than to initiate a new order of things. For
the reformer has enemies in all those who profit
by the old order, and only lukewarm defenders in
all those who would profit by the new order, this
lukewarmness arising partly from fear of their
adversaries, who have the laws in their favour;
and partly from the incredulity of mankind, who
do not truly believe in anything new until they
have had the actual experience of it.

What we have here now are those who profit
from the old order, the vested interests. Guess
who were out today supporting this
first? The Aluminium Council. What a sur-
prise that they were out there! No doubt the
Business Council of Australia and Heather
Ridout from the Australian Industry Group
were with them, all camp followers to those
who would give massive compensation—
unjustified, without principle—to the coal
industry.

I say to future generations: there were
such people in 2009. The Greens in 2009
understood there was a climate emergency.
We have brought to the Australian parliment
for decades and in particular for the last three
or four years on a weekly basis, whenever
the parliament sat, the scientific information
and the economic information. We drove
inquiries. We looked at everything from agri-
culture and peak oil to the impacts of climate
change on ecosystems and biodiversity. Yes,
there were people in this parliament who
knew. There were people who brought this
information to the parliament. There is not
one single senator in parliament in Australia
in 2009 who is not fully aware that the Car-
bon Pollution Reduction Scheme will not
reduce Australia’s domestic emissions until
2034 and even then only after that if carbon
capture and storage works—and I do not
believe it ever will. So people need to under-
stand. This parliament knew. There are no
excuses. I do not want to hear, ‘Sorry future
generations, we did not know what we were
doing.’ This parliament knows exactly what
it is doing and is choosing it.
It is choosing it because Liberal and Labor cannot get away from their philosophical underpinning that the earth has an infinite capacity to provide resources and absorb wastes and that the fight is simply between capital and labour and who gets the most out of the exploitation of resources. That is where the Greens are different. This CPRS brings to the fore the philosophical debate of the 21st century because it is only the Greens who have a philosophy of eco-sustainability, of looking at what the earth can provide and living within our resources. That is why we say we need to address this climate emergency with real action on climate change and we will not lie to future generations. We put it on the line; we know what we are doing. We should not be accepting weak targets. We want 40 per cent on the table in Copenhagen and we will do everything in our power to look after future generations and all of those around the planet who right at this moment are suffering because of climate change.

Debate (on motion by Senator Stephens) adjourned.

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

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (INCOME SUPPORT FOR STUDENTS) BILL 2009

Consideration of House of Representatives Message

Consideration resumed from 18 November.

Ordered that the message be considered in Committee of the Whole immediately.

House of Representatives message—

That the House has agreed to amendments Nos (1) and (2) made by the Senate and disagreed to amendments Nos (3) to (9), and requesting the reconsideration of those amendments disagreed to.
ity and preserve the entitlement of everyone in the system that would have missed out. The opposition is concerned that none of these students miss out and without the opposition’s amendments many students will continue to miss out. We say that all 30,000 should be able to apply for youth allowance and take their gap year.

Secondly, and very importantly, the opposition believes that the most important recommendation of the Senate committee, which relates to extending the workforce participation criteria for those who must leave home to go to university, must also stay in. Again, that for us is critically important. We do not accept that that extra pathway for students that must leave home to go to university should evaporate. Unless we insist on these amendments, that will evaporate, and again we simply will not accede to that.

Thirdly, the opposition, of course, is concerned—and this has been raised, I know, by the Australian Greens, and I think all senators are concerned—that the auditing of those requirements to live away from home should commence. There should be guidelines developed by the secretary of the department of education to better target these allowances. Again, for us that is a critical issue: to better target social welfare and these allowances. For us that is terribly important.

I understand that in her letter the Deputy Prime Minister is concerned that about 150,000 students will not receive start-up scholarships in 2010 and that 21,000 Commonwealth scholarships will be affected. In her letter to me—a very pleasant letter—the Deputy Prime Minister, Ms Gillard, writes: Preventing passage of this bill will mean that 150,000 students will not receive start-up scholarships and that 21,000 Commonwealth scholarships will not be paid to new students in 2010, as the coalition voted to remove them earlier this year.

Well, she might be concerned, but as Senator Minchin said in his letter to Ms Gillard:

The coalition is concerned that the government, having ignored our warnings earlier in the year about the danger of separating the legislation, abolishing the Commonwealth scholarships with their replacements, has now placed in jeopardy the existence of any Commonwealth scholarships in 2010.

I should say that the Australian Greens also flagged this issue. Senator Minchin says:

I can confirm that, should the government maintain its position of being unwilling to accept the Senate’s amendments, the coalition will be happy to give precedence to the consideration of legislation the government may wish to introduce this week that will provide for scholarships in 2010.

In other words, the coalition will cooperate with the government and separate the legislation to ensure that students do not miss out if necessary. We are happy to do that.

I also flag that later on I will be moving an amendment—that I think it is on sheet 6014—that again puts forward the budget-saving measure that the opposition has proposed to pay for all the additional expenditure that these proposals flag. I just flag that for the moment, but I simply say that the opposition will vote against the government’s motion that the committee not insist.

Senator HANSON-YOUNG (South Australia) (5.40 pm)—I want to add the Greens’ comments to this discussion as to whether or not we will insist on the amendments. I think that what is important to note in all of this is that we need to be getting some type of solution that works for everybody. I have been very clear from the word go about our concerns with the government’s proposals. From budget night we have been raising the issues in relation to how these changes would affect students, particularly rural and regional students, right around the country. I am concerned that it has taken until this point for us to have a proper, robust discussion with the
I am concerned that it has taken until this point for the government to acknowledge the issues in relation to the retrospectivity aspects of the legislation, but obviously their amendments circulated last night mean that they have started to at least acknowledge that there are some concerns and issues there with retrospectivity.

I do not believe that the bill as passed by the House, without all of the amendments that the Senate passed last week, is a good bill. In retrospect it is obviously a little bit improved over the piece of legislation we saw the first time around, because it includes two Greens amendments that have helped to improve the situation, but obviously the House rejected the rest. I think it would be remiss if this chamber simply did not deal with the legislation, go into the committee stage and talk about where we can go next. I do not want to be in a position where we do not have something at the end of this week to deliver to students—all students, city students and country students. I think it is time that we got real about needing to debate and negotiate properly across all sides.

Therefore the Greens will not be insisting on our amendments, in good faith that we can enter the committee stage and negotiate for proper amendments to this legislation that will make a difference. That is where we are coming from. I understand that the coalition want the legislation as it was passed by the Senate the first time around, but I think we need to accept that the only way we are going to deliver real results here for anybody is to keep talking and to keep trying to come up with some better solutions.

I think that the government needs to seriously consider its actions in relation to rural and regional students. If not in this package, it needs to come up with something else sooner rather than later because, even if we can buy 12 months for this year’s gappers, it does not save the brothers and sisters of those gap-year students. We need something else. Okay, the government disagrees that perhaps it should be a new criterion. That is fine. I can accept that, but I need to see what it is that you will do. I would hope that the coalition would be in agreement that we need to have something passed so that all students get something and that we should not simply dismiss the concerns of rural and regional students. That is why I am saying we will not insist at this stage, but we will enter into the committee stage and have a good debate about further amendments that we need to see the legislation improved, because what was passed by the House is simply not good enough.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.44 pm)—I will briefly speak to the motion moved by Senator Stephens. The committee should not insist on the Senate amendments to which the House has disagreed because the measures that were passed by the chamber previously are effectively unworkable. Since the chamber last discussed these questions, discussions have taken place between the Greens and Senator Xenophon. I indicate at this point that amendments that I circulated last night will be moved in the committee stage should this proposition be carried and that there will be an opportunity to canvass the detail of those amendments, which set down the agreements that have been met. As a consequence, the Senate will have the opportunity to ensure that 150,000 Australian students will have support next year.

Senator Mason, the question of whether or not students will have support is a question that the chamber can deal with now. You have indicated that the opposition is prepared to give precedence to the legislation that we are now discussing. The opportunity to deal with this question and to ensure that students do have support next year is now. Senator
Fielding in particular has the opportunity here, now, to consider his position. I put this to you bluntly, Senator Mason: should we end up with a tied vote and therefore our amendments not be passed, then we will have nothing. Given the urgency of business, the prospects of the Senate reconsidering this matter, I would suggest to you, are small. If the strategy of the coalition is to voice their hostility to the government measures and to vote these amendments down in the hope that there will be a further opportunity to reconsider their position upon the second bounce back of this legislation, then I might advise you that that opportunity may not arise, simply because of the way in which this chamber’s business is likely to be played out with regard to the climate change legislation. So, if Senator Fielding or other senators feel that this is not the time to reconsider their position and that they will have another chance to do that, might I suggest to them that they may well be wrong.

Senator MASON (Queensland) (5.47 pm)—I just want to make this very clear to the government. The coalition is determined, with respect to retrospectivity, that no Australian student will suffer from the government’s retrospective introduction of this legislation—that is, no-one. The opposition will not yield on that point. There is another point we will not yield on. The opposition is determined that there will be an extra pathway for the payment of youth allowance to students who have to leave home to go to university. Again, the opposition will not yield on that point. I want to make this very clear to the government. These points are not for negotiation; they are what the opposition stands for.

Minister, you are quite right: there is an issue about people missing out on the scholarships. But, as Senator Minchin has alluded to and as the Deputy Prime Minister illustrated, the government was warned about the possibility, both by the opposition and indeed by the Greens, that this could happen. But the opposition has made the offer, through Senator Minchin, to assist the government if they are prepared to split these bills and to thereby ensure that students do not miss out on their scholarships. That is something the government can do and should do, and it might have to do it very quickly.

The TEMPORARY CHAIRMAN (Senator Hutchins)—The question is that the committee does not insist on the Senate amendments to which the House has disagreed.

The committee divided. [5.53 pm]
(The Temporary Chairman—Senator S Hutchins)

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AYES


NOES

The TEMPORARY CHAIRMAN—The ayes and noes being equal, the amendments are not insisted upon. As has been explained on previous such occasions, the reason for this is that the amendments required a majority to be carried in the first instance, and the equally divided vote on the question of whether the Senate should insist on its amendments indicates that there is now not a majority in support of the amendments.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.59 pm)—by leave—I move government amendments (1) to (8) together:

(1) Schedule 1, item 2, page 5 (lines 13 and 14), omit “30 June 2010”, substitute “31 December 2010”.

(2) Schedule 1, item 2, page 5 (lines 18 to 20), omit paragraph 1067A(10C)(e), substitute:

(e) if the person would not be taken by section 1067D to be required to live away from home on the higher education start day, assuming he or she were not independent then—the person’s combined parental income (as defined in point 1067G-F10 of the Youth Allowance Rate Calculator in section 1067G) for the tax year described in subsection (10D) is less than $150,000; and

(3) Schedule 1, item 2, page 5 (line 23), omit “1 July 2010”, substitute “1 January 2011”.

(4) Schedule 1, item 2, page 5 (lines 24 and 25), omit notes 1 and 2, substitute:

Note: For undertaking full-time study see section 541B.

(5) Schedule 1, item 2, page 5 (after line 25), after subsection 1067A(10C), insert:

(10D) For the purposes of paragraph (10C)(e), the tax year is:

(a) the tax year ending on 30 June 2009; or

(b) the tax year ending on 30 June 2010 if:

(i) the person requests, in writing in accordance with a form approved by the Secretary, the Secretary to determine that paragraph (10C)(e) apply to the person’s combined parental income for that tax year and the Secretary does so; or

(ii) under point 1067G-F6 of the Youth Allowance Rate Calculator in section 1067G that tax year would be the appropriate tax year for the purpose of applying Module F of that Rate Calculator to the person in respect of a youth allowance payment period including the higher education start day (assuming youth allowance is or may be payable to the person).

(6) Schedule 1, item 4, page 6 (line 4), omit “and (10C)”, substitute “, (10C) and (10D)”.

(7) Schedule 2, item 4, page 20 (lines 16 to 19), omit section 592H, substitute:

592H Amount of student start-up scholarship payment

Payment for which person is qualified in 2010

(1) The amount of a student start-up scholarship payment for which a person is qualified in 2010 is $717.
(2) The amount of a student start-up scholarship payment for which a person is qualified on or after 1 January 2011 is $1,127.

Note: The amount of a student start-up scholarship payment for which a person is qualified on or after 1 January 2011 is indexed annually in line with CPI increases (see sections 1190 to 1194).

(8) Schedule 2, item 19, page 28 (table item 68, 4th column), omit “section 592H”, substitute “subsection 592H(2)”.

The government urges the Senate to support these arrangements. They reflect the agreement that has been reached with the Greens. If the Senate supports these amendments, the government will be able to provide expanded support to students during the transitional period to the new scheme. We will make sure that that new scheme ensures that assistance is targeted. The arrangements are economically responsible and they are designed to ensure that there are appropriate offsets by reducing the value of the start-up scholarships next year.

However, these amendments will not permanently gut the new student start-up scholarships to deal with the transitional issue as would be the case if the Senate were to adopt the Liberal Party’s position. The Liberal and National parties have sought to reduce benefits to 150,000 students. They have done so by seeking for the government to adopt measures that would be worth in excess of $1 billion in additional expenditure. This would produce a massive blow-out in the budget and is a measure that the government just simply cannot accept. One of the opposition’s amendments would see the existing gap year arrangements remain in place for students who need to move to study. This would allow students whose parents’ income is well above the parental income test to access support, at a massive cost to the budget.

These measures do acknowledge that to get this legislation through the parliament compromise was necessary. The government has compromised. As a result, the government has, I understand, the support of the Greens and Senator Xenophon. To be suc-
cessful the measures will need the support of one other senator. If one other senator does not support these measures, they will fail and there will be a situation that arises where 150,000 students will have no support. As I said previously, if you are relying on the assumption that there will be time this week to reconsider this measure, you are mistaken. You cannot assume that the legislative program will allow for this matter to be reconsidered later in the week. We face the prospect that whenever this chamber rises at the end of this week 150,000 students will have no support. I urge senators to think very seriously about that possibility. I table a supplementary memorandum relating to the government’s amendments. A memorandum to this bill was circulated in the chamber on 23 November 2009.

Senator MASON (Queensland) (6.05 pm)—I thank the minister for his plain talk. I appreciate that. I would just re-emphasise that for the Liberal Party, the National Party and, I think, Senator Fielding these are really critical issues. We simply do not accept that retrospective legislation of this sort is appropriate. We simply will not agree with it. We simply do not accept it.

With respect to the extra pathway for students who have to move away to go to university, again we simply cannot conciliate on that. For us, that is just not negotiable. Honourable senators may recall the first recommendation of the Senate Standing Committee on Rural and Regional Affairs and Transport on this legislation. The committee said:

3.120 The committee believes that the tightening of the workforce participation criteria still leaves post-2008 school leavers with only one workforce participation option if they want to be eligible for the Independent Youth Allowance.

3.121 The committee recommends that the workforce participation criteria in proposed section 1067A(10)(c) be extended beyond a transition measure, and be retained for students who are required to leave home to pursue their chosen course.

And that is what the opposition are sticking with—we wish to retain the extra pathway for students who have to leave home to attend university. Minister, I know you are doing your best and you have your instructions but the opposition simply cannot give in on these amendments. For us this is an issue of principle and a very, very important policy issue. I flagged before that I accept what the minister said—that 150,000 students could be put in jeopardy with the start-up scholarships and indeed the Commonwealth scholarships as well. That is an issue and the minister is right to raise it. But, as I also flagged, the opposition is willing to assist if necessary to ensure those students are looked after. The opposition, and I think the Greens and Senator Fielding, flagged this problem months ago when the bills were split. I think the government took the wrong course in splitting the bills. It was a mistake.

I note that the opposition has been slammed and lambasted for weeks, perhaps months now, for cutting the start-up scholarships, but I note that the government are doing the same thing in their amendments. I understand why they are doing it—to save money for budgetary reasons, which is exactly why, I might add, the opposition did it; it was a budgetary savings measure to pay for the promises and the policies that we were insisting upon. I just want to flag it to the government that, despite all the highfalutin talk about how outrageous it was to cut start-up scholarship payments, the government is doing just that in their amendments.

I also flag to the Senate that the amendment I was going to move, which again we raised in the debate the other day, on page...
6014, which I understand has now been circulated, I will now not be moving because the amendments have not been insisted upon so it does not apply. I just raise that as a matter of procedure. The opposition will not be supporting the government's amendments.

Senator FIELDING (Victoria—Leader of the Family First Party) (6.09 pm)—I could not get down here earlier because I was working on some Carbon Pollution Reduction Scheme details. Senator Carr has, I think, totally underestimated the Australian public on this issue, and also the Senate. A clever country would indeed make it easier for our kids to get to university and not make it harder for kids from our rural and regional areas to get to university. I am a little surprised that the Greens have decided to sell out the bush—but, then again, they do that all the time on the environment so there is no difference at all. I would have thought that Senator Xenophon would have also stuck to what we had, because frankly this is a real, live issue—this is about rural and regional kids getting to university. Those amendments that were passed by the Senate, I believe, are still vital.

I think the government needs to rethink its position. It had plenty of time to rethink it. You come in here and warn about 150,000 scholarships but it is your doing. It is your recklessness. You have had plenty of time to think about it but you have been reluctant, and you have come in here with a bit of sugar coating—a little bit of a review; a little bit of this and a little bit of that—but really in essence you have not got to the heart of the issue. This is about rural and regional kids who need to relocate and cutting them off from something they definitely need. And you know they need it because you have extended it—you have exempted some gap year kids this year. You have also come in here previously and said there was recklessness on the part of the coalition when talking about cutting scholarships. Well, you have done the same thing. But you spin it anyway—you spin it around again and again; you spin so much that you will make yourselves dizzy. Let us get to the heart of the issue. Let us not attack rural and regional kids going to university. These are key amendments, and I am surprised that you have not found a better way to resolve the issue.

Senator HANSON-YOUNG (South Australia) (6.12 pm)—First of all, I think anyone who has been watching the debate on this issue would know that it was Senator Fielding who came last in terms of standing up for rural kids. From day one the Greens raised these issues in terms of taking away the workplace participation criteria. So, through you, Mr Temporary Chairman Marshall, I would like Senator Fielding to reflect on his comments. I know he gets into these sensationalist arguments every now and again and thumps his fist on the table, but no-one really notices because he is just throwing another tantrum.

The reality is that we need to come up with a solution that actually offers real support for students. The bill that was passed by the House of Representatives is not the right bill. The bill that came to the Senate the first time round was not the right bill. In fact Senator Fielding and the Greens argued that the bill that we passed in the Senate last week was not the right bill because we wanted, both of us retrospectively, a specific criteria to help rural students. We have worked and worked and worked all the way down the line on this piece of legislation.

We have got to the point now where if we do not pass something, students across the country are not going to get what they should be getting. If we can buy 12 months of time to ensure that we do not have the retrospective laws affecting gap year students and a
commitment from the government to finding a new pathway then we can actually work towards something better for the future. That is what we need to do. Playing politics and point-scoring across the chamber between senators and their parties is simply not going to deliver what students need—it is absolutely not. It is time that people pulled their heads out of their backsides and actually focused on getting the work done. That is why we did not insist on the amendments, because we need to have a debate about the amendments here that we need in order to move forward. We need to see a commitment from the government to a new pathway. The government needs to recognise that country students around the country after 1 January 2011, if these amendments are passed, are not going to be better off unless it comes up with something. But to do that it also has to come up with the dough.

I suggest that the minister seriously take this on board and ensure that in next year’s budget there is some money for rural kids. That is what the government needs to do and that is the commitment we need to see. But simply voting down and blocking a piece of legislation that is going to improve the situation overall is not the way forward. Throwing tantrums does not work when you are 2½ and it does not work when you are an Independent in the chamber either. It is simply not an appropriate or responsible way of governing.

Similarly, for the opposition to simply continue to block is not appropriate either. We need to keep talking. We need to ensure that we buy 12 months and force the government to come up with a new pathway. Let us not put in jeopardy the positive measures of this package that need to start on 1 January next year. That is what we are asking for. I do not think that throwing tantrums works for anybody. I also do not think that the claim that Senator Xenophon is also selling out the bush is accurate. Senator Xenophon has clearly been a champion of the bush since day one in this chamber, but he can probably speak for himself.

**Senator XENOPHON** *(South Australia)*  
*(6.16 pm)—I think there is a lot of hyperbole going on in this debate on the Social Security and Other Legislation Amendment (Income Support for Students) Bill 2009 and it is very unfortunate that Senator Fielding said what he said. I do take issue with that. To say that I have sold out the bush is plainly wrong. Let us just put this in perspective. If this bill is not passed, there will be less support next year for regional students. That is the situation. What this scheme does is a direct result of the recommendations of the Bradley review. Senator Mason can correct me if I am wrong but I think it is fair to say that when the Bradley review came out the Hon. Christopher Pyne, the member for Sturt and my fellow South Australian parliamentary colleague with whom I have a very good working relationship, was broadly supportive of the Bradley review.

The Bradley review was about giving support, having greater access and opening up our education system so those who are disadvantaged can get a fair go and the system can be opened up. These changes are about support for low-income students. I think it is fair to say that students from higher income families will not get as much support, but there is a lot more support for students with a lower income. It is about access and equity in tertiary education. Low-income students will get more with a student start-up scholarship and a relocation scholarship. There is a difference in the taper test and there is a difference in the thresholds, but these are consistent with the Bradley recommendations which, as I understand it, the coalition—or Mr Pyne in particular—were broadly supportive of.
This is about a fundamental reform to our system. I agree with my colleague Senator Hanson-Young, and I congratulate her on the work that she has done with the government on the absolutely fundamental issue of retrospectivity. That was one of the key issues put to me by many constituents. For students and the parents of students, the retrospectivity aspect of it was simply wrong. These amendments go a long way in substantially dealing with the issue of retrospectivity. They are welcome amendments to this legislation, and that is why we need to support them.

In the discussions I have had with Senator Hanson-Young she has raised the government making undertakings on the issue of regional students. I think it is important that the government follows through on that with a task force to look at those issues and to look at some long-term solutions in addition to what is being proposed here. As I understand it, that letter will be tabled after I sit down. I think it is important for the government to understand, at least from my perspective—Senator Hanson-Young can speak for herself—that if the government does not deliver on further reforms in the next 12 months then that will not put the government in good stead for any further reforms it wants to get through. I accept that the government genuinely wants to get a reform process happening on the issue of regional students. I acknowledge the advocacy of Senator Nash of the Nationals on behalf of regional students. The point of difference, with the greatest of respect to Senator Nash, for whom I have great regard, is that I think this is the best we can do right now.

I am trying to be pragmatic and practical in what needs to be done. I believe this is a way forward. It is not perfect by any means, but in carving up the available funds I think this is broadly equitable. There is certainly room for improvement. I think what Senator Hanson-Young will refer to shortly will advance the issue further. I strongly support this, and I believe it is a way forward. I do not want to throw the baby out with the bathwater by this legislation being defeated if this particular amendment does not get up.

I have absolutely no doubt of Senator Fielding’s genuine commitment to ensuring a fair go for students, but I urge him to consider supporting these amendments because they will mean a better go for regional students, particularly those who come from lower income families. To me the key issue here is ensuring that we have a greater degree of equity and access to tertiary education for our regional students. I believe what Senator Hanson-Young will refer to shortly will strengthen that argument. I support these amendments.

Senator HANSON-YOUNG (South Australia) (6.21 pm)—I seek leave to table a letter from the Deputy Prime Minister, Julia Gillard, outlining the government’s commitment to establishing a task force specifically to look at the new pathway that we need in order to support rural students.

Leave granted.

Senator HANSON-YOUNG—We have bought 12 months. If the government’s amendments are passed then we have removed the retrospectivity aspect so there are 12 months clear for us to come to a proper solution to support rural and regional students. I do believe that that is the best way forward in order to allow students to start the next academic semester—which for some students will start in January, for others February and others March 2010—with some certainty about what they will face. That is the deal for the next round of students, but after that, as I have already said, we need to find a better pathway for students, for the brothers and sisters of this year’s gap year students, this year’s students moving from
the country to the city in order to get a further education.

We need to see that commitment from government. I am tabling this letter here today because we have had these discussions with the Deputy Prime Minister. But do not be mistaken: the Greens will continue to push this issue. We were the ones who moved an amendment right from the word go for an increase in the youth allowance, because it is ridiculously low. It is more than $100 less than Newstart. Somehow we think that students, because they are studying, need less money than someone who is out looking for a job. This is the ridiculous situation we are in. We are talking about a maximum of $341 a fortnight when we know that the cost of a student studying per fortnight is up at the $600 to $700 mark.

The government need to seriously consider injecting more funds into student support if their education revolution is ever going to be realised. We need a commitment that they will seriously take on this issue in relation to rural and regional students and an acknowledgement that overall there is no education revolution without supporting students to do the job they are there to do, and that is to study, to get their degrees and then to move into the workforce and contribute to society. It is a long-term plan that we need to see from the government and it requires investment.

I have been very outspoken about this from day one. I do not believe you can bring in major reforms without injecting money. So this is the 12-month transition. They need to find some dough to back this up. This is not a case of robbing Peter to pay Paul. I am not into that. We actually need to find an injection of funds. It is unrealistic to expect to be able to broaden the accessibility of youth allowance to more people without putting more money in. You have 12 months to do it. That is what we want to see from the government, and I table the letter today.

Senator MASON (Queensland) (6.24 pm)—I have just two issues. Senator Hanson-Young said retrospectivity is taken account of in the government’s amendments. It is not with respect to all students—most, but not all. Secondly, I am sure the Deputy Prime Minister is well motivated and I am sure that she has the best interests of the government at heart, but the opposition will only be satisfied with an extra pathway that is legislatively guaranteed. Any guarantee from the Deputy Prime Minister I am sure is well intentioned, as I say, but it must be in legislation. We are talking here about access and social inclusion with respect to rural kids, and the only way we can be sure of that is to have it in legislation. That is why the opposition is opposing the government’s amendments.

Question put:
That the amendments (Senator Carr’s) be agreed to.

The committee divided. [6.29 pm]
(The Chairman—Senator the Hon. AB Ferguson)

| Ayes | 33 |
| Noes | 33 |
| Majority | 0 |

AYES


Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (6.33 pm)—I move:

That the report from the committee be adopted.

In speaking to this motion I want briefly to indicate that the government moved a series of amendments which were the result of negotiations with the Greens and Senator Xenophon. We subsequently have a position where those amendments have not been carried by this chamber. As a show of good faith, the government will endeavour to bring a bill back into the House of Representatives this week to put into effect those amendments that the Greens and Senator Xenophon have negotiated with the government. If the chamber seeks to vote against the motion that I am now moving, there will be no scholarships for students next year.

Opposition senators interjecting—

Senator Ian Macdonald—Try the bullyboy in the union movement. You’re not in a union meeting now.

Senator CARR—One hundred and fifty thousand students will have no benefits whatsoever. So I would urge senators: be conscious of what you are doing here. One hundred and fifty thousand students—

Senator Bob Brown—Mr Acting Deputy President Marshall, I rise on a point of order: it is impossible to hear the minister because of the interjections from the coalition.

Senator CARR—Mr Acting Deputy President—

Senator Ian Macdonald—Try your bullyboy somewhere else.

Senator CARR—We have a senator on the other side who has obviously been engaged in a fair bit of bullyboy work today, but you ought to appreciate this, Senator Macdonald: your actions today will determine whether or not 150,000 students will have support next January. If this motion—that is, that the report from the committee be adopted—is lost on a tied vote it will mean that the Senate effectively has revoked that there will be no support next year for students. It will require one senator to vote in favour who is currently indicating support for the vote against it—Senator Fielding or one senator from the coalition to vote that the committee’s report be adopted. If you do not, 150,000 students will receive no support next January.

Senator MASON (Queensland) (6.36 pm)—The opposition have made our position very clear, and it is this: retrospectivity to us is everything, and the extra pathway for rural students is absolutely vital.

Government senators interjecting—
Senator MASON—It is absolutely vital. These amendments do not make another pathway for rural students, and that for the opposition is a non-negotiable issue. When the government understand that, they should come back and speak to us.

Senator FIELDING (Victoria—Leader of the Family First Party) (6.36 pm)—Mr Acting Deputy President, maybe you could bring that rabble to some sort of order.

The ACTING DEPUTY PRESIDENT—

I will do my best, Senator.

Senator FIELDING—We have been consistent on this issue. I raised this during the debate on the scholarships bill when the government decided to take the scholarships away. They thought they could railroad it through the second time. They could have split this bill, making sure the scholarships went through. This is their doing. It is not on my head and it is not on the heads of the coalition. It is on their heads that there are no scholarships. They should not try and weasel their way out of it. They have been absolutely reckless and irresponsible. They have known about this for months and they have come in here a couple of days before the end and are trying to hold a gun against the Senate’s head. It is disgraceful.

Government senators—Rubbish!

Senator FIELDING—No, it is not rubbish. They have known about this for a while. I raised the issue when the first bill was brought in. They should have debated them together and made sure rural and regional kids were looked after and not sold out. It is wrong.

Senator HANSON-YOUNG (South Australia) (6.37 pm)—I think—

Senator Abetz interjecting—

Senator HANSON-YOUNG—When Senator Abetz stops, maybe I can speak. He is right in front of me.

Senator Abetz interjecting—

Senator HANSON-YOUNG—You feel comfortable there do you, Senator Abetz! I think my party room would have a few things to say about that.

The ACTING DEPUTY PRESIDENT—

Senator Hanson-Young, you have the call. Could you come back to the question before the chair.

Senator HANSON-YOUNG—What I think is really quite disappointing about this entire facade happening here today is that we have not been able to come to any agreement that will actually end up supporting students. The advice from the Clerk is that if we do not vote to support the reporting of this bill, it will be the first time it has been done in the Senate’s history. I am quite concerned that the result of this will mean that students around the country are not going to get the support that they deserve. I imagine that the coalition, Senator Fielding, Senator Xenophon and the government would all accept that we need to ensure that we offer students more support not less.

I am absolutely disappointed at the way this has been managed from day one—from budget night—all the way up to last night when the games started. My understanding is that if we do not vote to support the reporting of this bill, this bill will sit in limbo forever. It is not just that we do not get the scholarships; we do not get all the other positive things that we have all acknowledged are also in the bill. It is really quite concerning. If we do not vote to support the reporting of this bill, those families on $44,000 will not get one dollar of youth allowance support.

Honourable senator interjecting—
Senator HANSON-YOUNG—Yes, it is. I am very concerned that we have not been able to come to an agreement across the chamber. Instead, we have been playing politics right from the word go. The opposition want to talk about the deal. Let us think about the dirty deal that was done today that gave $7 billion to the big polluters instead of $7 billion to students. I think we need to have a big think about what we are doing for students as of 1 January. It is really disappointing that the losers out of all of this will be students—a cross the board, city and country. Everybody around this chamber needs to seriously consider that.

If the bill is not reported, it does not mean that the amendments passed by the House get up; it means the bill goes down. I am absolutely concerned that the positive changes in this package, as well as the things that need fixing—that we have all acknowledged around this chamber—will not be passed. It is really quite disturbing. I cannot believe that after 12 years of ripping money away from students and ripping money out of universities, the coalition want to continue it for years to come.

Senator NASH (New South Wales) (6.41 pm)—What is extremely disappointing is the fact that those amendments that the Greens thought were absolutely fine and terrific, and worth supporting just a couple of days ago, apparently, now have fallen by the wayside and are no longer worth supporting. That is what is extremely disappointing. This is about the future of our students in this country. The government have brought us a set of legislation that will have significant impacts on students right across this country, not just our rural and regional students but also our city students. For some reason, this government simply have no understanding at all of how their changes are going to affect rural and regional students. That is not just the point of view of coalition members on this side; it is because we have been listening to families and students right across the country. There has not been an issue before the chamber in a significantly long period of time that we have had this kind of feedback on from the community. People are desperately concerned about this.

This government and now the Greens are choosing to ignore it. If this legislation is allowed to go ahead there is no way back because these rural and regional students will have the avenue taken away from them. The government are only leaving one criterion for students to access independent youth allowance. Guess what the department told us? The department said, ‘That actually is not even targeted at those students.’ You might be surprised to hear this colleagues: it is actually targeted at people already in the workplace, not those students finishing school this year. If those students finishing school this year fall outside of the current legislation, which is highly possible, they have no other avenue to get any kind of assistance. While rural and regional students are facing an extra $15,000 to $20,000 a year compared to metropolitan students, it is appalling for this government to not give them another avenue to access some financial assistance. The government should be ashamed. They should be ashamed that they are putting our students in this position.

What we are saying is that those students currently doing their gap year should all be covered. I do not know how any senator in this place could say that it was fair for those students who, in good faith at the end of last year, took advice from school counsellors and Centrelink who told them, ‘This is an appropriate avenue for you to use,’ and they cannot now do it. The minister managed to do a backflip, pushed by—

Honourable senators interjecting—
Senator NASH—I am glad I have you interested now because it is the first time you have been, Senator Polley. The minister did a backflip on 5,000 of those 30,000 students—only 5,000 of them. There are still the other students who entered into the gap year and now we are seeing the other criteria being taken away. It is simply wrong and the bill should not go ahead.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (6.45 pm)—One thing that is required in a process like this is for party spokespersons to have their mind around the matter. What Senator Nash has just clearly shown is that she does not know what is going on. She has no idea. It is very clear that the Greens have negotiated a package with the government which would cover those people who took their gap year in good faith believing that they would get the subsidies required to enable them to pursue their tertiary education. Those subsidies have been restored. What the National Party and the coalition are doing, through this process tonight, is putting that at risk so that students will have nothing—students both from the country and from the city.

Opposition senators interjecting—

Senator BOB BROWN—That is your position. Senator Nash is now pulling the rug—

Senator Joyce interjecting—

The ACTING DEPUTY PRESIDENT (Senator Marshall)—Order! Senator Joyce, please come to order.

Senator BOB BROWN—Senator Joyce is upset because what is happening here is that the National Party is pulling the rug from under regional students and failing to give them—

Opposition senators interjecting—

Senator BOB BROWN—We began this by trying to get rid of the retrospectivity which threatened those students, and that we have achieved. That having been achieved, to score a political point out of this, the coalition is saying: ‘Well, now we won’t support it. It is all or nothing with us and so students will get nothing.’ That is the position into which the coalition is putting students from regional and city Australia. Let them take the responsibility for it.

I remind the National Party and the Liberal Party that they are not in government. When they were in government, as my Senate colleagues said, compared to other countries, money was stripped out of public education and out of tertiary education. Now they are acting as if they are still in government and they are going to leave students with no support at all. You bear the responsibility for it. You take the responsibility for that and we will be out there telling students about the support we got for them, the retrospectivity we got rid of and the improved arrangement we got for them with the government and that you failed to get because you put politics—

Opposition senators interjecting—

The ACTING DEPUTY PRESIDENT—Order! Senators should come to order.

Senator BOB BROWN—The National Party, which puts the miners ahead of the bush, is now putting its political standpoint ahead of students. You live with it.

Senator XENOPHON (South Australia) (6.48 pm)—My question is to Senator Carr. You have said that the government will endeavour to introduce legislation. Could you be more definitive about that? In other words, because the amendments have failed, will the government introduce legislation this week to attempt to get it through both houses as a matter of urgency?

The ACTING DEPUTY PRESIDENT (Senator Marshall)—We are not actually in committee, Senator Xenophon, but the min-
ister may take the opportunity to answer your question when he is summing up, if he chooses to sum up.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (6.49 pm)—Senator Xenophon, I have indicated that we will introduce legislation in the House of Representatives. There is no guarantee we will get that legislation back to the Senate, given what we see here happening in the Senate right now. For the first time in the history of the Senate, a motion that a report from the committee be adopted is about to be defeated. This is the sort of thing, Senator Mason, to get you into Odgers but not necessarily under the most favourable of terms. This is a measure that will deny 150,000 students support of $2,154 in 2010. There are 21,000 Commonwealth scholarships which will not be paid to new students in 2010 because of the actions of the coalition and Senator Fielding. That will mean that there will be less support for students next year than there has been this year. There are 25,000 families with incomes between $32,800 and $44,000—

The ACTING DEPUTY PRESIDENT (Senator Marshall)—Order! It being 6.50, we will now move to consideration of government documents.

Senator Parry—I seek leave to make a very brief comment.

Leave not granted.

The ACTING DEPUTY PRESIDENT—Please make the request again and we will do it formally so that even I will know what is going on.

Senator Parry—It would have been handy to have all the senators in here. We will have to call them back again, but I ask that the question be put.

Question put:

That the report from the committee be adopted.

The Senate divided. [6.56 pm]

(The President—Senator the Hon. JJ Hogg)

Ayes........... 33
Noes........... 33
Majority....... 0

AYES

Bilyk, C.L. Bishop, T.M.
Brown, B.J. Brown, C.L.
Cameron, D.N. Carr, K.J.
Collins, J. Conroy, S.M.
Crossin, P.M. Farrell, D.E.
Feeney, D. Forshaw, M.G.
Furner, M.L. Hanson-Young, S.C.
Hogg, J.J. Harley, A.
Hutchins, S.P. Ludlam, S.
Lundy, K.A. Marshall, G.
McEwen, A. McCusker, J.E.
Milne, C. Moore, C.
O’Brien, K.W.K. * Polley, H.
Pratt, L.C. Sherry, N.J.
Siewert, R. Stephens, U.
Sterle, G. Wortley, D.
Xenophon, N.

NOES

Abetz, E. Adams, J.
Back, C.J. Barnett, G.
Bernardi, C. Birmingham, S.
Boyce, S. Brandis, G.H.
Cash, M.C. Colbeck, R.
Cormann, M.H.P. Eggleston, A.
Ferguson, A.B. Fielding, S.
Fierravanti-Wells, C. Fitzfield, M.P.
Fisher, M.J. Humphries, G.
Johnston, D. Joyce, B.
Kroger, H. Macdonald, I.
Mason, B.J. McGauran, J.J.
Nash, F. Parry, S. *
Payne, M.A. Ronaldson, M.
Ryan, S.M. Scullion, N.G.
Troeth, J.M. Trood, R.B.
Williams, J.R.

* denotes teller

Question negatived.
The PRESIDENT—The effect of this vote is that the Senate has adopted the report from the committee and message no. 448 from the House of Representatives remains before the committee of the whole.

DOCUMENTS

The PRESIDENT—Order! It being after 6.50 pm, the Senate will proceed to the consideration of government documents.

Consideration

The following government documents tabled earlier today were considered:


ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Hurley)—Order! It being 7.01 pm, I propose the question:

That the Senate do now adjourn.

Aged Care

Senator WORTLEY (South Australia) (7.01 pm)—The needs of older Australians are definitely not one size fits all. They are as diverse as they are important, and I speak tonight to draw attention to this government’s commitment to all older Australians—those people who seek to maintain their independence at home, those in need of the benefits of aged-care facilities, and the great number whose needs fall somewhere in between. Older Australians are telling us that they want to be independent and that they wish to remain in their own homes and live in their communities for as long as possible. The Rudd government understands this desire and continues to strive to meet this need. It also understands that, for some, this is simply not possible and that we have to offer the best care and treatment possible while ensuring such elderly people are able to maintain their dignity.

This government commits almost $10 billion a year to the needs of our older Australians, recognising that the services provided have to keep pace and to change as needs change. We have committed a further $44 billion over the next four years to aged care, including $728 million for aged-care homes alone. This is an essential commitment. Australians have amongst the longest life expectancy in the English-speaking world. Logically, an ageing population makes new-found challenges for our governments, our health, our aged-care systems and our economy, as older Australians deal with a range of complex and chronic conditions. This govern-
ment is committed to quality of life for the aged. Consequently, we have taken it upon ourselves to reform an aged-care system that was sadly ignored by the previous Howard government. We have also significantly increased the former government’s annual funding for the aged, while looking at the future needs of these older Australians.

Since 2007, the Rudd government has increased residential aged-care places by more than 6,000—with half of that number dealing with high-care needs. Around 210,000 people will receive subsidised permanent residential aged care this year. However, there are many people who do not need this care and wish to retain their independence according to their ability to do so. The aged-care funding instrument, or ACFI, was introduced in March 2008 to ensure that funding more appropriately and accurately matched the care needs of older residents. In replacing the resident classification scale, it also allowed aged-care workers to devote more time to actually providing care and less time to filling out paperwork.

Because of the many and varied needs of the individual, the government has been undertaking a review into the ACFI’s operation to ensure it provides the best service possible for all older Australians. The review, to be completed by mid-2010, is examining ways in which the ACFI can best match funding to the specific needs of residents, reduce unnecessary paperwork and allow better cooperation between departments and aged-care providers. This year alone, the government has committed to almost 15,000 new aged-care workers. In June, the Minister for Ageing, Ms Justine Elliot, announced almost 4½ thousand new aged-care places, worth more than $347 million a year. In October, a further $19 million was directed towards creating 4,600 additional training places for aged-care workers. But, of course, the needs of older Australians extend well beyond aged-care facilities. These places come on top of the home and community care services provided to elderly and disabled people at a cost of $1.2 billion this year alone. Last year, this program assisted 830,000 older Australians.

The Rudd government has allocated $51 million in capital grants—the largest single allocation by an Australian government since the Aged Care Act came into effect in 1997. No Australian government has provided more financial support to aged and community care. We have established community and flexible services in remote areas and for special needs groups. This includes the purchase of essential equipment and motor vehicles. Over the next four years, the government will contribute almost $45,000 a year to every aged-care resident. While residents will contribute an average of $20,000 to their own care, the government will pay for those who are unable to pay for themselves.

The Minister for Ageing, Mrs Elliot, recently announced increased funding for a range of needs for the ageing, including subacute care, transition care, continence support, dementia support, hearing services and palliative care. This includes $1.2 billion for home and community care, $500 million for subacute care, $293 million over four years for a transition care program, $120 million a year for the dementia initiative servicing 200,000 Australians, $348 million this year towards hearing services and $21 million to the National Palliative Care Program. The Rudd government is also investing in the aged-care workforce. It has put almost $7 million towards bringing more than 100 nurses back into the sector. It is working to upskill 21,000 aged-care workers and it is creating a further 12,000 places in the sector. In addition, another 4½ thousand newly trained staff specialising in dementia care bring the total in that area to 18,000.
Looking well ahead with a view to future needs for the ageing, the government will ask the Productivity Commission to hold an inquiry into aged care. The terms of reference for this inquiry will be to look at the needs of the ageing for the next 20 years. It is a big task, and it is an even bigger responsibility, but it is important to get this right now so that older Australians well into the future can expect and receive the care, support and respect they deserve. Why are we putting in place the measures I have outlined tonight? The answer is simple. I will quote Minister Elliot from her address to this month’s Aged Care Association of Australia congress by way of explanation: ‘Our aim is to build a modern system that meets the challenges of an ageing population, one that caters for increasingly complex care needs and one that provides greater choice for older Australians and their families. These are obvious goals—I don’t think anyone would be advocating for a system that did not put the people receiving care at its heart.’

Emissions Trading Scheme

Senator WILLIAMS (New South Wales) (7.10 pm)—I rise to talk about the emissions trading scheme. I had a lot to say about it yesterday, but I am really concerned about the proposal and I would like to go on and talk about sequestration of carbon in soil. What worries enormously is that the target set by the government in the Carbon Pollution Reduction Scheme is between five and 25 per cent, depending on the decisions the rest of the world make at Copenhagen. I know it is off to a bad start and expecting an agreement from the rest of the world at the Copenhagen meeting, which commences on 7 December, would be very optimistic indeed. I would just like to paint a picture of what will happen if the rest of the world does not do anything, by which I mean if the emissions from all the other countries in the world remain the same and we reduce Australia’s by five per cent, which would cost somewhere between $120 billion to $200 billion by the year 2020, depending on the price of carbon, the Australian dollar and the dealers on the stock market where they trade that price. If we have a reduction of five per cent, that will mean that we will reduce the amount of carbon dioxide in the atmosphere from 380 parts per million to 379.75 parts per million. In other words, we will reduce the levels of carbon dioxide by just a quarter of one part at a cost of some $200 billion.

This is of great concern, but the point I would like to make is about storing carbon in the soil. Every tonne of carbon in the soil is roughly equivalent to four tonnes of carbon dioxide in the atmosphere. People say, ‘How do you store the carbon in the soil?’ Good question. In actual fact, there is a very simple answer to it. The problem we have is that the Kyoto agreement does not recognise soil carbon. Any soil nutritionist will tell you that carbon is the cycle of life and the more carbon in the soil the less fertiliser required, the better the food we grow, the less moisture required and the more the soil holds moisture. If you do not have healthy soil, then you do not grow healthy food, and if you do not have healthy food you simply do not have healthy people. This is a health issue. The condition of the soil that grows our food in this nation must be healthy.

How do you sequester carbon in the soil? It is simple: balance the nutrition in your soil. You might have a situation where the calcium levels are low, so the farmers simply spread lime on their country. That brings the soil back up into balance. What that does is make the microbes in the soil multiply by a huge factor. It is those microbes in the soil that convert the humus into carbon, and 60 per cent of humus is carbon. We have seen the carbon levels reduced enormously around Australia over many years, mainly from put-
ting nitrogen on the soil, because nitrogen makes the microbes hungry and they then consume a lot of carbon and the balance is not there. I have seen good black-soil country in the Moree area—magnificent basalt self-mulching soil—that was once four or five per cent carbon but now is down to just 0.5 per cent carbon.

The point I make is this: if we increased the carbon in our soil by three per cent over the 450 million hectares of agricultural land in Australia we would 100 per cent neutralise Australia’s carbon dioxide emissions for the next 125 years—not just five percent through a $120 billion to $200 billion cost from 1 July 2011 through to 30 June 2020. We would 100 per cent neutralise carbon dioxide emissions for the next 125 years.

I know it is a wish that will never come true, but I would like to take the people of this place out to the Northparkes Mine near Parkes in the central west of New South Wales. The mine was owned by North Mining, and now it is owned by Rio Tinto. Around the mine they have 10,000 acres of land, which they farm every year. Geoff McCallum is the farm manager. When they farm that country a tractor goes over that ground once a year—tram-tracked; Scottie Goodsell is the contractor there. The increase in carbon in that soil is absolutely amazing. A lot of that red country out there has been farmed for many years and the soil structure has actually broken down. When you farm that country and you have rain on it after you sow the crop and you have a frost, the country actually crusts; it sets like concrete on top and often the crop does not come up. It is a constant problem. But when you build up the carbon in the soil, no longer does that soil actually crust. Going out there in the middle of summer for many years—it is mainly a winter rainfall area of the state—when it was hot and dry as we carted weeds out of the paddocks, and that was only a few years ago for me, you could just scrape the soil with your boot and you would dig down four or five inches. It was like loam. And this is a mining company that is managing this soil. They have done a magnificent job with it.

The point I make is that this is what we could do right around Australia. It is win-win all the way through. Increase the carbon in the soil and that dramatically reduces the carbon dioxide levels in the atmosphere and makes the soil better and healthier. You will grow more food, which is going to have to be the No. 1 priority as the world’s population continues to increase, and you will grow better food. What I am saying is that this is a win-win situation. You do not need $120 billion or $200 billion of costs placed on industries and households, with the truckies and the fuel and everything else, over the years. We can do much, much better by good environmental management.

Hence, I think that caring for our soil is what people on all sides of the parliament should be looking at. I believe our soil is our most valuable asset in this nation: it is our soil that grows our food and it is our soil that grows the trees, the pastures and everything else. The healthier the pastures, the healthier the stock that eats those pastures and, hence, the healthier the food from that stock. This is what I have been saying for some time now. And I want to thank people like Dr Christine Jones, from the University of New England, and my colleague Rick Colless, a member of the Legislative Council in the New South Wales parliament who spent 30 years of his life caring for soil.

The problem we have is that it is very hard for our farmers to be green when so many are so far in the red. The debts are huge and the costs of farming are huge. In two years the price they paid for MOP fertiliser has gone to $1,500, $1,600 or $1,700 a tonne—only to find they had a drought and a
failed crop. This is the problem: when they have a failed year, a failed harvest, they still lump the cost, and the costs are huge. That means that they have to borrow more to continue and many are simply living off the equity in their land.

I believe we need to have a situation where the government is involved with our soil, putting dollars into it, sequestering carbon in it—far, far more than you will ever get from any emissions trading scheme. It would improve the soil, which will grow more and better food on better land with less rain. That to me is the most vital issue that we face in the future. If we are going to leave our land to future generations in better shape than we inherited it then we must address the quality of our soil and we must look after it correctly.

I know that it is frustrating when we see the dust storms of recent months blowing in from the centre of Australia, dry as all can be with no grass cover and no pasture cover to protect the soil. There is only one way we are going to fix that at the moment and that is with rain so that we get a cover of pasture over the land to hold the topsoil together. It has of course been happening for thousands of years. That is why there are big red sand dunes out in many areas of Central Australia.

The point I make is that if we are going to go down the road of reducing the carbon dioxide levels in the atmosphere we can do it far better than with an emissions trading scheme and we can make things much better for future generations. That to me is one of the most important issues that we should address in this parliament. I thank the Senate for the opportunity to speak.

Make-A-Wish Foundation

Senator STERLE (Western Australia) (7.20 pm)—I would like to make a short statement about the fantastic event that was held with the Make-A-Wish Foundation and champion wrestler Hulk Hogan in Parliament House last week. We were very lucky that the Hulk was able to donate his time and grant wishes for two very special children.

First, I would like to make a few comments about the Make-A-Wish Foundation. The key mission of the Make-A-Wish Foundation is to grant the wishes of children with life-threatening medical conditions, to enrich the human experience with hope, strength and joy. Make-A-Wish began from very small roots in the United States. All his life, Christopher James Greicius dreamt of becoming a police officer. This wish was to become the inspiration for the largest wish-granting organisation in the world. In 1980, at the age of seven, young Chris was diagnosed with leukaemia. Upon learning that Chris’s most cherished wish was to be a policeman, members of the Arizona State Troopers began working to ensure his dream came true. They arranged for Chris to take a flight in a police helicopter and ride in a patrol car, and they presented him with his very own uniform. He was even sworn in as an honorary member of the force. Sadly, Chris passed away shortly afterwards, but the legacy of this first wish would be unprecedented. After attending Chris’s funeral, two of the state troopers reflected on the experience of making his dream come true. They thought that, if one boy’s wish could be granted, maybe the same could be done for other children. It was at this moment that the idea for Make-A-Wish was born.

In 1985 Make-A-Wish Australia was born and has since granted over 5,700 wishes to Australian children with life-threatening medical conditions. The foundation’s first wish was granted to 16-year-old Shawn Cleland of Footscray in Melbourne in 1985. An avid fan of AFL, Shawn’s wish was to meet the players of his beloved Footscray. Shawn had never flown in a plane, so Make-A-Wish added an extra special touch, flying Shawn
to Sydney to see the Bulldogs play the Swans. ‘Walking was my first choice of a wish,’ said Shawn, who was confined to a wheelchair due to his illness. His second was to play cricket for Australia or football for Footscray. Shawn’s favourite player, Footscray legend Simon Beasley, paid him a visit before the trip. ‘Tell the team that if they get a thrashing they deserve a salary cut,’ Shawn joked.

Make-A-Wish Australia is a national charity with over 1,000 volunteers and 57 branches. The national office is in Richmond, Victoria and there are also state corporate offices in Queensland, New South Wales, Western Australia and Victoria. Make-A-Wish has over 30 affiliates worldwide. All the money raised in Australia goes towards granting Wishes to Australian children.

Now in regards to last week’s event, I first have to pay a very special vote of thanks to Hulk Hogan, who drove down from Sydney with his fiance, Jennifer McDaniel, for the day so that he could take part. Hulk Hogan gave up his time and proved once again why he is a fantastic ambassador for the Make-A-Wish Foundation. You might be surprised to know that the Hulk is one of the most requested wishes in the USA. He has a long history donating his time and money to this and many other charities and he was delighted to be able to grant some young Aussie children their wish of spending some time with him.

One of those children is Tabitha Ellem. Tabitha is seven years old and suffers from a rare disorder known as Hurler’s disease that has required bone marrow transplants and chemotherapy. Despite her small stature, she is immediately the biggest presence in the room. Her personality is a delight to behold and the way she views life, despite her many challenges, should be an inspiration for the rest of us. Tabitha enjoys watching the wrestling on TV and impressed me, I must say, with her knowledge of the Hulk and his wrestling moves, which was second to none. I asked her, ‘Do you know what the Hulk does?’ She was in my office. Sitting there, she leant forward, pulled up her little arms and then started kissing her biceps. She really had it worked out.

Mark Dunn is a bit older than Tabitha at 17, but he is no less an inspiration. He has been through hell recently, having undergone chemotherapy after being diagnosed with a brain tumour. This quiet and unassuming young man never seems to complain about his situation and I never saw him without a smile on his face that whole day. I know that he is about to be granted his wish to head to Switzerland in January for a much deserved break and ski trip. I want to take this opportunity to wish Mark and his family all the best.

I just want to make a point here. While we are conscious of the challenges facing these children, we really need to take a moment to think about the way that having a sick child affects their family as well. I can only imagine the difficulties that must be faced by these children’s families. I want to acknowledge their efforts in this place as well and I hope that through foundations such as Make-A-Wish they, as well as their children, can enjoy some happiness and joy during difficult times.

I would also like to acknowledge at this stage the CEO of Make-A-Wish Australia, Sandy Brattstrom, who also attended on Thursday. She and the other volunteers who attended were an example to us all of how we can give back to the community by giving up our time for charitable causes such as Make-A-Wish. I encourage everyone to volunteer their time to charitable causes. To provide a moment of joy or happiness in an-
other human being’s life will have a profound impact on you also. I can testify to that.

I must also at this point thank the Minister for Early Childhood Education, Childcare and Youth and Minister for Sport, the Hon. Kate Ellis, as well as the Parliamentary Secretary for Disabilities and Children’s Services, Bill Shorten, who took the time to address the audience and strongly encourage donations to the Make-A-Wish Foundation.

Now I have to seek some indulgence, as I profess that I am indeed a Hulkomaniac, even at my youthful 49. To have the one and only Hulk Hogan at Parliament House in the flesh was a great thrill for me, as I know it was for many of us here, including other members of parliament and the staff. The Hulk has been a fantastic promoter for wrestling. I can still remember when my 19-year-old son, young Daniel, was a little fella sitting back together and watching the wrestling—only for his entertainment, of course. When the commercial break came in, I could guarantee London to a brick that there would be an opportunistic headlock or a punch in the side of the head. Much to the dismay of my wife, we still fancy our chances with each now and again, but I have to confess that I have to fight dirty now, as he is getting a little bit too strong for me.

In conclusion, I would really like to take this opportunity to thank the staff and members of Parliament House who turned out in large numbers last week—numbers that I am told we have not seen since that fateful time in 1975 in the old building. This was a joyous and happy occasion. The cans went around and I believe that we raised over $1,000 for the Make-A-Wish Foundation. To everyone from all sides of politics and the staff, congratulations and thank you very much. Organisations such as Make-A-Wish deserve support from across the political spectrum and I hope that the parliament may continue this great relationship into the future.

DonateLife Family Program

Senator CAROL BROWN (Tasmania) (7.28 pm)—Before I start my contribution tonight I just want to place on record my congratulations to Senator Sterle and those involved who helped the Make-a-Wish event a truly memorable time for two very precious children. It was a job very well done.

It is with pleasure that I rise tonight to talk about the Prime Minister’s recent announcement of the creation of the DonateLife Family program. The DonateLife Family program is a new national initiative designed to help educate Australian families about organ and tissue donation, and it comes as a result of the government’s Australian Organ and Tissue Donation and Transplantation Authority Bill 2008, which was passed in November last year. As a long-time advocate and supporter of organ and tissue donation, I have spoken in this place a number of times not only on that bill but also about the importance of organ donation, and I know full well the power of organ and tissue donation can have in helping to save lives.

As the Prime Minister outlined at his announcement, the new DonateLife Family public awareness campaign will encourage Australian families to talk about their views and wishes regarding organ donation. This is of course extremely important because the average Australian donor rate in 2008 was only 12 donors per million people. And even though my home state of Tasmania did fare slightly better than the national average, recording 16 donors per million people, there is still much work to be done, with these levels far too low. The new program will encourage Australian families to sign up and become a DonateLife Family. It is only
through this process that I believe we can begin to raise Australia's current low levels of organ donation.

It was indeed pleasing to see at the announcement of the new DonateLife Network that the Prime Minister and his family took the lead on this crucial issue and became Australia's first DonateLife Family, which is a family that has had discussions and knows each others' wishes about organ donation. It is indeed very important for families to have these discussions, because 40 per cent of Australians do not realise that consent is always sought from families before an organ donation can proceed. So, to raise organ donation levels, Australians need to ensure that their family is aware of their wishes. Currently 30 per cent of Australians do not discuss their wishes regarding organ donation with their family and consequently the family consent rate is affected, as it currently sits at just 56 per cent.

These figures are considerably low, especially when you think that public support for organ donation in Australia is around 90 per cent. However, even though public support for organ donation is high, last year our organ donation rate left a lot to be desired. Over the course of last year just 259 people donated their organs, and this year’s organ donation rate is heading in a similar direction, with just 213 people having donated their organs by the end of October. To lift these low levels of organ donation rates we must lift the family consent rate, and this is at the core of what becoming a DonateLife Family is all about—that is, providing your family with information so that they are able to represent your wishes regarding organ donation.

Lifting donation rates is so critically important, especially when you consider that at any one time around 1,700 Australians are on the organ transplant waiting list. These 1,700 people are often faced with the agonising and uncertain wait to receive the gift of life, because people on the organ transplant list usually wait between six months and four years to be given a second chance. In even more tragic circumstances, some people will never receive that second chance because that new organ will never come. Our poor donor rate means that last year we were unfortunately unable to match demand for organ donation. In Australia only one-third of organ donation demand was able to be met, and each week two people die waiting for a transplant.

As a longtime supporter of organ donation, I have spoken in this chamber a number of times about this important area, and I can only hope that the new DonateLife Network will help ensure that we meet this demand for organs in the future. I am currently a member of the Australian Organ Donor Register and have also made my wishes known to my family regarding organ donation. I hope that this initiative will encourage many more Australians to follow these steps to become organ donors and be prepared to give the gift of life to someone on an organ donation waiting list. It is my strong advocacy for organ donation that makes me extremely pleased to be part of a government which has made a significant investment to help lift the rates of organ donation around the country.

The Rudd Labor government’s $150 million organ donation reform package will deliver the newly formed DonateLife Network across 75 hospitals around Australia. The newly established network represents a most welcome and definitive step forward towards improving the rates of organ donation and transplantation in Australia. The DonateLife Network will have a team of specialised clinical staff in each state and territory to help increase Australia’s rate of organ donation, and I am indeed very pleased that in my home state of Tasmania we will receive our
first dedicated organ donation office, based at the Royal Hobart Hospital.

The office will educate people about the donation process, encourage potential donors to discuss their wishes with their families and provide support to the families of donors. I would like to take this opportunity to congratulate Dr Andrew Turner on his appointment as the state medical director for organ and tissue donation. He will be assisted, I understand, by experienced nurse Rob Thornton, who will also be based at the Royal Hobart Hospital. The funding provided by the Rudd Labor government will also allow for a part-time position based both in the north of the state in Launceston and on the north-west coast at Burnie. Together these staff will be charged with setting up Tasmania’s first organ and tissue donation agency.

It is vitally important that Tasmania has its own organ and tissue donation agency because currently clinicians have to travel from Victoria to examine possible donor patients. That is why I am pleased that on announcing this new Hobart office the Australian Organ and Tissue Authority national medical director, Dr Gerry O’Callaghan, said:

…it was hoped that within two years those functions could be fulfilled by the Tasmanian donation agency.

Dr O’Callaghan also said that the Tasmanian organ and tissue donation agency:

…will provide expertise to the state and their clinical colleagues in hospitals to provide support to families.

It is indeed very pleasing that Tasmania will have its own dedicated organ and tissue donation office, because this will give us our own dedicated team of medical professionals located in Hobart. I hope one day that this will eventually prevent the need for clinical staff to travel from interstate to Tasmania to conduct organ donation consultations and operations.

In the days following the announcement I was touched by stories of two families who had both been in the sad and tragic situation of losing their sons. These two families had discussed organ donation with their sons so, whilst they were faced with the heart-wrenching situation of losing a loved family member, they knew the wishes of their sons regarding organ donation and were able to give the wonderful gift of life to people on the organ donation waiting list. It is stories like these which have inspired the DonateLife Family program. It is of course sad when a loved one passes, but we want to encourage families to have the discussion so that more Australians inform their families that they want to give the gift of life to people who sit on the organ donation waiting list.

Whilst watching the news in the days after the announcement I was able to fully comprehend the preciousness of the gift when an organ donor recipient described this gift as being ‘golden’. It is with these inspirational stories in mind that I will end my remarks tonight by urging Australians to have this discussion with their families and consider becoming a DonateLife Family. Giving the most precious gift of all, an organ and second chance at life, to someone is important. Organ donation saves lives, and I hope that this significant investment of some $150 million by the Rudd Labor government will go a long way to help lift the rates of organ donation in Australia.

**Goldfields Water Supply**

Senator BACK (Western Australia) (7.37 pm)—This evening I am delighted to report to the Senate that the Goldfields Water Supply pipeline in Western Australia has been recognised through the awarding of the International Historic Civil Engineering Land-
mark award by the American Society of Civil Engineers. This is the third such project in Australia to be recognised, the other two being the Sydney Harbour Bridge project and the Snowy Mountains Hydro-Electric Scheme. It joins such other projects as the Eiffel Tower in Paris, the Panama Canal and the Golden Gate Bridge in San Francisco, which have gained similar recognition.

This particular project commenced in 1895 and was completed in January 1903 by the then Public Works Department of Western Australia. It included the building of a weir at Mundaring to the east of Perth and a 566-kilometre steel pipeline—the first steel pipeline of its type ever built in the world and, until the 1960s, the longest water pipeline in the world; for some 60 years it remained the longest water pipeline in the world. It also included eight pumping stations that supplied water to towns on its way to the goldfields, where it ended at Kalgoorlie.

The chief executive officer of the now Water Corporation, replacing the Public Works Department, made this statement recently:

This accolade is great recognition for those who built the pipeline and for the many people involved in upgrading and maintaining over the last 106 years.

ASCE international director, Mr Potenciano Leoncio, said:

When built, it was an innovative, ambitious and daring water engineering project. Incredibly, more than 100 years later, it is still operating and carrying much-needed water to the goldfields and agricultural regions.

This award celebrates the life of Charles Yelverton O’Connor, after whom the electorate of O’Connor in Western Australia is named. His presence in Western Australia in 1891 actually had its origins in the preparation for Federation.

The then premier of the colony, John Forrest, had come to Melbourne to negotiate with other states and colonies, and at that time New Zealand was also contemplating joining the Federation. Apparently in discussions over dinner, Forrest said to the assembled party, ‘I have urgent need of an engineer,’ and the New Zealand representative said, ‘We have a wonderful Irish engineer in CY O’Connor. We have no further need of him and cannot afford his services,’ and that is how O’Connor came to the colony. What is interesting is that shortage of water, which was the catalyst for the building of the water pipeline at that time, remains today.

But this was a time when the colony of Western Australia was in severe financial straits. Gold had been discovered at Coolgardie in 1892 and again in Kalgoorlie in 1893. Water was in such demand that it was actually more expensive than whisky. Not only was water in short supply and unreliable, but also diseases such as typhoid and others that are associated with unhealthy water were actually having a severe impact. At that time, towards the coast the colony was not surviving financially; its only future lay in a secure supply of water to the goldfields so that they could be exploited.

O’Connor came to the colony in 1891 and in 1892-93 commenced the design work for the pipeline. His early work in Western Australia was the Port of Fremantle. He was also the railways commissioner, so he was actively involved in this activity. He was supported by the then premier, Lord John Forrest.

When the pipeline was first conceived, everybody thought the man was mad. It would involve 76,000 tons of steel—at that time the biggest ever order for steel in the world. Because of uncertainty the order was split equally between the United States and Germany. The project commenced in 1895
with the building of the Mundaring Weir, which, of course, is still in use today. O'Connor was an innovator of the most incredible kind. He came up with a new technique for joining the pipes with less friction—not requiring the use of rivets—so that the pipeline could be more quickly assembled.

Interestingly enough, he was the first to introduce the concept of an eight-hour working day. CY O'Connor was revolutionary in his attention to detail and particularly to the welfare and wellbeing of the workers—as you would understand, there were many. Regrettably, as often happens in these cases, he and Forrest were the subject of the most severe criticism. There was vicious criticism by other parliamentarians in the colony, who said it was a waste of money and that it would never work—"You can't pump water uphill," which, in fact it did. There was also criticism by the editor of the then Sunday Times newspaper. History records that approximately nine months before the project was completed, CY O'Connor was so overcome by the criticism and by the constant anxiety he and his family suffered as a result that he actually took his own life in March 1902.

It is a myth in Western Australia that O'Connor actually killed himself in desperation when Forrest, in Kalgoorlie, turned on the tap and no water arrived. That was not the case and he had already proved that his project would work. Regrettably, some months after he actually passed away it was in fact the case that when Forrest turned the tap on the water did not flow, but the fault lay at pumping station No. 8, where the person in control had failed to activate the valves. It is one of those unfortunate circumstances where a great man, a person who revolutionised Western Australia, was not there to see his project come to its conclusion. At the same time, whilst he has been well recognised, there is a concern that more could always have been done.

The engineering side is interesting but more important is the social side of O'Connor's contribution to Western Australia through the agency of the pipeline. As I mentioned earlier, prior to the pipeline being completed a reliable supply of quality water was in very short supply. The end result of that was that there were very few women and even fewer children on the goldfields simply because it was not possible for family life to flourish without a reliable supply of water. The second point to be made which also relates to family life is that whilst we refer to it as the goldfields pipeline of some 566 kilometres, it is often overlooked that that pipeline also services some 100 to 200 kilometres north and south of the pipeline through our Western Australian wheat belt.

My own grandmother came from Ireland as a young woman at the turn of the last century, and it was really not until there was a reliable supply of water occasioned by the water pipeline that people like my grandmother were able to actually join their husbands in what were the developing areas of the farming properties of the wheat belt, so O'Connor's contribution has been absolutely significant in turning what was a very male dominated life on the goldfields and in the developing wheat belt into a robust family life. The man's contribution has been absolutely profound.

Here are some interesting statistics: at that time the cost of the scheme was £2.655 million or $5.3 million, and it would be interesting to reflect on what the actual cost of the pipeline would be today; there were some 60,000 pipes which enabled up to 5.6 million gallons to be pumped—or in today's terms 25½ million litres—each day. Therefore, it has not been the lifeblood but the aorta of southern Western Australia, supplying the
arterial water that has kept the goldfields open and such a prominent contributor to the economy of our state and the nation.

I conclude with my acknowledgment to the Western Australian Institution of Engineers who sponsored the application for the award in the first place and also to the National Trust of Australia WA for their commitment to the interpretation and conservation of the goldfields supply. I refer particularly to my great friend Tom Perrigo, the CEO, and the manager of the Golden Pipeline Project, Anne Brake.

**Centenary of Canberra**

Senator LUNDY (Australian Capital Territory) (7.47 pm)—Just down the hill from the parliament, not more than a 10 minute walk from here, the maps section of the National Library of Australia is currently host to a superb exhibition on the role that maps played in the compelling story of Canberra, and I recommend it to all my colleagues. I want to note that it is curated by a former Australian High Commissioner to Canada turned passionate cartographer, Mr Greg Wood. The exhibition is titled ‘Far-Sited: the Maps that Made Canberra’.

If you take a further stroll across Commonwealth Bridge and along the RG Menzies Walk to the National Capital Exhibition, where a fine and complementary display is hosted by the National Capital Authority, you will find that it traces the key role played by the surveyor in this story of Canberra’s beginnings. I am sure my colleagues are aware that one of Scrivener’s original huts can be seen and enjoyed any lunchtime not far from here, only a few hundred metres away to the west of the Senate entrance in the aptly named Scrivener Park.

The fact is that we are surrounded by history in this city, and whilst it is not as old a history as that of some other cities it is a very important history. The weight and significance of the centenary birthday years from 2008 to the ultimate climax in March 2013 have a lot ofCanberrans excited and many already actively involved in the build-up to the commemoration. To date, activity has largely been generated by the Chief Minister of the ACT government, Mr Jon Stanhope, and his team through an emerging program that started back in 2006 with the welcome announcement that Sir William Deane would be patron of the centenary. This prompted an ongoing set of thoughtful community events which has created, I think, growing momentum.

In December last year the Commonwealth and ACT governments signed an agreement to collaborate on the exact date that 100 years earlier, on 14 December 1908, the Seat of Government Act 1908—the Yass-Canberra act—received royal assent. This act, as I discussed in some detail in a speech in this place late last year, brought to an end the so-called ‘battle of the sites’ in which between 1902 and 1908 numerous aspiring New South Wales towns vied to be what one well-known writer of the period, Mr William Astley, termed the ‘Treasure House of the Nation’s Heart’.

But the Canberra story did not go into hiatus until 1913—far from it. In many ways the story of the years from 1909 to 1912 got more and more interesting and in many ways more and more complex. 1909 was a fascinating year and it, too, had a lot of interesting things happen late in the year—a bit like this year. Charles Scrivener, who was always a favourite with both Labor and conservative Commonwealth politicians of the time, had early in the year embarked on a preliminary survey of the main Yass-Canberra site options, examining Mahkoolma, Yass, Gundaroo, Hall, Lake George and the option called Canberra. It is worth noting that Scrivener always favoured distant Dalgety as his capital but, given the job of canvassing...
the Canberra valley, with typical professionalism went about his business and eventually—and quite correctly—chose the city precinct we know today.

This area was the one that Scrivener felt went closest to fulfilling the instructions that he had been given by the Labor government Minister for Home Affairs of the day, Hugh Mahon. Mahon’s brief is a memorable one and, like so much of the thinking of a cluster of high-minded Federation fathers a century ago, is worth putting into the Hansard in 2009. He tasked Scrivener with giving the new Commonwealth of Australia:

... a beautiful city, occupying a commanding position, with extensive views, and embracing distinctive features which will lend themselves to the evolution of a design worthy of the object, not only for the present but for all time ...

It was a noble and visionary brief and Scrivener, helped greatly by the earlier work of a number of NSW government surveyors including Arthur Lloyd and Leslie Wade and the architect Walter Liberty Vernon, got it just right. He wrote in his report:

... Canberra ... would be visible on approach for many miles ... The capital would ... lie in an amphitheatre of hills ...

Those senators familiar with the extraordinary plan of Walter Burley Griffin and Marion Mahony Griffin, which was to come in 1911-12, might well recognise the continuity of language and intent of those Australians who had national capital roles of significance before the Griffins came into the picture and who in subtle ways influenced the Griffins as they produced their design of Canberra in the last months of 1911 in distant Chicago without ever having set foot in Australia.

Indeed, at the conclusion of the many months in 1909 of Scrivener’s survey and its acceptance by government, the Sydney Morning Herald reporter on 27 November 1909, 100 years ago almost to the day, caught the lofty mood of the moment in these words:

... when we begin to build, even though unpretentiously, we should build to a plan nobly conceived and worthy of the setting provided by nature. Even though our capital be small, a unique opportunity offers for making it one of the most beautiful cities in the world.

Considering that some of the most internationally distinguished architectural and planning scholars have in the last couple of decades acknowledged Canberra as the world’s most elegant ‘capital city in the landscape’, the Herald reporter’s words back then have genuine prescience.

Yet 1909 was not just the Scrivener chapter of the larger Canberra story. It had its moments of real political controversy too, not least when Queensland Senator Thomas Givens, another who favoured Dalgety, in October moved a motion in the Senate to re-examine the site issue. The motion was defeated, but only just, and the controversy highlighted yet another period of vigorous and intensely contested national capital debate, almost a year after the Seat of Government Act seemed to have settled the issue. Biases, tirades, statistics and sheer exasperation continued to flood across the floors of the two federal chambers, and the site debate did not subside.

Labor politicians of the period, both in government and in opposition, played crucial and catalytic roles in the pursuit of a capital site at this time. Chris Watson, for example, the leader of the world’s first national labour government, was conspicuous throughout these years. He was arguably a key person in the parliament for Canberra getting the nod. It was Watson who in April 1908, less than 12 months before Scrivener produced his survey, stated the Canberra case unequivocally and probably decisively when he said:

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... I was certainly impressed at Canberra by the picturesque appearance, which ought to commend the site to all who desire the beautiful. In the vicinity there are mountain gorges, which afford every diversity of scenery, and I have been informed by trout fishers that there are most interesting places in the heart of the Murrumbidgee Mountains, full of beauty ... I do not say that picturesqueness alone should decide the question; but, other things being equal, I think the beautiful ought to turn the scale ...

Scrivener’s second report in May 1909 was a beauty and, despite Queenslander Givens’s pot-stirring a few months later, the process moved inexorably on to the Seat of Government Surrender Bill going through both houses of the NSW parliament on 7 December 1909. Six days later, the Governor-General, Lord Dudley, put his signature to the Seat of Government Acceptance Act 1909 on 13 December—again, almost exactly 100 years ago. Thus an ‘area of about 900 square miles’ was finally given to the Commonwealth. The precise borders of these 900 square miles were still not certain, but that is a story for the centenary in 2010.

In the coming weeks the ACT government will launch a series of five booklets that fill the main scholarly gaps in the Canberra story. This is great news for the rapidly expanding group of students of the national capital’s rich and engaging history. On top of that, we now know that the centenary will have Robyn Archer as its creative director all the way through to the climactic year of 2013. The appointment of one of this country’s most eminent artists is a wonderful coup for the ACT government and indeed for Canberra, the national capital. As a singer, writer, artistic director and irrepressible arts advocate, Robyn Archer has carved out a national and international reputation, and already she has put her unique stamp on the program. It can only be hoped that her energy and commitment will result in a dramatic increase in the number of collaborative activities between the ACT and Australian governments in 2010 and beyond. (Time expired)

Child Health Now Campaign

The acting Deputy President (Senator Crossin)—I acknowledge our very special and important guests in the public gallery.

Senator Moore (Queensland) (7.58 pm)—I share with the chair my acknowledgment of students from seven schools around the Elmore area. Welcome and thank you for being so patient and staying in the gallery—we appreciate it. And, Senator Lundy, this is one Queensland senator who will always support Canberra. I think it is a wonderful place.

Senator Lundy—Thank you, Senator Moore.

Senator Moore—This week in Australia, World Vision will launch its Child Health Now campaign. It is an extraordinarily important campaign. In this place on many occasions we have talked about the importance of the Millennium Development Goals. I hope the children up there all know about the Millennium Development Goals. The Child Health Now campaign is focusing on millennium development goal 4, which looks at the issue of child mortality. To our horror, we know that, out of Asia-Pacific’s 1.27 billion children, nearly half a million live in poverty. More than 350 million are absolutely poor just in the Asia-Pacific, and that means deprived of two or more basic needs. Most of them live in rural areas in South-East Asia, home to the world’s highest levels of child malnutrition and insanitation, and we have talked a lot about the issue of girls being out of education.

One of the things that World Vision is looking at is generating community involvement and engagement in this campaign. It will be focusing on education because we
need to have a combined effort across our community to mobilise the Australian public in support of Australia taking a strong role through our aid program and through our very important resources to work in Asia, in the Pacific and also across the region to make sure that we address directly the horror of the unnecessary deaths of young children.

It is very, very confronting when we know that so many of the young children who die of diseases which in Australia are very easily fixed. When children in this country suffer from diarrhoea or infection there are places to go and there is medical help and professional support which eases the concern of parents and families. In many parts of the world of which I am talking that security and safety is not there and children die unnecessarily because they do not have proper medical help, proper sanitation and genuine community strength. The World Vision campaign is looking to facilitate effective collaboration between civil society, international NGOs, health experts, academics, the private sector, public figures—in fact, everyone must become involved in this campaign so that we can share knowledge, energy, commitment and very effective lobbying of our governments at all levels so that we can take part in this program.

It is not a short-term program. The child health program is aimed over a five-year period. We know that we have five years before we have to examine how we are going with the MDGs across the international community. We are so far along and yet on so many of the MDGs we are just not performing well. We know that it is important that the nine million preventable under-five-year-old child deaths that occur annually across the globe are addressed. Certainly, the biggest areas with our current knowledge are India with about 2 million deaths a year, China with 0.4 million deaths a year and Pakistan with 0.4 million deaths a year. There are 3.8 million deaths of young children in the Asia-Pacific region which can be prevented.

The World Vision’s health and nutrition goal is quite straightforward. It will result in improved health and nutrition of women and children in the areas in which we work contributing to the global reduction of under-five and maternal mortality. That way I can get my favourite, which is MDG 5 about maternal mortality, into the picture as well so we are addressing both of them. It is most important that we actually have intervention at the early ages. I have seen some very graphic information that shows how the effects of malnutrition and deprivation can affect young children from birth and their early years of life. Most terrifyingly, much of the early damage is actually irreversible.

We need to make sure in the period just before pregnancy until after the child is born and up to about two years of age that we look at the special cost-effective window of opportunity for impacting on nutrition and family health. Often it is so important that children and parents are able to access help early and are then able to build on strengths that can lead to effective childhoods and into strong and effective adulthoods in the economy.

One of the things that is impressive about the role of the MDGs and the UN commitment is that it brings together various streams of UN activity. The World Bank has been most effective in its work across most of the countries in our region and also at the international UN level to draw together information and to focus world attention on the purely economic benefits of ensuring that children have safe and healthy births and childhoods. We need to make sure that malnutrition is acknowledged as a core issue and the face of poverty. If we actually impose effective improved nutrition, in the words of
an economist, Madam Deputy President—and you know that I am not one—this would be a driver of economic growth.

We have, as a community, to stop seeing nutrition as a welfare issue and most importantly reposition it as central to effective economic development in communities. Once that argument is won, it is going to be much more clear and we will able to focus political will. What has occurred through careful research and local knowledge is that we have seen the kind of impact that various forms of interventions can have. The No. 1 intervention for young babies and their mums to ensure that they are healthy is breastfeeding. We hear about it in our own country, but it has been calculated that if we can promote in the area of Asia, China, Pakistan and India an effective process of breastfeeding, it could lead to a reduction of 13 per cent in the proportion of deaths in under-five-year-olds.

One of the things that we have talked about before is the need to have insecticide treated materials made available to communities, particularly looking at the issues around malaria and blood-borne diseases. A number of the aid organisations now promote the purchase by community members of special nets that have been treated with insecticide so that people of all ages, in particular mums and babies, can be safe in their homes. This has proven to be a marvellous process for improving the safety of these families. It is calculated that insecticide treated materials could lead to a seven per cent reduction in the number of deaths. Strong complementary feeding processes with mums and children, because we know that the health of the mother is most important to feeding children, could lead to another six per cent reduction. The introduction of zinc, coming back to effective local nutrition programs, could lead to a reduction of five per cent. The so-important issue of water and sanitation hygiene, which we talk about a lot—and I know that Parliamentary Secretary for International Development Assistance, Mr McMullen, is particularly interested in providing effective water and sanitation through our aid program—could lead to a further three per cent reduction. Then we can follow through with vitamin A in nutrition and also the so-easily-accessible measles vaccine in Australia could be made available to children in other areas.

It does not seem to be such a big ask. We have the resources and knowledge to be able to make such a difference. Through this process through World Vision, working effectively with our communities, we can ensure that more people know what they can do individually through donation of the skills, knowledge and money through different programs—I am not promoting any particular one. There are a range of organisations that work effectively in the field, and it is something we can do as individuals to support this very valuable work.

I think that as a group we politicians have a particular responsibility to keep these issues in front of our parliaments and certainly to ensure that we get the information needed and that we know about what is happening internationally, what the issues are in meeting the Millennium Development Goals and what we can do locally as parliamentarians in our own country and also as part of international networks, because without political will we will never be able to meet the goals that we have set for ourselves internationally, and I hope personally, to address the issues of poverty in our community.

Ashdale Secondary College

Senator PRATT (Western Australia) (8.08 pm)—This evening I rise to speak about an important event in the electorate of Cowan in Western Australia that I attended on 4 November. I was very pleased to be
able to represent the Deputy Prime Minister, the Hon. Julia Gillard, at the official opening of the Ashdale Secondary College in Darch. The Australian government contributed more than $11½ million to the construction of this new college. The school motto, ‘Achieving a positive future’, coincidentally reflects the objectives of the Rudd government’s Building the Education Revolution program, and I would like to give you some examples.

The school already has some amazing projects underway, such as a partnership with Scitech, the WA science education centre. Because there was no science block for the first few months of the school’s operation, Scitech came to the school and students visited Scitech, and that is how they got their science program done. This innovative partnership has given the students at Ashdale the very best start to their science education. In recognition of this, it was great to see Lyn Beazley, the Chief Scientist of Western Australia, at the school opening.

Ashdale also supports a 21st century learning environment where IT is truly integrated into the school curriculum. Laptops are now powerful teaching and learning devices, and Ashdale is making the most of this potential by having a one-on-one laptop program so that each student has a laptop not only on campus but at home. People often make allegations and say: ‘How could you do that? How could you trust students with a laptop of their own?’ But every one of those laptops is safe and secure, and students look after them very well. They take those laptops between school and home. I was able to see firsthand the benefits and amazing outcomes the students are able to produce using this technology.

So you can see that the school has since its inception been a true embodiment of what the Rudd government’s Building the Education Revolution program is all about. It is all about building a positive future for our children so that they are able to contribute to building the wealth, both economic and social, of this country as workers, taxpayers and citizens of the future. It is about ensuring that our children are able to lead rewarding and fulfilling lives. The Rudd government, like Ashdale college, recognises that a key aspect of a positive future for all Australians is a first-class education system—a well-funded and functioning education system that includes the buildings, facilities and technology which give our children what they need to be equipped for a 21st century future.

This fantastic new school in the electorate of Cowan is a great example of just that. I would like to commend the school community—the students, the teachers and the principal, Mrs Carol Strauss. Mrs Strauss and her team at Ashdale are a fantastic example of the tenacity and vision that are so central to the culture of the northern suburbs of Perth. The development of a new school is no easy feat. The school community is to be congratulated for all its work in getting its new school to this stage.

Let me give you a sense of the size and complexity of this project. The new school is being developed in two stages. Stage 1 facilities include the year 8 learning community block. This is made up of eight general classrooms for integrated studies including English, maths, science, society and environment, health and languages other than English. It also includes the admin block, the year 10 music and media facilities, a visual arts and performing arts block, a library and cafe block and the materials technology, woodwork, metalwork and plastics specialist teaching area. Stage 2 is the design phase and is to be the landmark building for the school. It will include health and physical education facilities and a covered court, the completion of the materials technology
block, a year 9 teaching block including general classrooms, a double-storey science and technology and enterprise block and provision for student services and information and communication technology. So you can see that this new school demonstrates the Australian government’s commitment to providing every student with the best possible learning environment through new and updated facilities.

Building the Education Revolution began this year and provides the infrastructure funding so that each of Australia’s 9,540 schools can meet the needs of the 21st century students and their teachers. This is a critical component of the government’s economic stimulus package, giving our schools the attention they so richly deserve. Schools in Cowan have benefited from Building the Education Revolution through all three components of the program. Firstly, through the Primary Schools for the 21st Century program, 46 primary schools and special schools in the electorate of Cowan have received over $85,600,000 for 74 projects to build or refurbish large-scale infrastructure, including libraries, halls and classrooms. Secondly, under the Science and Language Centres for Secondary Schools program, four secondary schools in Cowan have received over $7 million to build science laboratories and language learning centres. Under the National School Pride program, 53 schools in Cowan have received over $8 million to refurbish and renew existing infrastructure and build minor infrastructure in all schools.

The Rudd Government promised an education revolution, and that is what we are delivering. To be globally competitive, we know Australia needs a world-class education system and we also believe that every Australian child deserves a world-class education. The new Ashdale Secondary College is a prime example of the government working in concert with local communities to achieve that very worthwhile goal. I commend the work of the students, staff and school community of Ashdale Secondary College and I look forward to more visits to the college to mark important milestones in the school’s life.

Finally, I would like to wish the students at Ashdale college well. The current year 8s, soon to be year 9s, are actually the only age group currently in the school. They will be the senior age group in the school as they move through the school and it begins to grow and develop. It was clear to me that they already have a maturity beyond their years and will capably lead their school as it continues to grow.

**White Ribbon Day**

**Senator FURNER (Queensland) (8.15 pm)—**Tomorrow marks the anniversary of White Ribbon Day. In my first year as an elected senator for Queensland I attended the White Ribbon Day function in Parliament House, Canberra. As a proponent in condemning violence against women I did not hesitate in becoming an ambassador of White Ribbon Day. As a husband of an amazing wife and as a father of two beautiful girls, I could not consider anything more important in making this choice.

White Ribbon Day was started in Canada in 1991 by a group of male students on the second anniversary of the shooting of 14 female peers at the University of Montreal. The White Ribbon Campaign is the largest effort in the world of men working together to end men’s violence against women. In the first year, 100,000 ribbons were distributed to men across Canada. Ten thousand white ribbons were distributed in 2003 and today hundreds of thousands of white ribbons are worn by men and women across Australia. This includes men at work, in Australian police forces, in national and local sporting associations, in the media, in politics and in
the defence forces, across all our capital cities as well as in rural and regional areas. The campaign continues to go from strength to strength and now boasts more than 350 White Ribbon ambassadors Australia-wide. There are also an increasing number of events being held across the country, and more organisations and individuals are participating every year.

As a White Ribbon ambassador I started out this year with an objective of recruiting more ambassadors, and am happy to announce the successful recruitment of two well-known Queensland men, Secretary of the Australian Services Union, David Smith, and Mick Gillam, Councillor for Moreton Bay Regional Council, Division 8. Both David and Mick, who represent many women in their respective positions, did not hesitate in stepping up to the plate to take on the responsibilities of a White Ribbon ambassador. David and Mick join the Queensland list of White Ribbon ambassadors along with our Prime Minister, Kevin Rudd, Senator Joe Ludwig, other federal, state and local council parliamentarians, union leaders, lawyers, police, sporting leaders and many more professionals.

In addition, my office was involved in three events last Friday. At around noon last Friday we conducted a presentation and discussions around a barbeque at the Supercheap Auto distribution centre in Pine Rivers. In attendance were: CEO of Supercheap Auto, Peter Riffles; Graham Chad, General Manager Group Logistics; Sonia La Penna, General Manager Group Human Resources; over 80 employees; and Mick Gillam. The gathering listened intently to a presentation I provided on violence against women and repeated the pledge, which is: ‘I swear never to commit violence against women, never to excuse violence against women, and never to remain silent about violence against women. This is my oath.’

Later on that afternoon we did a similar presentation at Queensland Rail Institute at the Queensland Rail centre, Central Station, Brisbane. The event was well attended, with many members of the Australian Services Union; ASU Secretary, David Smith; and the Queensland rail CEO, Lance Hockridge. I was pleasantly surprised to hear in Lance’s address of his involvement in the Queensland CEO Challenge, which this year raised $25,000 towards this particular cause.

Lastly we met at the event ‘Men in the Mall’ held at Queen Street Mall, central Brisbane. The event was reasonably well attended, with guest speakers including former Brisbane Bronco legend, Steve Renouf, the 2009 Young Queenslander of the Year, Chiu-Hing Chan; Assistant Commissioner, State Crime Operations Command, Ross Barnett; and me as an ambassador. During the proceedings the crowd also received a presentation on self-protection by Ian ‘Powerhouse’ Jacobs, who did a live SAFE demo. Additionally, a group of young Muslim men attended the event.

I consider that my inspiration for this cause commenced from my prior career as a union official, providing many opportunities in defending women who had unfortunately fallen victim to unnecessary approaches by males in cases of workplace harassment and sexual discrimination. In some of these cases I was amazed that companies had not introduced sexual harassment policies to make employees aware of inappropriate conduct. Clearly in some cases there was a lack of knowledge both by employers and employees of their rights and responsibilities in the workplace. After representation was made by the union along with representatives from employees and the employer, suitable policy would be implemented to make all stakeholders aware of the issues concerning sexual harassment in the workplace.
The statistics are profoundly disturbing, which reflects a sad indictment of our society. The statistics are that one in three women experience violence in their relationship. That is 1,000 women each day—1,000 today, 1,000 tomorrow, another 1,000 on the next day and so on. Aboriginal women are significantly more likely to be victims of violence than non-Aboriginal women. In Queensland alone the police handle more than 30,000 confirmed domestic violence incidents each year. Domestic violence is a major cause of death and disability in women aged 15 to 44.

Frightfully, most family and intimate violence goes unreported. Surveys estimate that nine in 10 do not report incidents of domestic violence. Yet over 30,000 children and young people accompany their mothers to a refuge. If we take no action, an estimated 750,000 Australian women will report being a victim of violence in 2021-22. Naturally, this type of violence comes at a cost to our society. A 2009 KPMG study estimated that, annually, domestic and family violence costs Australia $13.6 billion.

Employers are in a strong position to assist survivors of domestic and family violence to continue to work safely. Employment and the economic security that it provides can be critical when a survivor leaves an abusive relationship and, more often than not, their home. Domestic violence does not just affect the individual; it also affects family members, both immediate and external. A close friend is fighting the demons as his daughter has for many years struggled with this insidious scourge. My friend titled his story *Domestic violence—a father’s story* and it reads as follows:

The verbal abuse of my daughter by her husband started on their honeymoon with him telling her she was too fat, too lazy, ugly and dumb. This continued for two years; completely demoralised her and made her think she was worthless.

Then after the birth of two boys, he started dragging her around the house by her hair and throwing her against the wall. He then started kicking her out of the house with no money and no clothes and no where to go. She slept in her car because she was too ashamed to tell anybody.

He then started to isolate her from her friends and family but the relationship with her family was too strong. He then moved on to really belting her up even in front of his children.

Finally my daughter had had enough and she left and had him charged with aggravated assault and had a domestic violence order taken out against him for the boys and herself as well as for me and my wife. He has also threatened to kill the boys.

We moved them into a unit in a secured town house complex but she struggled with two boys and not enough money even though we helped her out. She moved back into the house with her husband, but living separate lives. We are worried that he will start hitting them again and this time it will be worse. The domestic violence order is still in place and this may help.

I felt so helpless during this marriage because I could not do anything about it and only found out about it after five years of their marriage. It has affected the two boys very badly. No one should have to put up with this violence in a family life.

My daughter is five foot four tall and her husband is six foot two.

It is signed off ‘Les’. Nicole Kidman, a goodwill ambassador of the United Nations Development Fund for Women recently told the American Congress that violence against women and girls was perhaps the most systematic and widespread human rights violation in the world. If it is good enough for Nicole, it is good enough for us males to take up the gauntlet. We must not rest until violence against women is eliminated. We all have mothers and some of us have wives, sisters, daughters and nieces. We must ensure that they never fall victim. I am fortunate to have all those and I love them dearly. As males, we need to call on all males to swear
with me today to never be violent and never be silent.

Senate adjourned at 8.24 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

- Lands Acquisition Act—Statement describing property acquired by agreement for specified public purposes under section 125.

Tabling

The following documents were tabled:

- ASC Pty Ltd—Statement of corporate intent 2009 to 2012.
- Australian Curriculum, Assessment and Reporting Authority—Report for the period 28 May to 30 June 2009.
- Australian Rail Track Corporation Ltd (ARTC)—Report for 2008-09.
- Fisheries Research and Development Corporation (FRDC)—Report for 2008-09.
- Grains Research and Development Corporation (GRDC)—Report for 2008-09.
- Remuneration Tribunal—Report for 2008-09.
- Skills Australia—Report for 2008-09.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Infrastructure, Transport, Regional Development and Local Government

(Question No. 2140)

Senator Ronaldson asked the Minister representing the Minister for Infrastructure, Transport, Regional Development and Local Government, upon notice, on 10 September 2009:

For the 2008-09 financial year:

(1) Did the Minister have any ministerial letterhead produced using the funds or resources of his or her home department; if so: (a) how many sheets of letterhead were produced; and (b) what was the cost of the production of the letterhead.

(2) What was the total postage cost of mailings conducted by the Minister and/or Parliamentary Secretary using their departmental-funded franking machine.

(3) (a) What was the total cost, including production and distribution, of all direct mail pieces produced by the department, including as part of a government communications campaign, where the Minister or Prime Minister was the nominal author of the piece; and (b) can an itemised list be provided of: (i) production costs, and (ii) distribution costs.

Senator Conroy—The Minister for Infrastructure, Transport, Regional Development and Local Government has provided the following answer to the honourable senator’s question:

(1) (a) 11,000
   (b) $2,068 excluding GST

(2) Nil

(3) (a) Nil
   (b) (i) N/A
      (ii) N/A

Australian Taxation Office: Accommodation

(Question No. 2411)

Senator Ronaldson asked the Minister representing the Treasurer, on notice, on 16 November 2009:

(1) (a) What is the current location of the Australian Taxation Office (ATO) building in Albury; (b) what is the current energy efficiency (star) rating of this building; and (c) how many ATO workers are located in this building.

(2) Is the ATO seeking a new building in which to be located in Albury; if so, has it specified a minimum energy efficiency rating and what is this rating.

(3) To date, have any buildings in Albury been identified which can accommodate 600 people within the required energy efficiency rating.

(4) Is the ATO contemplating the construction of a new building on a greenfields site on the edge of the city; if so: (a) what is the location of that site; (b) does this site have any of the following within 5 minutes walking distance: (i) supermarkets, (ii) banks, (iii) cafés, and (iv) public transport; and (c) what will be the capacity of the car park for ATO workers.

(5) What is the capacity of the car park for ATO workers at the existing location.

QUESTIONS ON NOTICE
Senator Sherry—The Treasurer has provided the following answer to the honourable senator’s question:

(1) (a) The current location of the ATO building in Albury is 567 Smollett Street.
    (b) The current energy efficiency rating of this building is 2.5.
    (c) As at 12 October 2009, there are 640 staff located in this building.

(2) and (3) The ATO has approached the real estate community in Albury through a third party service provider seeking expressions of interest to provide appropriate office accommodation for the ATO. The expression of interest specified a minimum efficiency rating of 4.5. The expressions of interest have not yet been evaluated and this process will take some time.

(4) (a)-(c) The ATO is reliant on potential suppliers to advise whether the option they provide, in response to the expression of interest, is for either a new building on a greenfields site or an existing building which has been refurbished to meet the needs of the ATO.

    The options will be valued against criteria such as, proximity to the public for accessibility by taxpayers, availability of public transport and parking for staff and local amenities such as access to shopping and banking facilities etc.

(5) There are currently 230 car parks attached to the existing Albury building which can be utilised by ATO staff.