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FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST 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. Eric Abetz

Deputy Leader of the Opposition in the Senate—Senator Hon. George Henry Brandis SC

Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig

Manager of Opposition Business in the Senate—Senator Mitchell Peter Fifield

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. Eric Abetz

Deputy Leader of the Liberal Party of Australia—Senator Hon. George Henry Brandis SC

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 Anne McEwen

Deputy Government Whips—Senators Carol Louise Brown and Helen Beatrice Polley

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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(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—R Laing
Clerk of the House of Representatives—B Wright
Secretary, Department of Parliamentary Services—A Thompson
GILLARD MINISTRY

Prime Minister
Deputy Prime Minister and Treasurer
Minister for Regional Australia, Regional Development and Local Government
Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Minister for School Education, Early Childhood and Youth
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Minister for Foreign Affairs
Minister for Trade
Minister for Defence and Deputy Leader of the House
Minister for Immigration and Citizenship
Minister for Infrastructure and Transport and Leader of the House
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Sustainability, Environment, Water, Population and Communities
Minister for Finance and Deregulation
Minister for Innovation, Industry, Science and Research
Attorney-General and Vice President of the Executive Council
Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Minister for Resources and Energy and Minister for Tourism
Minister for Climate Change and Energy Efficiency

Hon. Julia Gillard MP
Hon. Wayne Swan MP
Hon. Simon Crean MP
Senator Hon. Chris Evans
Hon. Peter Garrett AM MP
Senator Hon. Stephen Conroy
Hon. Kevin Rudd MP
Hon. Dr Craig Emerson MP
Hon. Stephen Smith MP
Hon. Chris Bowen MP
Hon. Anthony Albanese MP
Hon. Nicola Roxon MP
Hon. Jenny Macklin MP
Hon. Tony Burke MP
Senator Hon. Penny Wong
Senator Hon. Kim Carr
Hon. Robert McClelland MP
Senator Hon. Joe Ludwig
Hon. Martin Ferguson AM, MP
Hon. Greg Combet AM, MP

[The above ministers constitute the cabinet]
GILLARD MINISTRY—continued

Minister for the Arts
Minister for Social Inclusion
Minister for Privacy and Freedom of Information
Minister for Sport
Special Minister of State for the Public Service and Integrity
Assistant Treasurer and Minister for Financial Services and Superannuation
Minister for Employment Participation and Childcare
Minister for Indigenous Employment and Economic Development
Minister for Veterans’ Affairs and Minister for Defence Science and Personnel
Minister for Defence Materiel
Minister for Indigenous Health
Minister for Mental Health and Ageing
Minister for the Status of Women
Minister for Social Housing and Homelessness
Special Minister of State
Minister for Small Business
Minister for Home Affairs and Minister for Justice
Minister for Human Services
Cabinet Secretary
Parliamentary Secretary to the Prime Minister
Parliamentary Secretary to the Treasurer
Parliamentary Secretary for School Education and Workplace Relations
Minister Assisting the Prime Minister on Digital Productivity
Parliamentary Secretary for Trade
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary for Defence
Parliamentary Secretary for Immigration and Citizenship
Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing
Parliamentary Secretary for Disabilities and Carers
Parliamentary Secretary for Community Services
Parliamentary Secretary for Sustainability and Urban Water
Minister Assisting on Deregulation
Parliamentary Secretary for Agriculture, Fisheries and Forestry
Minister Assisting the Minister for Tourism
Parliamentary Secretary for Climate Change and Energy Efficiency

Hon. Simon Crean MP
Hon. Tanya Plibersek MP
Hon. Brendan O’Connor MP
Senator Hon. Mark Arbib
Hon. Gary Gray AO, MP
Hon. Bill Shorten MP
Hon. Kate Ellis MP
Senator Hon. Mark Arbib
Hon. Warren Snowdon MP
Hon. Jason Clare MP
Hon. Warren Snowdon MP
Hon. Mark Butler MP
Hon. Kate Ellis MP
Senator Hon. Mark Arbib
Hon. Gary Gray AO, MP
Senator Hon. Nick Sherry
Senator Hon. Kate Lundy
Hon. Mark Dreyfus QC, MP
Senator Hon. Kate Lundy
Hon. Catherine King MP
Senator Hon. Jan McLucas
Hon. Julie Collins MP
Senator Hon. Don Farrell
Senator Hon. Nick Sherry
Hon. Dr Mike Kelly AM, MP
Senator Hon. Nick Sherry
Hon. Mark Dreyfus QC, MP
SHADOW MINISTRY

Leader of the Opposition Hon. Tony Abbott MP
Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade Hon. Julie Bishop MP
Leader of the Nationals and Shadow Minister for Infrastructure and Transport Hon. Warren Truss MP
Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations Senator Hon. Eric Abetz
Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts Senator Hon. George Brandis SC
Shadow Treasurer Hon. Joe Hockey MP
Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House Hon. Christopher Pyne MP
Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals Senator Hon. Nigel Scullion
Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate Senator Barnaby Joyce
Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee Hon. Andrew Robb AO, MP
Shadow Minister for Energy and Resources Hon. Ian Macfarlane MP
Shadow Minister for Defence Senator Hon. David Johnston
Shadow Minister for Communications and Broadband Hon. Malcolm Turnbull MP
Shadow Minister for Health and Ageing Hon. Peter Dutton MP
Shadow Minister for Families, Housing and Human Services Hon. Kevin Andrews MP
Shadow Minister for Climate Action, Environment and Heritage Hon. Greg Hunt MP
Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship Mr Scott Morrison MP
Shadow Minister for Innovation, Industry and Science Mrs Sophie Mirabella MP
Shadow Minister for Agriculture and Food Security Hon. John Cobb MP
Shadow Minister for Small Business, Competition Policy and Consumer Affairs Hon. Bruce Billson MP

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

Shadow Minister for Employment Participation Hon. Sussan Ley MP
Shadow Minister for Justice, Customs and Border Protection Mr Michael Keenan MP
Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation Senator Mathias Cormann
Shadow Minister for Childcare and Early Childhood Learning Hon. Sussan Ley MP
Shadow Minister for Universities and Research Senator Hon. Brett Mason
Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House Mr Luke Hartsuyker MP
Shadow Minister for Indigenous Development and Employment Senator Marise Payne
Shadow Minister for Regional Development Hon. Bob Baldwin MP
Shadow Special Minister of State Hon. Bronwyn Bishop MP
Shadow Minister for COAG Senator Marise Payne
Shadow Minister for Tourism Hon. Bob Baldwin MP
Shadow Minister for Defence Science, Technology and Personnel Mr Stuart Robert MP
Shadow Minister for Veterans’ Affairs Senator Hon. Michael Ronaldson
Shadow Minister for Regional Communications Mr Luke Hartsuyker MP
Shadow Minister for Ageing and Shadow Minister for Mental Health Senator Concetta Fierravanti-Wells
Shadow Minister for Seniors Hon. Bronwyn Bishop MP
Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate Senator Mitch Fifield
Shadow Minister for Housing Senator Marise Payne
Chairman, Scrutiny of Government Waste Committee Mr Jamie Briggs MP
Shadow Cabinet Secretary Hon. Philip Ruddock MP
Shadow Parliamentary Secretary Assisting the Leader of the Opposition Senator Cory Bernardi
Shadow Parliamentary Secretary for International Development Assistance Hon. Teresa Gambaro MP
Shadow Parliamentary Secretary for Roads and Regional Transport Mr Darren Chester MP
Shadow Parliamentary Secretary to the Shadow Attorney-General Senator Gary Humphries
Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee Hon. Tony Smith MP
Shadow Parliamentary Secretary for Regional Education Senator Fiona Nash
Shadow Parliamentary Secretary for Northern and Remote Australia Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Local Government Mr Don Randall MP
Shadow Parliamentary Secretary for the Murray-Darling Basin Senator Simon Birmingham
Shadow Parliamentary Secretary for Defence Materiel Senator Gary Humphries
Shadow Parliamentary Secretary for the Defence Force and Defence Support Senator Hon. Ian Macdonald
Shadow Parliamentary Secretary for Primary Healthcare Dr Andrew Southcott MP
SHADOW MINISTRY—continued

Shadow Parliamentary Secretary for Regional Health and Indigenous Health  Mr Andrew Laming MP
Shadow Parliamentary Secretary for Supporting Families  Senator Cory Bernardi
Shadow Parliamentary Secretary for the Status of Women  Senator Michaelia Cash
Shadow Parliamentary Secretary for Environment  Senator Simon Birmingham
Shadow Parliamentary Secretary for Citizenship and Settlement  Hon. Teresa Gambaro MP
Shadow Parliamentary Secretary for Immigration  Senator Michaelia Cash
Shadow Parliamentary Secretary for Innovation, Industry, and Science  Senator Hon. Richard Colbeck
Shadow Parliamentary Secretary for Fisheries and Forestry  Senator Hon. Richard Colbeck
Shadow Parliamentary Secretary for Small Business and Fair Competition  Senator Scott Ryan
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Tuesday, 26 October 2010

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, on Wednesday, 27 October 2010, the routine of business be varied to provide that:

(a) government business be considered from 2 pm to 3 pm; and

(b) questions without notice be called on at 3 pm.

Question agreed to.

STANDING ORDERS

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

That standing order 50 (Prayer) be amended as follows:

Omit the standing order, and substitute the following:

50 Prayer and acknowledgement of country

The President, on taking the chair each day, shall read the following prayer:

Almighty God, we humbly beseech Thee to vouchsafe Thy special blessing upon this Parliament, and that Thou wouldest be pleased to direct and prosper the work of Thy servants to the advancement of Thy glory, and to the true welfare of the people of Australia.

Our Father, which art in Heaven, Hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation; but deliver us from evil: For thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

The President shall then make an acknowledgement of country in the following terms:

I acknowledge the Ngunnawal and Ngambri peoples who are the traditional custodians of the Canberra area and pay respect to the elders, past and present, of all Australia’s Indigenous peoples.

Question agreed to.

MINISTERIAL STATEMENTS

Afghanistan

Debate resumed from 25 October, on motion by Senator Chris Evans:

Senator WILLIAMS (New South Wales) (12.31 pm)—Australia has always contributed over the last 100 or so years to playing its role in achieving world peace. This war against terrorism is no different. Australia has a proud history when we look at the heroic efforts of Australian soldiers in the Boer War, in World War I at the Battle of Beersheba, in World War II with the Rats of Tobruk achieving world peace there and especially in New Guinea, in the Korean War, in the Vietnam War at the Battle of Long Tan where Australian soldiers excelled with courage, in East Timor where we brought stability and now in Iraq and Afghanistan.

As I said at the start of my speech last night, it would be good to live in a perfect world; however, we do not. We see what terrorists have done. Brad Ridley from Forbes, who was one of my customers, was unfortunately killed in the bombing in Bali. There was the devastation of the towers in New York on September 11. Surely we cannot just
turn our backs on what these terrorists are doing. If we do, then their murderous and destructive ways will simply continue. That is why we have to be part of this allied contribution in Afghanistan to bring Afghanistan to a state where it can look after itself, govern itself and have a strong defence force and police force to enforce their own laws to look after their country.

It is very sad that already 21 Australian soldiers have been killed in Afghanistan. I have one ambition in my life, and that is never to stand at the gravesite of one of my children. Unfortunately, many parents of those 21 soldiers have had to do that. That is sad in itself. We are fully aware that, if you join the Defence Force—if you join the Army, the Navy or the Air Force—you are taking on a dangerous occupation. Unfortunately, we have now seen the loss of 21 soldiers in Afghanistan. If those soldiers could speak to us today I wonder if they would say, ‘Get out of Afghanistan; walk away,’ or would say: ‘We have a job to do here. We have to clean this mess up in an effort to rid the world of terrorism so future generations can, hopefully, live in long-lasting peace.’ To cut and run now would be a betrayal in my opinion.

Our soldiers and our allies deserve our total support. Afghanistan must be able to stand on its own two feet. It has been a haven for the training of terrorists. We know that that is where many learned their terrible trades, if you can call them that, and carry out their activities against innocent human beings. I know that our soldiers are amongst the best, if not the best, in the world. They deserve our total support. They have a job to do. It is expensive. Unfortunately, it has been going on for a long time and will probably continue to go on for several years yet. But to cut and run now, to leave Afghanistan, to walk away from our allies who stuck with us during the Second World War, especially the United States of America, would be to me a betrayal of what we believe in and a betrayal of our allies.

I keep going back to the point that I wish we lived in a perfect world. Hopefully, one day we will, but we are far from it at the moment. While we have innocent people being killed and blown up by terrorist activities then this is something that our nation and our allies should never turn their backs on. We believe in freedom, we believe in democracy and we believe in peace, but so often peace comes at a cost. That has been the case in the world wars, in Korea, in Vietnam and in the following wars, and this is no different. This is a war against terrorists. We must do our bit and fight the war so that eventually we can say that we have had the win, we have had the victory. We have seen success in Iraq. We now have to go the full distance and see the victory day in Afghanistan.

I am not going to speak for much longer, but I just say in summary that I support our efforts in Afghanistan. I support our efforts in search of world peace, to rid the world of terrorism, to do the right thing by so many Australians—more than 80 were killed in Bali alone from the terrible bombing there—to do our bit and to play our role so that future generations not only in Australia but around the world can, hopefully, live in a peaceful world. As I said, peace comes at a price. It is terrible we have to pay that price. But I do believe that we should throw our total support behind this effort. Hopefully, sooner rather than later, we will see the victory which is ultimately the goal.

Senator BACK (Western Australia) (12.37 pm)—This is the first time that many in this parliament will have debated the presence of our troops in overseas conflict zones. The question, however, takes on an altogether new meaning when you are a member of the defence family. This in fact is the third
time that I have confronted this question. The first was in 2003 when a family member prepared to deploy to Iraq at the commencement of those hostilities, the second was in 2006 when he deployed to Afghanistan with the Reconstruction Task Force, and this is the third. Anyone placed in this position knows only too well the mixture of emotions. You reflect hourly—or, certainly if not hourly, daily—on the safety of your family member, the validity of the mission, the wisdom of executive government in sending them and the risk that they and their fellow soldiers confront. You cannot help but reflect on what your reaction would be in the event of receiving news that a family member is wounded or even worse. I cite yesterday’s news when we were advised that four Australian soldiers were wounded last week in Kandahar. Every Australian feels deeply for those soldiers and their families, as we do indeed for those who have been wounded elsewhere, or for the 21 who have died in Afghanistan.

As a person who was not in the Australian parliament at that time, I used to reflect on what I might say to the Prime Minister had our family been placed in that dreadful position. Ironically, here I am today. For me, this is a very personal debate. We are in the parliament to address an issue and we are somewhat remote from deployment. But let me assure you that everybody in the defence family is watching our contributions and the outcome of this debate, and I include both serving members as well as their families. For them, this also is very personal.

I applaud the opportunity for parliamentarians to discuss in open forum our deployment of troops overseas, so long as that debate is informed, mature and respects our obligations. However, I am firmly convinced that the decision to deploy our troops is that of the executive government of the day and not that of parliament in open session. We simply cannot have a circumstance in which every member of parliament, or senator, is briefed adequately by defence and others for the purpose.

Whilst I welcome the opportunity for vigorous debate and the presentation of alternative views which will emerge, there is a distinct and serious obligation on each of us to ensure that we say nothing to cause Australia to descend into the chasm of national shame which followed our withdrawal at the conclusion of the Vietnam War. I refer, of course, to the demonising of Australian troops upon their return. The decision to deploy them was political. They simply did as soldiers have always done and are doing Afghanistan—that is, complying with the demand of executive government and the orders of their superiors and performing to the best of their abilities. Whatever may be our views of Afghanistan, our presence and the possible outcomes, all of us have a clear responsibility to ensure that the Australian community differentiates between those who make the decision for our troops’ deployment and those who carry out the orders.

Why are we in Afghanistan? We are not a major player on the world stage. We do of course, however, perform well above our weight. We are proud of our contribution in the region and around the world. We have a strong tradition of providing aid and assistance in emergencies, even recent ones such as the tsunami, earthquakes and other natural disasters. Of course whilst we always could do more, we have a proud and strong record in Australia of long-term agricultural, medical and educational support throughout South-East Asia, the Middle East and the Pacific Island regions. I would say that it is entirely appropriate that we extend that philosophy into military support in these same spheres.
We all know, of course, of the strong alliance we have with the United States. It is pivotal to our security policy and it brings with it an obligation to honour that commitment. At the same time, Australia must examine on a case-by-case basis, having regard to our own commercial, regional and security objectives, those actions in which we join the United States. I also believe it is appropriate, in the context of Afghanistan, that we are seen to support the USA and our many NATO allies in the International Security Assistance Force or ISAF. We have long, strong, historic commercial and defence relations with many of those who are involved.

I turn to support for our troops on the ground. Contingent on executive government making the decision to deploy our troops, it is essential in my view that they are adequately resourced in terms of personnel, equipment and support. Having met in April of this year with ADF personnel at many levels in the UAE at Al Minhad, I can attest to the seriousness with which each and every one of them undertakes his or her role and their commitment to the task. It was impressive. I have, however, formed the view that we can do more to assist our front-line troops by providing them with more firepower through indirect weapons support on the ground. My own experience in my career involved in emergency situations, especially those remote from a home base, has instilled in me one principle: it is far better to have extra resources at hand and not need them than to need them and not have them. I fear we are in a circumstance in which we have placed our troops in need without supply. Our troops on patrol on the ground need additional assets such as mortars and artillery to provide that dedicated generic indirect fire support in those circumstances when their own safety is threatened and a successful outcome of a mission is compromised. I believe we saw evidence of that recently in a 3½-hour firefight when inadequate support was offered. These assets are already in our ADF ordnance supply and could readily, in my view, be deployed into the theatre of action.

As a parent of someone who deployed into war zones, I was always clear that Australian troops enjoyed the same level of protection and conditions of engagement as those of United States troops. It was my belief that our troops, when acting under fire and in accordance with the orders of their superiors, enjoyed the same level of immunity from prosecution as their American counterparts in the event of the regrettable outcome of civilian casualties being found in a conflict; that local command in the theatre of operation had the capacity to deal with violations. I believed that Australia, like America, have not ratified the Rome Statute of the International Criminal Court. I now learn that that is not the case. America did not ratify that treaty; Australia did. So what then happens, I ask, when Australian soldiers are engaged in the same action alongside American troops? Ours might face the prospect of criminal proceedings and prosecution, with dire consequence if found guilty, while US troops will not. To me, this is unacceptable.

The parliament sends our troops into a war zone. Military commanders direct operations and targets. Are we giving them the necessary protection when the outcome differs from that which we expect? This is no ordinary conflict in Afghanistan. The Taliban launch offensives from within homes in villages. They keep women and children in compounds in front of them to act as shields for their own protection. The terms of engagement with the terrorists are radically different in Afghanistan from conventional warfare. I believe we need to re-examine our position in relation to the Rome Statute of the ICC. We need to re-establish consistency.
with US soldiers, with whom our own troops are so often involved in direct line of fire.

I can assure the Senate that, as the parent of a serving officer at that time, I would have resisted my son’s deployment to Afghanistan with all the force I could muster had I realised the legal risk to which he was exposed in carrying out his duties.

I now turn to the role of the ADF. The emphasis of Australia’s involvement in Afghanistan has shifted from reconstruction to training of the Afghan army. I would urge that we do not abandon the excellent initiatives of the earlier objectives of trades training and reconstruction in the villages in Oruzgan province. I am disappointed that the Australian media have not adequately informed the Australian community of the very many successful reconstruction projects which have been undertaken under the direction of Australian Defence Force personnel. The program has been aimed at trades training for young men in the villages so that they can conduct building projects in their own and neighbouring villages. This is the Australian military at its best: consulting with village elders to determine necessary projects, building the skills level of those within the village to be able to perform those construction tasks, providing the building materials to ensure projects can be undertaken, as well as the supervision, and then the security to safely see those projects through to their completion. This is genuinely ‘teaching Mohammed to fish rather than giving him a fish’.

Projects completed over the last few years in Oruzgan in Afghanistan include the building of schools for both boys and girls, health clinics, wells closer to villages for drawing water and, I must say from my own professional background, even a veterinary health facility. As we would all know, the goodwill generated from these projects is immense and ongoing. I urge that the Australian community are made aware of the excellence of these programs. Let us not lose the emphasis of this reconstruction or the value to the local communities.

The focus, of course, has now turned to training Afghan army personnel. If we are to succeed in this endeavour there are some fundamentals that I believe need to be addressed. Our troops have built up excellent relations with Afghan army personnel. They are respected as good soldiers, fearless, enthusiastic and loyal. However, it is my understanding they are poorly paid and they rarely return home for leave, with the inevitable result that desertion rates are unacceptably high. This could surely be addressed by them being paid in a timely manner, with a significant proportion of those funds going to their families in the villages from which they come, and allowing them the opportunity to go back to the areas, remote from Oruzgan, from where they are drawn. Not surprisingly, the inability for them to be able to do this means the rates of desertion are high, and failure to return after leave is equally unacceptably high. I believe the ADF in association with its ISAF coalition partners can address these issues.

Many in our community believe that the Taliban, al-Qaeda and other terrorists do not pose a threat to Australia or Australians commensurate with the cost of our response. This is no doubt a debate that will be had. But I, for one, am satisfied as a result of the events of the last few years in this region and around the world that the threat is real, it is ongoing, it must be addressed and we must be part of that process. I accept that it is a complex issue, creating as many questions as it answers, but this only serves to strengthen my view that executive government has made the correct decision to place our troops there and to maintain them. The questions include: can the terrorists move across bor-
ders from Afghanistan if NATO led coalition forces exert sufficient pressure? Do other countries such as Pakistan have the capacity and the will to counteract terrorists in their countries if the threat continues and expands? Does the Afghanistan government have the capacity to overcome the Taliban, even if they have the desire? Is there room for negotiation between the parties to achieve a reasonable peace in that country and, if so, what will be the relevant position of power from which each side will negotiate? I believe the terms of these negotiations should surely include: the rights of women and children, evolution towards some form of democracy, and the basic rights which we take for granted, including universal education, health, security and freedom of expression—some of which have been reported already in this place.

If Australia is to contribute to these outcomes, we must continue our active service role in association with ISAF member countries. I believe there is a legitimate role for the ADF to be part of the NATO led mission in Afghanistan. The decision to deploy, to remain and, ultimately, to exit should be that of executive government and not that of members and senators voting en masse.

To conclude, if we are to deploy our troops to active war zones, of which Afghanistan is demonstrably one, then they must be adequately supported in terms of troop numbers, assets available to them and legal protection. If we err, we should err on the side of caution and provide more than we believe they need. Without going into the events confronting three of our military personnel, I believe we must provide a level of protection for those who are in active service, under fire, so that they receive the protection that they want and that we as a community believe they deserve.

In the annals of Australian military history there are many examples where the innovative use of assets has turned a battle to our advantage. We need look no further than the World War I battle at Le Hamel, on the Somme, when General Monash, for the first time in military history, combined the use of artillery, infantry, air support and tanks to achieve an objective in less than two hours which others had spent many months and far too many lives failing to achieve by conventional means. Our troops need to know that they have our support. They need to know that we will not spare our assets, our time or our attention to them.

The decision was taken to deploy our personnel to support the NATO led coalition in Afghanistan. I know from discussions with serving personnel in the Middle East and those who have returned that they are proud of our contribution and that they fully support the deployment. We must stay the course until the objective is met or a solution is reached. Only then will we have honoured the memory of those who have paid the ultimate sacrifice in this conflict.

Senator PAYNE (New South Wales) (12.53 pm)—I want to begin by acknowledging all those who have taken part in this debate in both places. It is a very important undertaking by the parliament and one which I think is timely, particularly with regard to recent discussions both in Australia and elsewhere.

It is history which shows Australian support for the initial foray into Afghanistan and against the Taliban regime—at the time, a move with bipartisan support. In the wake of the September 11 attacks and the Taliban regime’s harbouring of the al-Qaeda masterminds of those egregious crimes, the view held here and elsewhere was that the continued existence of the Taliban regime in Afghanistan posed a threat to both international
and, in Australia’s view, national security. We had an ANZUS alliance partner who had been attacked on their home soil. Australia’s obligation to support the United States in taking swift action against al-Qaeda and the Taliban regime that harboured them was a very important obligation.

This was an engagement directed at the ruling Taliban regime, an unelected regime not only that harboured the perpetrators of the 9-11 attacks and other terrorist acts but whose hardline rule exacted an appalling toll on the history, the culture and the people of Afghanistan. I have spoken before—long before being in this chamber, ironically—of the devastating impact of the Taliban on the lives of women and girls in Afghanistan in particular. I spoke in this chamber, some years ago now, of the completely without merit, completely obscene destruction of the historic Buddhist statues at Bamiyan by the Taliban for no other reason, really, than that they could.

It is important to remember aspects of those debates, I think, and the debates which many of us have taken part in in other places, as we sit here, nine years later, debating Australia’s continued involvement in Afghanistan. I am not sure who, or how many of us for that matter, would have envisaged the duration of our commitment and whether it would still be ongoing in 2010. I think, to that end, it is understandable that public attitudes and support for Australia’s continued involvement in Afghanistan have experienced changes over that time. As I said at the beginning, I think it is important that we are having this debate here and now about staying the course. It is an important debate, which is healthy in a great democracy like ours, a democracy that so many others do not have the privilege to enjoy.

I know that several members of the parliament have taken the opportunity to express their very strong reservations about ongoing Australian involvement in Afghanistan. Their views are genuinely held and passionately argued. However, they are not views that I can share. I could not support the abandonment of the people of Afghanistan and, in Australia’s case, of the Oruzgan province specifically to the fate of a resurgent, pre-eminent Taliban. We have that insight already. It is not an attractive picture. It is about violence. It is about lawlessness. It is about extremism. It is about hate. It is about anarchy. It would certainly come back, should Australia and other nations that are supporting efforts in Afghanistan elect to withdraw, in my view.

I think it is extremely important to reiterate at almost every opportunity when issues of this nature are under discussion that the deployment of Australian troops is never a decision made lightly. It is not made lightly in terms of the conscience of those members of government who make it. It is not made lightly by the leadership of the Defence Force who advise on it. Participation in those deployments is not taken lightly by those men and women of the ADF who are fully engaged in the task. It is also not a decision made lightly in terms of the very real costs of fine and proud Australian soldiers. They are costs which are immeasurable. They do not appear on a balance sheet anywhere, except perhaps a balance sheet in the hearts and minds of their families and friends. For those who have given their lives in this cause, for their families and their friends, for their mates who still remain and do the job, we must, I think, note and record that these are not decisions made lightly.

I have spent many years in this place working on defence issues. That work has in fact taken me to Afghanistan during the period of Australian deployment to see for myself some of the work being done there.
I have seen the good, the bad and the singularly unattractive of the Australian defence forces, but, through all of that, I have great respect for those who serve, for their leadership, who grapple every single day with these issues, and for the decisions that they make in that process.

I would say, though, that the costs that you can add up, the costs that you can put on a balance sheet, are in many ways very concerning. If you look at the United States budget for the Department of Defense, for example, you see something like in excess of $335 billion to date has been spent on the direct costs of the war, with a further $120 billion requested for the 2011 financial year. In comparison, the Australian government, whilst spending billions of our own dollars, has made a similarly important financial contribution for us. But let us put it in perspective, with consideration of the amount of money that the US State Department has spent to fund reconstruction and aid across conflicts like Afghanistan and, in this case, also Iraq: $59 billion. To put that into perspective, more than twice as much money has been spent funding military engagement in Afghanistan in the last 12 months than has been spent by the State Department on aid and reconstruction efforts during the entire nine-year period of conflict.

So, while I absolutely support our engagement in Afghanistan, I do think that it is important that we consider that balance or, some would say, imbalance. I think there is an issue to be addressed by those of us engaged in the decision-making process politically, in this country and elsewhere, when the size of the commitment of prosecuting the war is so large and the size of the commitment of prosecuting the peace is relatively small. I will talk further about prosecuting the peace, so to speak, in a moment.

I believe that we should finish what we set out to do, that we should assist and support the people in Afghanistan in achieving what they are currently not able to achieve, which is a government with some stability, a government with some solid and transparently operating institutions and rules, and a society which comes as close to free and fair as they can get. There may be some who see those ambitions as perhaps unreal or overly ambitious, who think that that is not possible and question whether our efforts thus far are worth while.

While some are lost in the sea of pessimism which surrounds our engagement in Afghanistan, there are some very worthy organisations which contain very committed individuals on the ground who are doing very valuable work for the people in Afghanistan. That is over and above own government agencies like AusAID and the Australian Federal Police, for example. There are Australian NGOs currently engaged in Afghanistan. And I note that, in terms of engagement in this debate, the Australian Council for International Development wrote to members and senators recently in regard to these Afghan and Australian civilian and military aid issues. I do not agree with everything they have written, not by a long shot, and I do not agree with all of the premises on which they operate, but I do think that their raising of our awareness and hopefully our interest in some of this work in Afghanistan is a very important contribution to the discussion. Having said I do not agree with them, I expect to hear from ACFID again quite soon! We will see how that goes.

Organisations that do that sort of work do not always receive the sort of recognition they deserve. They are carrying out vital grassroots work, though, with the people of Afghanistan. As I said, they are building the peace, if you like. Whether it is World Vision, Oxfam, Habitat for Humanity, the Fred
Hollows Foundation or CARE, the sort of support they are providing—backed up by our military presence—would not be provided, in my view, if we were not there. Realistically, it would be difficult for them to continue in the face of a completely resurgent and in-control Taliban, for example.

Afghanistan at the moment has one of the most poorly resourced education systems in the world—and in fact, as most of us are aware, the formal education of girls was effectively nonexistent under the Taliban—with an adult literacy rate at less than 30 per cent. CARE Australia is one of the organisations who are determined to assist in turning that around. It is running a community-organised primary education program which is currently endeavouring to meet the primary education needs of over 3,000 students—most importantly, 70 per cent of whom are girls—with ambitions to reach many thousands more. It is also operating an innovative program which targets the social and economic reintegration of the many thousands of displaced women in Afghanistan. Its support services cover a very wide array of roles. They include things like vocational training, microfinance—I know many members of this chamber have a longstanding interest in the effective use of microfinance—and community outreach activities. I think that they make a contribution, at the same time that I think our military engagement makes a contribution, to the development of sound institutions and to the observation of the rule of law, which in fact will not develop unassisted, and I believe that we should do as much as we can to help this process both developmentally and, in terms of security issues, militarily.

In Australia and, most particularly, in our very robust parliaments, I think we often take for granted the opportunity to speak our minds. Freedom of speech might not be something which is explicitly enshrined in the Australian Constitution, but I think it is a pretty cherished and fiercely protected right in this country. We do have the freedom to speak our minds, to argue the case, to argue against authority, to champion a cause or basically just to tell people our view, usually without fear of persecution—unless it is a ‘very important’ debate about football or something like that! But it takes courage to speak out on issues we feel strongly about, especially when we know powerful forces disagree with us. Having the courage to speak up for what we believe in in the face of intransigent power is, I think, admirable. Doing so in the knowledge that it can mean death is probably beyond my capacity to describe, but let us start with ‘truly courageous’.

I want to speak very briefly in my concluding remarks today about one Afghan woman and to use the phrase ‘truly courageous’ to describe her. Her name is Dr Sima Samar. Many of you here may have met Sima Samar over the years on the couple of occasions that she has had the opportunity to visit this region and our country. She is the head of the Independent Afghanistan Human Rights Commission. She has made a lifetime of risking her life for her beliefs. As a medical doctor, she was forced to flee first Kabul and then Afghanistan entirely when her husband was arrested by the regime of the time. She fled to Pakistan where she established the Shuhada Organization, a body dedicated to the provision of health care for Afghan women and girls who, like her, had been forced to flee their homes due to violence and persecution.

Her full story is complex and distressing. I have heard her tell it personally and it is a deeply moving story of a deeply distressing story. Ultimately in 2002 she returned to Afghanistan to take up a role as Minister for Women’s Affairs in the Afghan Transitional Administration before being forced to resign.
her post. Her crime, her offence, at the time was public questioning of certain laws in an interview with a foreign newspaper. In fact, not only was she forced to resign but she faced death threats and she faced ongoing harassment. A group of religious extremists went so far as to take out an advertisement in a local paper labelling her the Salman Rushdie of Afghanistan.

When I met her at a conference of representatives of national human rights institutions in Fiji—it was a very obscure place and time to meet a woman of her calibre—I was struck by her courage and her tenacity in standing up for those without a voice in Afghanistan, for championing unpopular causes like women’s rights and reform of sharia law in the face of what seems from the outside to be almost insurmountable odds.

For me, the war in Afghanistan and our military engagement in Afghanistan are not just about the many men and women I know personally who have served on behalf of Australia and continue to do so. It is not just about endeavouring as best as we are able to remove the Taliban from their engagement in this area. It is about security, it is about human rights and it is about peace. It is about supporting the Sima Samars of this world who do so selflessly risk their own lives to better the lives of those around them. I do not believe that our work in Afghanistan is complete until people like her no longer have to risk their lives to make their voices heard, and I do not believe that is a forlorn hope.

Senator MOORE (Queensland) (1.09 pm)—In 1915, Afghanistan, according to history, was working through one of its all too rare periods of peace. At the same time a group of women moved to Europe to make a statement about the need for peace in a war that was raging across that part of the known world at the time. Those women were not, as some people claimed, dangerous, they were not difficult and they were not mentally deranged. However, they were strong, concerned and questioning the future of war. Those women formed the basis of an organisation called the Women’s International League for Peace and Freedom, which is still active and strong in our community now. Their cause was the need for political and negotiated solutions to international conflicts, the promotion of women, the safety of women and children in any war-torn area and the need to look at ways of working together to form a peaceful solution.

One of the key aspects of the discussion we are having in this place at the moment must be to ensure that people who ask questions and people who are concerned are not seen as being disloyal and are not seen as being in some way treasonous. We have, as Senator Payne talked about, the right to speak freely, to have these discussions and to ensure that people feel engaged with the process. Many people in our country now are strongly interested and concerned about what we are doing in Afghanistan, and they have the right to know. In fact, we need to rebuild around this whole discussion the fact that people want to know what our reasons are for taking action, what our plans are for the future and how we are looking after the people who are serving our country in overseas placements. That is their right.

Another key aspect must be that questioning what is going on is not in any way being disloyal or nonsupportive of the personnel of our armed forces. There tended to be a bit of a gut reaction in this place only a few years ago, just after I came here, when we were talking about our engagement in Iraq. Any questioning or concerns raised were determined to be somehow disloyal. It built up, as we have heard a little bit in the discussions today, some kind of divide between respect and support for our personnel—the people who are doing the job that they chose to do.
to protect our country—and interest in what is going on and the future of what our deployment will be.

Certainly I do not pretend in any way to understand what it is like to be a member of the armed forces. What I do know when I talk to people who have made such a strong and clear decision to serve our country and their families—because we are talking about a family commitment in so many ways—is that they have chosen a job and they want to be well trained. They understand that they act at the direction of the government and they expect that their country will support them while they are doing their job and when they come home. I do not think there is anyone in this parliament who disagrees with that. We have heard protestations both in the other place and here about how concerned we are. That is important because our personnel need to hear that message consistently. They need to know that, no matter how people feel about decisions about war, once a decision is made that Australian troops will be serving they have the absolute support of the people in this place—and there is no doubt that they do.

We have in our community much more awareness and knowledge of what is going on in the world than we had in the past. Governments in this Australian parliament have for generations been making decisions about military deployment. Very rarely, only really in the depths of World War II, has there been an immediate threat to the Australian border. If there was a threat of invasion to our country, we can understand the reaction for the defence of our country. All we have to do is walk through any Australian town and see those incredibly confronting war memorials to realise in how many fields of battle and in how many countries Australian servicepeople have done their job.

Australian governments have been making that decision, and I believe that every Australian government of whatever flavour has taken the decision extremely strongly, understanding the full import of what they are doing. But I think that Australians in the community now, particularly because of the immediacy of the media worldwide, have more information about what is going on—and it is not all accurate information. One of the problems is that, with the availability of a wide range of media, sometimes you do not get absolutely accurate stories, and that is something we should consider very seriously. It is important that people in Australia who follow what is going on in a number of places including Afghanistan understand that when they question things they need to question the media reports. Nonetheless, we can see in our living rooms, in our bedrooms—wherever we have TV sets—the absolute horror of war, and it is a horror, because people are being killed.

Senator Payne referred to having the opportunity of visiting a number of places. War is not a good place to be and the victims of war cover so many areas. They cover women, children and families. The displacement numbers across the world now are too confronting for people to truly understand. Also, the statistics are not well kept. They are kept much better now than they have been in the past, but the figures from Human Rights Watch about the number of Afghani citizens who have been killed just in the latest conflict in Afghanistan, since 2000, show numbers around 7,000. We all know that is not right. We all know that many more people have been killed or wounded, have had their lives disrupted or have lost their homes or livelihoods. Nonetheless, every single person is a victim of the process, and our military engagement in that process is focused on ensuring that there is peace. That is why we are there. We have heard many
people restate that the background to the decision to go to war in Afghanistan is for security reasons, to stop terrorism, but the final outcome must be to secure a peaceful world in Afghanistan for the people who live there. There is not enough time to talk about the evil and the horror of what has gone on in that country because of the Taliban and because of years of engagement in war in that place. It would be difficult to find a single family in Afghanistan who can remember peace, let alone understand what it is like—let alone to plan, hopefully, for the future, a future where there will be peace in the area. But that is part of our job.

In terms of what will happen in the future, one of the reasons that Australia is working so hard in Afghanistan is to ensure that there will be an understanding of peace in that country and that there will be education for all Afghans. Certainly we know that circumstances in that area have been particularly horrific for women and girls. We have heard a number of senators talk about the statistics that we have about the changes that have happened only in the last few years in access to education in areas where it was never available before. We know that Australian aid agencies have been working in the area for many years looking particularly at the areas of health and education but responding specifically to the poverty that is entrenched in the Afghani countryside. It is very difficult to have a sustainable economy and a future when there have been so many years of conflict and war. But that certainly will be the future for Australia’s engagement in the area, because our military engagement in Afghanistan will end at some time.

When you look at the history of Australian deployment in every war in which we have been involved, there will be an end to our military engagement. But that will not be the end of Australia’s engagement. As Senator Payne said, a number of aid agencies that have been working actively in that area have been in contact with parliamentarians in this place, looking at the way forward and where we need to go in that area. Our commitment, as I said, is to an ongoing peace to ensure that the Afghani nation can actually have their own government, their own services, their own security and their own infrastructure, and what we need as an Australian community is to understand that. What we also need to have is an understanding that the government will be open and will give regular information to the community about what is going on.

I know that the Prime Minister has agreed that there will be a debate in this place on a regular basis about updating what is happening in Afghanistan, and I think that is important, because one of the things that needs to happen is the rebuilding of trust. As I said, people have access to the media, and I also think people are thinking more about what is happening in our world. As I have said many times in this place, Australia is part of the global community and we cannot just have our own slice of the world and not be engaged beyond that; that is an impossibility. I think more people in our community are looking at what is happening and weighing up where Australia fits.

There has been an abuse of trust in recent years in terms of the ability of people to have full information—or as much as they can have. I know that when we are in a war situation there are security reasons and issues around personal safety, so full information can never be shared. But we can ensure that what information can be shared is shared. Subsequent information has become available with regard to the Vietnam War and, more recently, the Iraq war, and the media indicate that there was some confusion. There was some inaccuracy in the arguments that were given about a range of countries across the world and the need for engage-
ment in those places, and people are questioning that. I think that interest has been raised by past history.

What we need to do is to rebuild in a certain way an understanding in the wider community about the decisions that government make. We know that Australians respect the role of our military personnel. I think that the public way in which the lives of the soldiers who have been lost is remembered and their lives celebrated through the media and through local community involvement, sends a particularly clear message to the Australian community. We share the loss when we give our condolences and our sympathy absolutely to the families involved. Through media involvement as well we see not just the Australian loss but also the return to America and to the UK of soldiers who have been lost in the conflict.

We also see—and I mentioned this earlier—the horrific loss of civilians, and I think that there is a wider understanding of that than there has been in the past. So my hope is that we will continue to have this engagement with the community, reinforcing the decisions of government and the respect for the work of the personnel who are fighting in very dangerous circumstances.

I opened up my contribution by talking about the women who went to The Hague in 1915 from all around the world to talk about the need for the engagement and empowerment of women and about a way of working towards a peaceful solution in the midst of a horrific war—the largest war that had been known by the world until that time. Earlier this year, a group of women from Afghanistan went to an international meeting in London which was looking at the future of what was going on in Afghanistan. Originally they did not have a seat at the table, but through community pressure they got some publicity and they had engagement in an international meeting that was held in January 2010, looking at the future of what was going to happen in Afghanistan in terms of building a peaceful solution. The Afghan women’s civil society was represented at that meeting. I cannot help but see a similarity between the women in 1915 and the women from Afghanistan in 2010.

The communique that came out of that conference, which was a high-level international discussion, responded to the questions and concerns that were raised by those Afghan women and acknowledged that the future of any peaceful solution in Afghanistan had to engage with women’s empowerment. One of the key things that came out of that meeting was an absolute commitment that the Afghan government would continue to pass legislation that protected women’s safety and freedom in the new Afghan state. It also talked about the need to have women engage in future governance in that area, and the wonderful woman to whom Senator Payne referred is one of the leaders in that area.

We know that there will be an end to the war in Afghanistan in some way. What we need to know is how the peaceful future will be entrenched. We have a commitment from this country to ensure that that will happen. We have already had the commitment in a military way; we need to continue to have the commitment in further aid and development in that country. I have no doubt that that will occur. In terms of the way we move forward, I say that there must be engagement with the community in Australia, and one of the core aspects—and something that I will continue to talk about in this place—is to ensure absolutely that the women of Afghanistan will be involved in the future of Afghanistan and the horrors that we have heard about will no longer be the daily expectation of women and girls in that country.
Senator FURNER (Queensland) (1.25 pm)—In rising to participate in today’s debate and make a contribution, I firstly extend commendations to the Prime Minister for allowing members and senators to participate in the debate on this extremely important issue of Australia’s role in Afghanistan. I believe it is important that we all have the opportunity to have a say on a topic which affects each and every one of us in this country. It is truly a privilege to be able to raise this topic in a democratic parliament and a country which many other countries envy.

As a member of the Parliamentary Joint Committee on Foreign Affairs, Defence and Trade and the Defence Subcommittee of that committee, I understand the importance of our troops’ continued role in Afghanistan and completely value that role. Through my limited involvement and participation in the defence committees, I have had the opportunity to be involved in inquiries. One such inquiry involved a visit to Timor-Leste in 2009 with the Defence Subcommittee—and my memory, Madam Acting Deputy President Crossin, is that you were with me on that trip. On our brief visit, the committee was briefed about the Defence Cooperation Program, or DCP, and its role in creating and sustaining a professional military culture and assisting the local people in education and rebuilding. Australia has been involved in East Timor since 1999 and the DCP was established in 2001. The DCP is an example of nation building and shows Australia’s commitment in assisting the new government in securing its future. Similarly, Afghanistan is also a country in need of assistance.

In Australia, we are privileged to live in a democracy whose citizens have the freedom to speak and think independently. We have the freedom to make our own choices and to learn from our mistakes. We have access to education and the ability to study whatever matter one chooses without oppression. We have access to a free and adequate health system and many more social benefits that we sometimes take for granted. And we have the opportunity as citizens to elect our parliamentary representatives in local, state and federal parliaments, a right many countries are still denied. I am not suggesting our customs and beliefs are better than anyone else’s; however, citizens of countries like Afghanistan deserve the opportunity to exercise the same liberties that we enjoy here. This is why it is imperative that we continue to support the Afghani population in their quest to be free from the oppressive rule of the Taliban.

Australia has been involved in Afghanistan since 2001. We have joined our allies to ensure that Afghanistan is never again a place where al-Qaeda can recruit and train people to kill and where terrorists can hatch plans to kill our loved ones. On 11 September 2001, we lost 10 Australians in the twin tower terrorist attacks. On 12 October 2002, we lost 88 Australians in the Bali bombing. In 2005, we lost another four in the second Bali bombing. Any loss of life is tragic, and there are always those left to remember their loved ones—one’s mother, father, son, daughter, brother, sister, niece, nephew, uncle, aunt or friend. All of their families and friends have to carry on with their lives without those loved ones because their lives were unnecessarily lost due to an act of terrorism.

This is what we are trying to prevent from reoccurring. Our presence in Afghanistan has already hurt these terrorist groups, and our continued presence will ensure that they do not have the capacity to recover and to conscript and train more insurgents. At present, we have 1,550 Australian troops in Afghanistan, with 1,241 located in Oruzgan province. In April 2010, Australia announced that it would double its civilian contribution, and there are now 50 working Australian civilians and 10 defence civilian personnel in
Afghanistan. Since combat began on 7 October 2001, al-Qaeda’s practices have been greatly affected. It no longer has training camps or safe havens in the country. However, the International Security Assistance Force, or ISAF, and the Afghan government still face a persistent insurgency, particularly in the country’s south.

Should you be wondering what has been achieved since 2001, the record stands. Already differences can be seen in Afghanistan. School enrolments have increased enormously from one million just boys to more than six million today, with two million of those enrolments being girls. Health services have dramatically increased. Before 2001 only 10 per cent had access to health care; now 85 per cent have access to basic care. More than 39,000 community based infrastructure projects have been identified in the country. These projects include wells, clinics and roads. Thousands have been employed through the rehabilitation of roads. About 10 million Afghans now have access to tele-communications compared to 20,000 in 2001, and there are now 400 print media publications, 150 FM radio stations and 26 television channels. This is a far cry from the oppressive regime under the Taliban.

Our involvement in Afghanistan is to provide stability and encouragement to enable the country to stand on its own two feet and to begin its nation building. We are doing this as part of our membership of the North Atlantic Treaty Organisation through the NATO-led ISAF, which includes 47 different countries which also have troops in Afghanistan. According to ISAF’s website, its duties include:

… in support of the Government of the Islamic Republic of Afghanistan, conducts operations in Afghanistan to reduce the capability and will of the insurgency, support the growth in capacity and capability of the Afghan National Security Forces (ANSF), and facilitate improvements in governance and socio-economic development, in order to provide a secure environment for sustainable stability that is observable to the population.

By laying down these foundations, we are giving the Afghans the opportunity to build new lives, to gain access to education, to improve their health system and, ultimately, to be free from oppression. With all these countries coming together for a common cause, it legitimises and communicates that this alliance is doing what it set out to do.

Before 2005, ISAF duties were based on stabilisation. Now ISAF is targeting insurgents and protecting key population centres while working with the United Nations and the Afghan government. ISAF is also focused on working with Pakistan to deal with extremists in the bordering regions of Pakistan and Afghanistan. There are currently 140,000 coalition troops in Afghanistan. This includes 120,000 from ISAF, and the United States has an additional 20,000 from Operation Enduring Freedom.

Along with the United States, New Zealand, Singapore and Slovakia, we are laying the foundations for a strong security force by providing training to the Afghan National Army 4th Brigade and the Afghan National Police. The capability of the ANA 4th Brigade to conduct security operations has increased, and the Chief of the Defence Force assesses it will be ready to lead security operations in Oruzgan within two to four years.

Some believe that it is time to pull out our troops. But the truth is, if we pull them out now before the country can stand on its own two feet, then the losses we as a nation have suffered will be in vain. Our contribution to this war has not been without its grief. As a nation we have suffered losses. We have lost 21 brave Australians; many young men who have put their lives on the line so that we can enjoy the freedom to live without fear, and so
that Afghans, one day, may experience the same liberties as we enjoy.

Without knowing the troops and families personally, as a resident of Brisbane, where the 6th Royal Australian Regiment and 2nd Combat Engineer Regiment are based, these losses bring this war so much closer to home. I cannot even begin to imagine how these families are feeling, and I am sure they are very proud of what their loved ones have achieved and served for our country. Many of our troops have also been injured in the line of duty and will carry their suffering for the rest of their natural lives.

I would also like to acknowledge the Australian troops who are currently serving in Afghanistan. You have put your lives on the line, you have sacrificed time away from your families, you have missed birthdays, you have missed first days at school, you have missed the first steps of your child and you have missed the birth of your own children. You have done all of this for your country. Your commitment and bravery for this country is unwavering and extraordinary, and your dedication to ensuring Afghans have the opportunity to live in peace is beyond words and we express our thanks. We thank you. We thank your families. And we thank you for your patriotism.

Once again I would like to thank the Prime Minister for providing this opportunity to debate this very important issue. I am encouraged by the number of government senators, members of the House of Representatives, opposition and crossbenchers who have shown interest and made their contributions towards this very important debate.

**Senator TROOD** (Queensland) (1.35 pm)—A parliamentary debate on the topic of Afghanistan is long overdue. Indeed, not only is this debate overdue; the parliament generally does not devote anywhere near enough time to considerations of foreign affairs in its schedule. There are, no doubt, good reasons for this, but it certainly cannot be that we are short of issues. We live in a world of tumult and turmoil, and Australia faces a wide range of foreign policy challenges that should be the subject of a wider public debate.

Afghanistan is a very appropriate place to begin this public conversation because there we are confronted with a desperate struggle for the country’s future. This, of course, is not the first time that Afghanistan has been a crucible of conflict. As students of history would be well aware it has often been called ‘the graveyard of empires’. For some of the war’s critics, this remembrance of things past is enough to underscore the futility of the task we have undertaken there.

Certainly, Afghanistan has posed challenges for those emboldened to take an interest in its affairs. In an earlier life, well before I entered the Senate, I published a book entitled *The Indian Ocean: Perspectives on a Strategic Arena*. In the chapter on Afghanistan, there appears this passage:

Several factors will play critical roles in determining whether the Soviet Union succeeds in… Afghanistan. These include the policies adopted by Pakistan towards the insurgents, the extent of external support… the success or failure of Soviet attempts to convert divisions among the insurgents into open conflict, the Soviet’s ability to establish a government in Kabul that commands a large armed force (and has a wide base of support) and the scope and duration of the Soviet commitment.

That passage was written about a different time in Afghanistan’s history by Zalmay Khalizad. As some senators may be aware, Dr Khalizad has since gone on to greater things, including serving a term as the United States Ambassador to Afghanistan. While he and I strongly distance ourselves from Soviet ambitions in Afghanistan, Khal-
izad’s comments remind us that in this country some things seem not to change very much at all. Substitute the US or the International Security Assistance Force, ISAF, for the Soviet Union, and we arguably have a pretty fair description of the range of challenges that confront us today.

If ever there was one truth about Afghanistan, it is that the historic struggles which have taken place there have never been just about the future of Afghanistan itself. They have always been about part of a much grander landscape. This is no less true today than it was in the 19th century or in the 1970s or 1980s. Afghanistan has always been part of a very volatile region in world affairs. If we are to comprehend the full extent of the challenge we confront there, we cannot engage in the comfortable delusion that it can be easily quarantined from the influence of its strategically unstable neighbourhood. As a landlocked state, it is surrounded by great powers, many of which see it as an arena for their own ambitions. No part of that neighbourhood is more strategically interconnected with Afghanistan than its eastern neighbour Pakistan. Democratic governance in Pakistan is already at grave risk from, among other things, a violent internal insurgency which includes al-Qaeda backed extremists. In recent times, intensified bombings and terrorist attacks testify to the growing self-confidence and a brutal and bloody determination to destroy an already brittle political order. The Pakistan government is struggling to contain this threat. Should its resolve falter and Pakistan fall under the influence of groups aligned with al-Qaeda or one of its indigenous variants, it would be a strategic disaster.

The fall of a democracy, however imperfect, to Islamic insurgents would give massive propaganda to al-Qaeda and embolden extremism in Asia and elsewhere, to say nothing of the threat that would emerge if Pakistan’s nuclear warheads fell into the hands of the terrorists. The chaos and instability in Afghanistan only serve to fuel this risk. As the analyst Stephen Biddle has written in relation to the United States—but it is an observation that applies to other Western countries, including Australia—we all have an interest in preventing Afghanistan from aggravating Pakistan’s internal problems and magnifying the danger of an al-Qaeda nuclear-armed sanctuary that might exist there. We are, of course, assisting Pakistan to confront the severe challenges it faces. I trust we will continue to do so to the full extent of our capacity. But Pakistan is a sovereign state, wary of outsiders’ offers of assistance and determined to be responsible for its own security. In Afghanistan, the circumstances are very different. There, our opportunities to assist in bringing peace and stability to a broken and divided country are that much greater.

Aside from our interest in Pakistan’s future, Australia has strong reasons for continuing to play a role as part of the international coalition that is striving to offer a better future for Afghanistan. These reasons have their origins in Australia’s membership of the international force that intervened to bring down the Taliban and liberate the country from its ugly, oppressive rule in Operation Enduring Freedom in 2001. There is little doubt that, at the time, the Taliban was providing a safe haven for al-Qaeda training camps and that Afghanistan occupied a central place in Osama bin Laden’s global network of terror. Certainly, things have changed since then. Al-Qaeda’s presence in Afghanistan is much diminished, and the threat which existed in 2001 and al-Qaeda’s base of operations is now more likely to be found on the Horn of Africa or across the border in Pakistan. Nevertheless, the strategic reality is that the significant, dangerous and continuing linkages between the Taliban
and al-Qaeda remain and are not seriously in doubt. They are a persistent threat to Afghanistan’s stability and to Western interests in the region. The insurgents’ freedom to move across the porous international border confronts ISAF with one of its greatest operational challenges in trying to eliminate their presence. We would be taking a massive strategic risk if ISAF were suddenly to leave Afghanistan without a high degree of confidence that al-Qaeda’s alliance with the elements of the Taliban had not been crushed.

Australia also has a national interest in Afghanistan borne of its alliance with the United States. The many critics of this argument seem to have wilfully ignored the circumstances under which the United States and its allies, including Australia, entered Afghanistan. As Fullilove and Bubalo from the Lowy Institute pointed out recently, 2001 was not an exercise in US unilateralism of the kind usually so widely condemned by the left. It was a case of Washington acting in concert with the international community and, of no less importance, it was an exercise in self-defence, sanctioned under international law as part of an international response to al-Qaeda’s terrorist attack of 9-11. Perhaps most significantly, the mission was undertaken with a mandate from the United Nations which has been renewed year after year. In short, for Australia, being part of the ISAF coalition in Afghanistan is not only an entirely appropriate exercise in alliance maintenance but also an organic part of the international obligations we have assumed in the struggle against Islamic extremism with other members of the global community.

There can be little doubt that we are facing a tough fight in Afghanistan. Our enemy is ruthless, enterprising and determined. The increasing casualties amongst ISAF troops, along with more violence against civilians and an alarming number of political assassinations, all point to stepped up insurgent activity and to higher levels of insecurity. In Kabul and elsewhere across the country, many Afghanis appear to have limited respect for their government, which they often see as dysfunctional, corrupt and lacking in legitimacy. The disruption of commercial and business activity and the fragility of economic enterprise are making everyday life extremely hard for most Afghanis. Beyond Afghanistan, among the populations of the countries contributing to ISAF there is a growing restiveness at the alarming human and financial costs of the war. In these circumstances it is hardly surprising that there is a considerable pessimism about Afghanistan’s future.

For all that, I think there is good reason to look forward with some confidence. There are some encouraging signs of progress in things like school attendance; the construction of road, health and telecommunications infrastructure; and small-scale business enterprise beginning to grow. On the security front, it is true that for a long period of time the international coalition struggled to design a strategy that would secure Afghanistan’s future. While the Taliban was never a movement with a widespread following or deep-seated historical legitimacy within Afghanistan’s society, it did manage to secure government in the 1990s. Now, however, it is a highly factionalised entity supported in some parts of the country but only tolerated in others and deeply hated elsewhere. The ISAF counterinsurgency strategy, now being led by General Petraeus, offers the best opportunity in nine years of conflict to further erode and degrade the Taliban’s strength. With its key elements of clear, hold, build and transfer, the strategy is designed to deliver Afghanistan’s security into the hands of its own people. Although results are agonisingly slow, I am cautiously encouraged that this strategy together with the massive pro-
gram of civil reconstruction now underway offers Afghans a more secure and stable future.

Were we now to abandon Afghanistan, all the military and economic good we have so far achieved would likely be a wasted legacy. I struggle to imagine that the Greens and others who continue to oppose our continued presence in Afghanistan would think this a desirable outcome after all we have sacrificed there. We should not have any illusions about the lengthy time it will take to secure Afghanistan’s future. We and our coalition partners are likely to be engaged in military operations for some years. A civilian presence will likely continue long afterwards. However long we are engaged, we cannot afford to lose sight of what is surely one of the most important salient realities of the Afghan conflict: we are acting as friends and allies of the Afghan people. It hardly needs saying, but this is their country and they will remain long after the international forces have departed. This means that, whatever our strategic ambitions might be, we have to respect the aspirations of the Afghani people. This requires us to temper our expectations of success. As much as we and, indeed, some Afghans might wish it, prosecuting this conflict to the point of securing the unconditional surrender of the Taliban is unrealistic. As is now beginning to occur, they will have to be a party to the negotiations that ultimately will see an end to the conflict.

The reality is that we do not need a perfect Afghanistan to secure our strategic objectives there. Our aim should be a country that is stable and free enough to offer the opportunity for the Afghani people to decide on their political, economic and social future. It should also be sufficiently independent of the influence of the Taliban and its insurgent allies to ensure that Islamic extremism and the terrorism it begets does not regain a foothold. The challenge we now face is to create the conditions where these objectives can be achieved. As I have said, I consider the counterinsurgency strategy now in place makes this a realistic possibility.

Australia’s contribution is a significant one, and I express my gratitude and enormous respect for the professionalism of the men and women of the Australian Defence Force, the Australian Federal Police, the officers of AusAID and the Department of Foreign Affairs and Trade, and the other Australian citizens who daily risk so much in the service of our interests. The Australian contingent in Afghanistan may not be the largest among ISAF, but it is for the most part in the southern province of Oruzgan, one of the most violent and unstable parts of the country. Australians face constant danger, as we are tragically reminded when we recall the 21 members of the ADF who have already lost their lives.

Sadly, we face the prospect of further casualties before our commitment to Afghanistan comes to an end. But, like other senators, I am struck by the fact that many of the families who have lost loved ones in this conflict want it known that the soldiers who have fallen have been committed professionals and maintained a belief in the importance of their mission. At the moment, I am far from convinced that we are doing enough to degrade the Taliban’s insurgency. While our SAS commando and other forces are doing a magnificent job disrupting Taliban and insurgent networks as part of the Special Operations Task Group, there is a strong case for expanding their capabilities. I acknowledge that these types of military operations place our soldiers at higher risk, but they are vital to the ultimate success of our mission. For that reason, I trust that the government and its military advisers have the option of an expanded and enhanced force under serious consideration. But ultimately, as Mr Abbott said in his contribution to this debate,
we on this side of the chamber recognise that this is necessarily a matter for the government.

In concluding my remarks, I note that, in her contribution to the House last week, the Prime Minister confirmed that Australia would continue to stay the course in Afghanistan. As the Leader of the Opposition made clear in his remarks, we in the opposition endorse that position very strongly. Part of the challenge we face in sustaining our commitment is to strive, as far as possible, to ensure that it has the support of the Australian people. A recent poll on this point is far from encouraging, with only 45 per cent of Australians being in favour. I cannot help but think that this is at least in part a consequence of the previous Labor government’s apparent reluctance to accept its responsibility and diligently strive to make a convincing case for our commitment.

I detected in the Prime Minister’s remarks the other day a determination to take a more muscular approach to our Afghanistan commitment. I much welcome this shift in policy. Following through on Australia’s commitment to Afghanistan is an immensely important enterprise. Its strategic rationale needs to be spelt out more clearly, the case for staying on needs to be made with greater conviction and the Australian people need to be convinced of the stakes. To that end, the government needs to go on the offensive to arrest the steady decline in public support for the war. The nation expects it and the brave men and women in the field deserve no less.

Senator KROGER (Victoria) (1.55 pm)—It is with great humility that I rise to make a small contribution to the debate on Afghanistan in this place. I say ‘a small contribution’ in the context of the enormous courage and bravery of our serving forces who are representing us as we speak on the ground in Afghanistan. There is no easy fix to the many problems and challenges that country is facing. The landlocked region in the Hindu Kush has experienced centuries of tribal warfare, ethnic fighting and religious tension, which has left the country deeply scarred and ensured the complexity of the problems that it faces today. After nine years the country remains fragile, with the hope of peace and stability a lingering challenge. The desire of all people to live, work and play in a secure environment is a right that all should share and remains the noble cause of this near decade long dispute.

The coalition’s mission has made considerable differences to the lives of the Afghan people, especially to women and children, who now enjoy more freedom and security. The war has harnessed international cooperation in an endeavour to counter extremism and terrorism. Afghanistan is no longer a breeding and training ground for terrorists. This in itself is a great accomplishment. We now need to assist the Afghans to build a future free from terrorism. Nonetheless, the last few months have been tough for our troops as we are in the middle of what the military commanders describe as ‘the fighting season’.

We mourn the significant losses of the coalition and, in particular, those 21 brave Australian soldiers who have given their lives to bring peace and stability. I salute them for their courage, conviction and belief in the quest for democratic freedom. To their families, I send my deepest sympathy and respect. I cannot and never will pretend to understand how difficult it would be to lose a loved one in the prime of their life. I can only imagine the life-changing consequences and we must never forget the sacrifices they have made. If history has taught us anything, it is that we must strive to provide every level of support possible for the families. As political leaders, we must ensure that the
legacy of honour that these soldiers have died for is never forgotten.

This debate gives us an opportunity to renew our commitment to the pursuit of democracy and freedom in Afghanistan. It also provides the Australian parliament an opportunity to tell our allies and international partners that we are there for the duration. This is, of course, the responsible thing to do, and it is not in the Australian DNA to cut and run. Political and military strategists must be the ones who continue to consider the best course of action for the Afghan people to assume responsibility and control of their own country. Whilst our troop numbers of 1,500 are small in comparison to the overall coalition force, our men and women play a significant role to bring stability and peace to the region. The troops are there to protect the population from insurgents and remove their safe havens. They are now fulfilling a vitally important role in training and mentoring the Afghan National Army 4th Brigade, our primary mission in the Oruzgan province. This mission is well on track, with the aim that the army brigade will be ready to lead security operations within two to four years.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Mining

Senator BRANDIS (2.00 pm)—My question is directed to the Minister representing the Prime Minister, Senator Evans. I refer to the Prime Minister’s remarks to the Australian Industry Group dinner last night that ‘a deal is a deal and a signature means that you agree’. Minister, when the government signed the heads of agreement with BHP Billiton, Rio Tinto and Xstrata on the evening of 1 July—a document the Prime Minister described as ‘a final agreement’—was that a deal and did the government’s signature mean that it agreed?

Senator CHRIS EVANS—I thank Senator Brandis for the question. I can make it clear that there was an agreement entered into between the government and three significant leading mining companies regarding the minerals resource rent tax. That was made public at the time.

Senator Cormann—You should stand up for WA.

Senator CHRIS EVANS—Senator, if you want to interrupt all through the answer, I am happy to sit down and wait until you shut up.

The PRESIDENT—Senator Evans, ignore the interjections. They are disorderly.

Senator CHRIS EVANS—Senator Cormann is obviously very keen to make his mark in this place, but perhaps he ought to show a little more restraint.

The agreement between the government and those three mining companies was designed to ensure that Australians got a fairer return for the use of our nonrenewable resources and to allow us to invest in the long-term economic future of this country. We also indicated at the time that, in terms of extending the arrangement to other miners who were caught by our proposed minerals resource rent tax, we would continue a discussion and a consultative process. That is occurring. The policy transition group, led by Don Argus, is discussing all of the issues involved and reporting back to the government by year’s end.

There have been some discussions about the detail of one measure of the agreement with those mining companies. That, obviously, is the subject of further discussions between us and those companies. But it has been very clear from the start that we will not be giving a green light to state and territory governments to increase their royalties at the expense of the mining resource tax revenue.
Senator BRANDIS—Mr President, I ask a supplementary question. I thank Senator Evans for confirming that the government considers that the deal was a deal and a final agreement. That being the case, why is the government now walking away from that deal by imposing a cap on the rebate of state royalties, when the term of the deal that deals with this matter provides for no cap?

Senator CHRIS EVANS—With all respect, I answered most of the supplementary question in responding to the primary question. I did indicate that there had been some public discussion around the implications of that part of the agreement between the major mining companies. I understand discussions have occurred between the minister and those companies about this. But, as I say, from the start we made it clear that we would not be giving a green light to state and territory governments to increase their royalties and therefore undermine the mining resource rent tax. Clearly, that would be a very perverse outcome and defeat the purpose for which the MRRT was designed. It would undermine our ability to pay for the sorts of things we committed to—like super, infrastructure and tax relief. Those discussions are continuing, but the government’s position is clear. (Time expired)

Senator BRANDIS—Mr President, I ask a further supplementary question. Given that the minister has confirmed that the government considers the heads of agreement to be a binding agreement but also considers that it is at liberty to break that provision of the heads of agreement dealing with state and territory royalties by imposing a cap against the terms of the agreement, is this not just another example, along with all the other broken promises, from a carbon tax to detention centres, that this government’s word is not worth a thing?

Senator CHRIS EVANS—I think in a former life the senator would be accused of leading the witness with the way he constructed the question, claiming that I said a whole range of things that I did not. In this context, we call it “verballing the minister”. I reject the assumptions contained in the question.

This government has set about implementing the mining resource rent tax in a way that ensures that Australians get fair reward for their mineral wealth; that when mining companies are making huge profits from mining nonrenewable resources, the Australian community gets a benefit from that; and that when commodity prices are at record highs, Australian taxpayers are entitled to share in the large profits being made. We remain committed to that principle and working with the industry to achieve it. (Time expired)

Economy

Senator STEPHENS (2.05 pm)—My question is to the Minister for Finance and Deregulation, Senator Wong. Can the minister inform the Senate about Australia’s current economic circumstances and outline the challenges facing the nation?

Senator WONG—I thank Senator Stephens for her question. The Australian economy is in a strong position. We came through the global financial crisis in a much stronger position than almost any other advanced economy. We avoided recession, our economy is growing strongly—around 3.3 per cent over the past year—our unemployment rate has fallen and our public finances are amongst the strongest in the world.

But there are challenges that we face—challenges the nation faces; challenges this government faces—as we move to implement our reform agenda. First, the rising Australian dollar does reflect the strength of our economy, but we know that whilst the high dollar has a beneficial impact for con-
sumers—for example, through cheaper imports—it does make life more difficult for sectors of our economy, such as manufacturing and tourism. On electricity prices, we know we need significant investment to replace our ageing network and to deliver energy security and certainty. A price on carbon will help to ensure that investment certainty.

The other threat to our economic growth is the breakdown of consensus around economic reform that we are seeing from the other side. We are seeing an opposition that, in the face of economic reform, only knows how to say no. This is a political party that no longer knows how to advocate reform; it only knows how to walk away from it. This government understands that economic reform can boost our economic growth, lift our participation rates and boost productivity, improving the standard of living of Australians, because that is of course what we want. We want a strong economy so we are able to enhance the living standards of Australians.

Senator STEPHENS—Mr President, I ask a supplementary question. The minister touched on some of the alternative approaches in dealing with these economic challenges, but could she consider the risks to our economic growth from these alternative approaches to reform?

Senator WONG—I thank the senator for her supplementary question. She is right: I did touch on some of the risks. The risk is primarily an opposition that only knows how to say no; an opposition that is no longer prepared to advocate reform but is only prepared to walk away from it. The fact is that much of Australia’s prosperity in current days has been built on the hard economic reforms over the last 2½ decades—economic reforms such as floating the dollar, deregulating the banking sector and putting in place the independence of the Reserve Bank. These decisions have, by and large, been achieved with bipartisan support, but what we know is that bipartisan consensus on these issues of economic importance is under threat. We have seen the shadow finance minister debating floating the dollar and we have seen the shadow Treasurer suggesting intervention in the competitive market for interest rates. The reality is we cannot risk a return to economic populism that is— (Time expired)

Senator STEPHENS—Mr President, I ask a further supplementary question. Can the minister advise about the importance of discipline when implementing long-term, sustainable economic reform?

Senator WONG—Unfortunately, what we have seen on the other side is a return to economic populism—a focus on the headline rather than economic reform. One wonders what Peter Costello must be thinking as he watches Mr Hockey suggest we should re-regulate interest rates and as he watches while Mr Robb toys with intervening in relation to the dollar. The standard of the response has not improved in the last 24 hours. Mr Hockey said this morning of the Prime Minister’s speech that it was like being slapped around the head with a terry-towelling hat. Mr Abbott this morning called the Prime Minister shrill and aggressive. This sort of name-calling is no substitute for real economic reform. That is what you are all about. You are all about saying no, you are all about walking away from reform and you are all about wrecking. That is all you offer the Australian people.

Asylum Seekers

Senator ABETZ (2.11 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. Is it still the government’s policy for a regional processing centre to be established in East Timor for asylum seekers?
Senator CHRIS EVANS—The government remains committed to a regional protection framework in dealing with asylum seekers. It is much more than a regional processing centre; it is about trying to ensure that we are able to manage people movement in the region for those seeking asylum. We have seen—

Senator Brandis—Which member of zombie world came up with this one?

The PRESIDENT—Order!

Senator CHRIS EVANS—Mr President, I am happy to continue if I can.

The PRESIDENT—Continue.

Senator CHRIS EVANS—The regional framework is about ensuring that we can process asylum claims in the region in a fair and balanced manner without people seeking to use people smugglers to move to destinations where they think they will get more favourable assessment, where they think they will get fair assessment of their claims. As a result of that perception amongst asylum seekers, we have seen large numbers of people seeking asylum in Australia who could have sought asylum elsewhere in the region without needing to employ people smugglers to move on. The reality is that many people have been granted asylum in Indonesia and have been resettled, both under the previous government and under this government, as well as having been resettled in other countries, but the perception that people need to get to Australia to seek asylum has fuelled a trade in people smuggling that we seek to address through a regional protection framework. I think that is the long-term solution to people movement in our region. It is something that is getting some international support, and as part of that the government has committed to establishing a regional processing centre that would allow us to deal with those people who have sought to move on and require to be processed at a centre. (Time expired)

Senator ABETZ—Mr President, I ask a supplementary question. Given the overwhelming opposition to a processing centre emanating from East Timor itself, how does the government expect anyone to believe that this is a feasible proposition?

Senator CHRIS EVANS—The Minister for Immigration and Citizenship, Mr Bowen, has been pursuing the question with the East Timorese. They have said that they are open to discussions on the issue of the regional processing centre being based in East Timor. East Timor is a democracy; people will have a range of views about such things. It will be part of the political debate in East Timor, as these issues are here in Australia. Clearly that sort of democratic discussion will occur. They have said they are open to discussions. The minister has visited East Timor and has engaged in those discussions. He is pursuing the proposal with East Timor and, on his return from East Timor, he reported on how that had gone. He also spoke with the Indonesians and other countries in the region, and he is committed to continuing to pursue the regional processing centre concept.

Senator ABETZ—Mr President, I ask a further supplementary question. Is the government aware of any doubts amongst its own ranks about the likelihood of an East Timor asylum processing centre ever coming to pass? Is this impeding its progress?

Senator CHRIS EVANS—I am not sure of the views of all the persons in our ‘ranks’, however defined, but certainly there are a range of views in Australian democracy about these matters. I must say, though, that the proposition has received very strong support from people like Malcolm Fraser and other eminent Australians and also from a whole range of international organisations that previously have been a bit wary about
such propositions. They recognise that we need a regional response and that we will not be able to seriously address this issue in the longer term unless we have a regional response. The processing centre is a key element of the regional protection framework, but fundamentally it requires that people are able to seek asylum in any country in the region and to receive fair and equal treatment in having their asylum claims processed. I think there is very widespread support for that fundamental proposition.

**Higher Education**

**Senator PRATT** (2.16 pm)—My question is to the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, Senator Evans. Can the minister inform the Senate what action the government is taking to reward high performance in Australian universities? How will this contribute to the government’s productivity agenda?

**Senator CHRIS EVANS**—I thank Senator Pratt for her question. Today Senator Carr and I revealed the details of the next plank in the government’s 10-year reform agenda for higher education when we released the new draft compacts and performance funding framework for consultation with Australian universities. Compacts will be the mechanism by which new teaching and learning performance funding is delivered to universities across Australia. Performance funding will strengthen universities’ focus on improving outcomes for students, especially the important national goal of increasing the number of Australians who enjoy the rewards of a higher education. We expect that every university will contribute to achieving the government’s ambition that, by the year 2020, 20 per cent of undergraduate students will be from low socioeconomic backgrounds. For this reason, the government is asking every university to agree to improve the participation of people from a low socioeconomic background by 2.5 per cent over the next five years.

As we move to a student demand driven funding system for higher education, the government wants to ensure that universities continue to offer high-quality education. To do this, the government will ask every university to agree to targets to improve students’ experience of university and the quality of their learning outcomes. My department, together with Senator Carr’s department, will write to universities today to seek their feedback on the draft compacts and performance funding framework.

Universities play a significant role in enhancing the productive capacity of the Australian economy, whether they are metropolitan universities that attract students from around the state or whether they are regional universities focused on meeting the needs of the local community. The government believes that it is important to place the right incentives to reward universities for contributing to higher productivity through continued improvement in the quality of learning outcomes that they deliver. That is particularly important as we work towards the government’s goal of ensuring that, by 2025, 40 per cent of young Australians will hold at least an undergraduate degree.

**Senator PRATT**—Mr President, I ask a supplementary question. Can the minister inform the Senate what the benefits to universities will be from entering into a compact and agreeing on performance targets with the Australian government?

**Senator CHRIS EVANS**—The performance funding that the government is offering will provide incentives to universities to improve outcomes for students. Universities have everything to gain if they enter into a compact and agree to performance targets with the Australian government?
with teaching and learning performance targets will receive an annual share of $94.2 million of facilitation funding to make a start. Universities that then meet their targets will receive a share of $136.6 million each year in reward funding. Over the three calendar years of the compacts, this means that up to $550 million will be available to those universities that sign up to the compacts.

These are substantial incentives, fully funded in the 2009 budget, which the government is putting on the table to reward high performance by all Australian universities. We expect Australian students to be the main beneficiaries.

Senator PRATT—Mr President, I ask a further supplementary question. Given the rapid changes that are taking place in higher education, can the minister please advise the Senate what action the government is taking to ensure that the base funding provided to Australian universities remains competitive and appropriate?

Senator CHRIS EVANS—There is no doubt that the face of the higher education sector will change over the period ahead as a result of the government’s significant reforms in response to the Bradley review of higher education, and this will have implications for the way in which universities are funded in the future. Earlier today, the appointment of an expert panel to conduct a review into higher education base funding was announced. This review implements one of the recommendations of the Bradley review to establish principles for public investment in Australian higher education and to make sure that funding levels are competitive and appropriate. The review builds on the government’s substantial new injections of capital and recurrent funding for higher education. Last term, the government committed to lifting caps on undergraduate university places for domestic students at an estimated additional cost of $2.1 billion over five years. We also introduced a new indexation approach, which will mean that universities will have an additional $2.6 billion over five years to provide top-quality education. (Time expired)

Murray-Darling Basin

Senator JOYCE (2.21 pm)—Mr President, my question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities—which, surprisingly, is Senator Conroy. Minister, can you please explain the varied positions of the Labor Party. Senator Wong stated on 1 June 2009:

… the final decision on the Basin Plan rests with the Commonwealth Minister for Water alone.

Then, on 10 August, Prime Minister Gillard said they were ‘determined’ to do what was necessary to implement the Murray-Darling Basin plan. Then the most recent minister, Minister Burke, said on the 26th:
The guide is not government policy, it is not my document, I have deliberately made sure I did not launch it.

Who are we to believe: minister 1, Minister Wong; minister 2, Minister Burke; or the Prime Minister?

Senator CONROY—I thank Senator Joyce for his question. It gives me the opportunity to answer the question. The key is that, Senator Joyce, you are factually wrong. Senator Joyce was talking about different things. He was trying to compare apples with oranges—comments about apples compared with comments about oranges. But that is no great surprise. This is a senator who yesterday stood up and offered to table a document he was given in confidence. He was given an advance copy of a document and he wanted to wave it around pretending it was a public document.

Senator Joyce—Mr President, this has to be, if ever there was, an issue of relevance.
There is not one thing in this answer that is addressing this question. In fact he is going on to something entirely different. Please pull him into line.

The PRESIDENT—Senator Joyce, I believe that the minister is answering the question but I do believe that the minister needs to come back to the central theme of the question and answer that.

Senator CONROY—A very fair ruling, Mr President. As I was saying, Senator Joyce is attempting to take comments about a guide and comments on a plan and pretend they are the same thing. They are separate things; one came before the other. They are completely consistent with each other. The fact that Senator Joyce is now going to have to explain to Senator Abetz and the tactics committee that he has been sprung misleading the chamber by trying to pretend they were the same things is something Senator Joyce will have to deal with. The whole premise of his question is completely false. It just shows the desperation of those opposite that they would try—

Senator Brandis—You just don’t like the fact that Barnaby is a lot smarter than you.

Senator CONROY—Oh that was cutting! I am cut to the quick. It is that Rum-pole-like wit!

The PRESIDENT—Senator Conroy, ignore the interjections and just answer the question.

Senator CONROY—You are right, Mr President; I should ignore the interjections from Senator Brandis. I apologise for allowing them to distract me. But I will not be distracted from Senator Joyce trying to verbal— (Time expired)

Senator JOYCE—Mr President, I ask a supplementary question. It was a complete and utter nonanswer to the first question, but let us have a crack at this one. Why has the government taken seven months—from the Productivity Commission report of March 2010 to the Australian Government Solicitor’s advice yesterday, two weeks after the release of the guide—to remove any queries and doubt that the act must deliver a triple bottom line approach of social, economic and environmental outcomes—

Senator Cameron—Did you use it as toilet paper? I thought you used Productivity Commission reports as toilet paper.

Senator JOYCE—Does this explain how the Labor Party has so—

The PRESIDENT—Senator Joyce, I am going to ask you to repeat part of that question. There was an interjection and I could not hear part of your question.

Senator Conroy—I heard it.

The PRESIDENT—Senator Conroy, I did not hear it. I am asked to rule on these questions; I have to hear the question. Senator Joyce is entitled to be heard in silence.

Senator JOYCE—Does the minister’s botched approach explain why the basin has been left in a state—as the minister stated—of ‘absolute confusion’?

Senator CONROY—The basin is confused? It might not be the only thing. Mr President, Senator Joyce continues to try and verbal Minister Burke, Minister Wong and the Prime Minister. It is a complete verbal-balling. The whole premise of his question is wrong. We have been very consistent in our view. We have taken legal advice and now we are going to table it, as I think Minister Burke has indicated. So let us be clear about this: we have been completely consistent in our statements on these matters and we, like many others, like many stakeholders, are concerned. Minister Burke visited Griffith just recently and they are very concerned there about this report as it stands at the mo-
ment. Let me be very clear about this. We have been entirely consistent.

Senator Joyce—Mr President, I rise on a point of order. If they are so concerned about it, why did the Prime Minister say she was going to implement it?

The PRESIDENT—That is not a point of order; that is argument, which you are entitled to put at the end of question time. Senator Conroy, you have two seconds remaining in which to answer the question.

Senator CONROY—I have completed my answer, Mr President.

Senator JOYCE—Mr President, I ask a further supplementary question. Can the minister confirm that the Labor government has spent $100 million in departmental expenses for the Murray-Darling Basin Authority on a report that its own advice said was premised on a false premise?

Senator CONROY—As to the exact figure that Senator Joyce quoted, I cannot confirm or deny that. I am happy to take that on notice to confirm it for you, Senator Joyce. I would not like to mislead the Senate—as you have during most of this question time. Again, the premise of the question is false. Senator Joyce has attempted three times now to verbal not only Minister Burke and Minister Wong but the Prime Minister. He should be ashamed of himself for that. He has continued to make the misrepresentation—

Senator Joyce—Mr President, on a point of clarity: the minister said that I verballed him, so can he please direct me to the position in the question where I verballed him?

The PRESIDENT—that is not a point of order, Senator Joyce. Senator Conroy, you have 23 seconds remaining.

Senator CONROY—the government, as has been stated many times, is trying to achieve three outcomes: to deliver a healthy river system, something those opposite used to believe in; to deliver it acknowledging the importance of food production; and to deliver strong regional communities. That was the objective when the Water Act was first—

(Time expired)

Opposition senators interjecting—

The PRESIDENT—if you wish to argue about the answers given during question time, the appropriate time is at the end of question time.

Coal Seam Gas Projects

Senator BOB BROWN (2.30 pm)—My question without notice is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities and it is about the minister for the environment’s go-ahead for two giant coal seam gas projects in Queensland at close of business last Friday. Who will monitor the 300 conditions placed by the environment minister on these projects? Will it be his office or somebody else’s? What will be the cost of that monitoring and who will pay for it? What will be the penalties for these corporations if they breach those conditions? Finally, what reparations will be made to the farmers whose productive land is going to be compromised by thousands of drill holes for these gas extraction projects?

Senator CONROY—I thank Senator Brown for his question. In 2008, Santos and the QGC referred coal seam gas proposals in southern Queensland and Gladstone for consideration under federal environmental law as outlined in the Environment Protection and Biodiversity Conservation Act. On entering his portfolio, the Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke, visited Gladstone to inspect the site and visited Chinchilla to look at existing wells. He met with representatives of local governments and community members who were opposed to the project. His decisions must be strictly in accordance
with the provisions of the national environmental legislation. While there are significant economic benefits, which must be a consideration in Mr Burke’s decision, the environment minister’s focus has been on protecting environmental matters.

We must protect the Great Artesian Basin, our threatened species, our waterways and the Great Barrier Reef. The minister imposed, as Senator Brown mentioned, more than 300 conditions on those projects which provide these environmental protections and allow the jobs and investment in Queensland to go ahead. There was rigorous assessment, including environmental impact statements for each project, Queensland Coordinator-General’s reports on each project, public consultation and expert advice from the minister’s department and Geoscience Australia. The assessment considered matters of national environmental significance, including listed threatened species, listed ecological communities, the world heritage values of the Great Barrier Reef and listed migratory species. Also considered were potential impacts on agricultural land among other economic and social matters. Conditions include that groundwater pressure must remain above conservative thresholds or be re-established, and that may involve reinjection, water-monitoring plans. — (Time expired)

Senator BOB BROWN—Mr President, I ask a supplementary question. The minister answered none of my questions, so I will try some easier ones.

Senator Abetz—You joined the alliance, yeah? You joined the alliance.

Senator BOB BROWN—And you failed. Could the minister tell the chamber exactly what will be the cost to the farmers of the region in terms of compromised prime agricultural land, other agricultural land and productivity? Who is making that assessment and how will the recompense be paid?

Senator CONROY—As the environment minister noted in the other place yesterday, there has been some community opposition to these projects. He also noted recently reported comments from one of the local councils that they are satisfied that the risks on water quality are being properly managed and that in this area they are actually taking water from completely separate water aquifers. As to the specifics of the question that you have also sought information on, Senator Brown, I will get as much of that information to you as quickly as I can through the normal process.

Senator BOB BROWN—Mr President, I ask a further supplementary question. Why was the announcement made late on Friday afternoon? This was a habit of the former minister, Peter Garrett, when difficult and unpopular measures were being announced. Does it flag some form of cover-up or ducking from public opinion on this very contentious issue? Will the minister seek a commitment that further announcements about the environment will not be made at close of business on Friday afternoon toduck obvious public contention?

Senator CONROY—I have no information as to why that decision was made and that timing. I am happy to take that under advisement and come back to you with any information that the minister considers relevant.

Murray-Darling Basin

Senator BIRMINGHAM (2.36 pm)—My question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, Senator Conroy. When was the government first advised by the Murray-Darling Basin Authority that it believed the Water Act did not allow it to fully and equally balance environmental, economic and social objectives?
Senator CONROY—I thank Senator Birmingham for the question. As the senator could imagine, I would have to provide the exact answer to that very detailed question on notice. I will seek what information I can from Minister Burke and provide that to Senator Birmingham at the earliest opportunity.

Senator BIRMINGHAM—Mr President, I ask a supplementary question and I thank the minister for the brevity at least of that answer. Can I advise the minister that the MDBA chairman, Mike Taylor, has publicly stated that he raised this concern with Minister Burke at their first meeting. I ask the minister: had Mr Taylor also earlier advised Minister Wong of this fact and, regardless of that, why did the government wait until the wave of public outrage to get legal advice clarifying the authority’s interpretation of the Water Act when it was advised of this problem before the guide was released?

Senator CONROY—Thank you. Again, you have asked a very specific question, which requires a very specific answer.

Senator Birmingham interjecting—

Senator CONROY—No, you have asked for a date. Let us be very clear: if you are going to ask for a specific date then I am obviously not going to have that information to hand as I am not the minister. But I will happily seek the information you have asked for and get back to you.

Senator BIRMINGHAM—Mr President, I ask a further supplementary question. I highlight the last part of the first supplementary question, which asked why the government allowed the guide to be released when it knew the authority had conflicting legal advice to what the government thought the objectives of the act were. I also ask the minister: how can the government expect communities to have confidence in its management of this challenging reform agenda when it is unable to deliver promised water-saving infrastructure projects, unable to produce complete socioeconomic analysis of reforms and unwilling to go out and address community meetings and the government itself was unable to ensure— (Time expired)

Senator CONROY—The hypocrisy from Senator Birmingham and those opposite is staggering. This is a piece of legislation that began while they were in government, was passed while they were in government and was amended by our government with their full support. This is legislation that they signed up to, that they voted for, that they created. They created this legislation; every single word of it is theirs.

Honourable senators interjecting—

The PRESIDENT—Order! Shouting across the chamber is disorderly.

Senator CONROY—As I was saying, those opposite want to cry crocodile tears in this chamber, demonstrating that they still have no policies, no ideas and no plans to offer. They have walked away from their own legislation. They try to claim that it is suddenly—

Senator Joyce—Mr President, I rise on a point of order. The coalition does have a policy. All the government provided was three media releases—

The PRESIDENT—That is a debating point, Senator; you know that. You are quite entitled to put your point of view at the end of question time, and I welcome senators who wish to participate in that part of the debate to do so. Senator Conroy, you have 20 seconds remaining to address the question.

Senator CONROY—I am pleased that those in the cockies corner down there, the National Party, have finally stood up. That is the first time in three years they have stood up!
Senator Joyce—Mr President, I rise on a point of order: unparliamentary language. Can you ask him to withdraw that?

The PRESIDENT—Senator Joyce, there is nothing there that I could rule on.

Senator CONROY—Another excellent ruling, Mr President. Thank you. But let us be clear about this: the National Party have rolled over so far they do not know which way they are facing. (Time expired)

Economy

Senator HUTCHINS (2.42 pm)—Mr President, my question is to the Minister for Small Business and Minister Assisting on Deregulation, Senator Sherry. Can the minister advise the Senate on the achievements of the Gillard government’s reform agenda through the Council of Australian Governments process? Can the minister give an assurance that the government will continue on its path of regulatory reform to keep modernising our economy and prepare Australia for the long term?

Opposition senators interjecting—

Senator SHERRY—I thank Senator Hutchins. There is great mirth from the opposition, who did nothing in respect of national reform of regulation while they were in government. The Gillard government has a comprehensive agenda and reform to reduce the level of unnecessary and poorly designed red tape in Australia. This is in order to increase productivity, build a stronger economy and create more jobs and higher wages. The Council of Australian Governments national partnership agreement is to deliver a seamless national economy and we are driving states and territories to deliver this seamless national economy in 27 key areas. The Gillard government is providing some $550 million in incentive payments to the states to tackle the 27 deregulation priorities that have been identified.

The states and territories need to deliver the reforms, in line with the key milestones that have been established, by 1 July 2013 in order to be eligible for the incentive payments. Very good progress is being made, and let me provide a few examples. Standard business reporting allows business to quickly and efficiently prepare and lodge business information electronically through a range of Commonwealth, state and territory agencies. When it is fully operational in 2014 it will save business an estimated $800 million per annum in operational costs. Australian Consumer Law, which is operative from 1 January 2011, will replace 17 different state and territory acts of parliament in this area with a single national framework, which will be simpler and more comprehensive. National trade licensing will cover electricians, plumbers and property agents and will avoid the need for separate licensing in every state and territory. (Time expired)

Senator HUTCHINS—Mr President, I ask a supplementary question. Can the minister outline to the Senate how the government intends to proceed on key reform directions and fulfil the goal of a seamless national economy?

Senator SHERRY—As I have already said, this is a very important reform process. It is about increasing productivity, building a stronger Australian economy, adding to jobs and adding to wages. Many reforms have been completed. A further example is the National Registration and Accreditation Scheme for the Health Professions, a national system of trade measurement. Believe it or not, in a country such as Australia, we did not have nationally consistent trade measurement—and we were one of the few countries in the world not to have nationally consistent trade measurement requirements. There has also been the implementation of the regulation of trustee corporations. There are many reforms still underway. Occupa-
tional health and safety has certainly had some attention in the media of late, as has the introduction of the national system for registering business names. There is no national requirement for the registration of a business name in Australia—(Time expired)

Senator HUTCHINS—Mr President, I ask a further supplementary question. Is the minister aware of any alternative policies to the government’s ongoing reform process, and do these alternative policies pose any real risks to our long-term prosperity?

Senator SHERRY—As I said earlier, when those in opposition were in government for almost 12 years they did little, if anything, in this area of a national seamless economy and the simplification of regulation. They did little, if anything. They are a policy-free zone. There were a policy-free zone in this area in government. They are still a policy-free zone. The reforms that I have outlined, at least in part, today are complex. They are time consuming. They do involve bringing together states, territories, business and a range of representative organisations, trade unions and consumer organisations, but they are extremely valuable to the strengthening of Australia’s economy. They are all about lifting productivity, improving productivity, strengthening the Australian economy and delivering more jobs and higher wages. That is the critical importance of these reforms. Unfortunately, those opposite have no ideas and are taking an extremely negative, wrecking attitude, as they have in every other—(Time expired)

Murray-Darling Basin

Senator BERNARDI (2.47 pm)—My question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, Senator Conroy. I refer the minister to Senator Wong’s statement of 11 August 2010 on ABC Radio 891 regarding the Murray-Darling Basin plan, when she said, ‘The cap will ultimately be set by the independent authority.’ Will the minister back Senator Wong’s statement and confirm that is going to be the case?

Senator CONROY—Senator Bernardi should revisit the legislation I was referring to in my last answer, which sets out, categorically, the process by which this is ultimately determined—it is a vote of the parliament. That is the bill you voted for. That is the bill Senator Joyce voted for. And that is exactly the process which will be followed. We will comply with your legislation and our amended legislation, which you supported. You voted for it, you voted for it, you voted for it and you voted for it. Every single one of you voted for it. So do not come in here and suddenly try to play games about the process. This was a bipartisan process, which you were signed up to. So do not come in here and cry your crocodile tears—

Senator Sherry interjecting—

Senator Joyce interjecting—

The PRESIDENT—Those senators conducting a discussion across the chamber—it is disorderly. I am waiting to call Senator Brandis.

Senator Brandis—Mr President, I rise on a point of order going to relevance. The minister was asked whether he supported a statement quoted to him by one of his colleagues. He has not been directly relevant to that. What he is saying now has nothing to do with it at all, and he ought to be brought to the question.

The PRESIDENT—There is no point of order. Continue your answer. Senator Conroy, I do not want comment. I invite you to continue answering the question. You have one minute and five seconds.

Senator CONROY—The process is exactly as I have described—exactly as the
legislation describes. And I am very comfortable to make the point that I always support Senator Wong. Let us be clear. Do not come in here and try to pretend, verbal and create a completely misleading impression of what the legislation says. We have made it very clear, just to go to the advice. Broadly, the advice outlines that the Water Act gives effect to relevant international agreements; provides for the establishment of environmentally sustainable limits on the quantities of water that may be taken; and provides for the use of the Murray-Darling Basin water resources in a way that optimises economic, social and environmental outcomes— (Time expired)

Senator BERNARDI—Mr President, I have a supplementary question. Why is the minister not prepared to back Senator Wong and her statements of 11 August, and her statement the following day on 12 August on the same radio station? It said:

... this is a Government that is prepared to back the independent Authority in its determination on what the rivers need.

Minister, will you abide by the independent authority’s assessment of a cap on water?

Senator CONROY—Perhaps when you already have a prewritten supplementary question it is hard to make an adjustment on the run. Senator Bernardi is proving that to be the case, because it is quite clear that I supported Senator Wong in the last answer. It was quite clear. It is there in Hansard. It will be spelled out in Hansard quite simply. But I repeat that the reason I was going through the legal advice, the reason I was quoting the legal advice, was to remind Senator Bernardi that we will comply with the law that you created, that we supported, that we amended and that you supported. That law requires that the Water Act, subject to the environmentally sustainable limits, maximises the net economic returns to the Australian community. The international agreements which underpin the Water Act themselves recognise the importance of social and economic factors. (Time expired)

Senator BERNARDI—Mr President, I ask a further supplementary question. How can the minister explain the government’s pre-election declarations of support for the Murray-Darling Basin Authority that have now been proven to be misleading, which has been confirmed by Minister Burke’s statement in the other place last Wednesday that he reserves the right to ‘demand that they change aspects of it’?

Honourable senators interjecting—

The PRESIDENT—Order! I am waiting to hear Senator Bernardi.

Senator BERNARDI—The minister’s failure to confirm what Senator Wong promised pre-election has exposed the government as being able to make any number of reckless points pre-election, and I would like the minister to explain how they can justify that.

Senator CONROY—Let me be clear, again. The entire question is based on a false premise.

Senator Bernardi interjecting—

Senator CONROY—Senator Bernardi, you can interject all you want; the question is based on a false premise. You are attempting to verbal Senator Wong and verbal Minister Burke. Again, I will go back to the act, specifically to inform you about the act. The act specifically states that giving effect to those agreements the plan should promote the use and management of basin water resources in a way that optimises economic, social and environmental outcomes. That is exactly what Minister Burke has done and that is exactly what he will continue to do. We will ensure that we take into account the advice of the— (Time expired)
Broadband

Senator FURNER (2.55 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister explain to the Senate how the National Broadband Network will deliver on health challenges facing our nation, such as an ageing population, a rise in chronic disease and health workforce shortages. And can the minister give an explanation and examples of the possibilities enabled by the National Broadband Network.

Senator CONROY—I thank Senator Furner for his ongoing interest in this area. Ubiquitous high-speed broadband, which will be delivered by the National Broadband Network, will enable improvements in quality of care, access to services, real-time monitoring of health and illness, innovations in clinical care and health training, and targeted home-based care.

Those down there in the far corner of the chamber used to believe in that. They used to believe in wanting to deliver universal health care, particularly to people in rural and regional Australia. So it continues to be an embarrassment to many National Party members like Mayor Bruce Scott, who today was calling for his small community in Queensland—

Opposition senator—Where?

Senator CONROY—Barcoo Shire. He was continuing to call for fibre to the smallest of communities, completely rejecting those opposite. An Access Economics study found that the steady-state benefits to Australia from wide-scale implementation of telehealth may be in the vicinity of $2 billion to $4 billion per annum. The use of telehealth to keep the elderly and people with chronic illnesses out of hospital and in their homes longer not only has an economic benefit but also improves the quality of life and the speed of convalescence. Remote diagnosis and follow-up care means quality health care is accessible to all Australians regardless of where they live. Those in that corner of the chamber used to believe in that. They will be able to consult specialists from the city—

(Time expired)

Senator FURNER—Mr President, I have a supplementary question for the minister. What is the Gillard government doing to help facilitate the take-up of telehealth?

Senator CONROY—The government is committed to fundamental reform of Australia’s health system. And a large part of this is taking our use of technology into the 21st century. We will invest $392 million so that from 1 July 2011 patients can get an online consultation with their specialist if they live in rural, remote or outer-metropolitan areas. This will provide around 495,000 services over four years—495,000 services that those opposite should be supporting. Those from the National Party, from regional and rural Australia should be ashamed of themselves. There will be 495,000 consultations for people who live in your electorates and you want to block it. (Time expired)

Senator FURNER—Mr President, I ask a further supplementary question. Can the minister advise the Senate on any healthcare providers’ views on the impact of the National Broadband Network on healthcare delivery, please?

Senator CONROY—Mr David Ryan, the Chief Information Officer with the Grampians Rural Health Alliance, said in the *Australian Financial Review* today, when asked about the impact of the NBN on health care—

Senator Joyce interjecting—

Senator CONROY—and those in that corner should pay attention particularly to this:
“Most people don’t want to go to hospital, they want to stay in their own homes and convalesce there.”

“If we were to have care of our patients within their own homes via video conference, then the spend on health as a proportion of gross domestic product will fall away.”

The opposition should explain why they want to stand in the way of these important improvements to the health system by standing in the way of the National Broadband Network. They are committed to opposition for opposition’s sake. It is an absolutely disgrace and an embarrassment to those opposite—

Opposition senators interjecting—

Senator CONROY—particularly the National Party members in the far corner. Their constituencies must be up in arms—(Time expired)

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

The PRESIDENT—Just before honourable senators move, I wish to remind you that a resolution of the Senate this morning has put question time from 2 pm to 3 pm tomorrow. I just remind senators of that.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Mining

Senator ABETZ (Tasmania) (3.02 pm)—I move:

That the Senate take note of the answer given by the Minister for Tertiary Education, Skills, Jobs and Workplace Relations (Senator Evans) to a question without notice asked by Senator Brandis today, relating to economic reform.

There is no doubt that this government is in a hopeless mess. From pink batts, to green loans, to Building the Education Revolution and to border protection we have a government that is in a mess. As Labor’s Senator Cameron so perceptively acknowledged, it is as though the Labor Party have had a lobotomy. We on this side have known that for a long time. The surprise to us is that the Labor Party have finally realised it themselves.

If anyone needed an example of a lobotomised Labor Party, all they needed to do was have the same misfortune as I had last night in witnessing the most appalling prime ministerial address to the Australian Industry Group. Last year’s PowerPoint presentation by Prime Minister Rudd achieved a new low, but it was still way, way ahead of Prime Minister Gillard’s performance last night. Ms Gillard, in a shrill and strained presentation last night, claimed, ‘A deal is a deal.’

Senator Brandis—A knife is a knife!

Senator ABETZ—That is news from Mr Rudd, coming from Ms Gillard. As Senator Brandis said, a knife is a knife. But they made a deal that she would not challenge for the leadership and 15 minutes later she was back in his office saying, ‘I am going to challenge.’ So, clothed with all that moral authority and integrity, she addressed the Australian Industry Group last night and said, ‘A deal is a deal.’

And of course, on the mining tax mess that we are facing, Ms Gillard is claiming that a deal is a deal and things should be honoured. Well, the deal that she struck was renounced on 2 July. She said this in a media conference:

Last night we sat down to settle the final agreement, and I can now announce we’ve reached agreement on the basic structure of minerals taxation for the future.

Then, in an answer to a question on notice to the inquiry into fuel and energy, so ably led by a coalition senator, we were provided with a copy of the heads of agreement, part of which said:

All—
a-l-l—
state and territory royalties will be creditable against the resources tax liability …

Now, all of a sudden, having promised that there would be no cap, there is a cap, and yet, hand on heart, last night in a very shrill and—

Senator Lundy—Stop saying ‘shrill’.

Senator ABETZ—Well, I am sorry; it was shrill—

Senator Lundy—It’s a sexist comment.

Senator ABETZ—It is not a sexist comment; it is an indication of how she came across, which is indicative, of course, of a government struggling to get out of its self-inflicted mess. They are starting to sink in their own mire of self-created mess.

And here she was, trying to justify herself as the great economic reformer—the one that opposed every single Howard-Costello government reform—all of a sudden remade. All that she could talk about last night was the Hawke-Keating reform era. She then airbrushed out the Howard-Costello era—she just could not bring herself to that—which of course went down like a lead balloon in the audience that she was addressing.

But what we have now is a government that nobody trusts. Mr Rudd does not trust her because she has form. The mining industry no longer trusts her—the mining industry which is so important and vital to the economic, and thus the social, fabric of our country. They do not trust her anymore. And of course the Australian people cannot trust her any more, given that, on the very day before the election, she made a solemn promise to the Australian people. This is a Labor government in a mess, and what we need—(Time expired)

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (3.07 pm)—I am proud to be part of a Labor government that is prepared to take on the hard tasks and the difficult agendas. We sat on that side of the Senate for 11½ years and watched those opportunities simply trickle through the coalition government’s fingers. The big, hard questions that we have had the temerity and the fortitude to tackle are things like really trying to start working to ensure that we have a health system in this nation that will deliver for people who need it and an education system that works across the country with a single curriculum so constituents who by nature of their job are very transient are able to move their children around the country and still get a quality education. I am proud to be part of a government that did tackle sensibly, decisively and with great success the global financial crisis. We have tackled the issue of Indigenous aspiration, something that is never going to be delivered in a short period of time. But at least we have started. We have started dealing with the questions of health, housing, education and, in particular, employment for Indigenous Australians.

It is terrific to be part of a government now working with people on the cross-benches and the Greens to deal with the questions of rural, remote and regional Australia. It is terrific to be part of that. And, yes, we are going to tackle one of the hardest pieces of public policy—that is, dealing with the Murray-Darling Basin. What do we get, though, from those sitting over there? We get name-calling, nastiness, pettiness and base political point-scoring. Last night I was there when the Prime Minister expressed some astonishment at the comments we have had over the last couple of days from Messrs
Hockey and Robb. It is quite extraordinary that here we are in 2010 and we have two opposition frontbenchers—two would-be ministers, minister for finance and Treasurer—pulling back the economic reforms that I thought, and I think our Prime Minister thought, that for the past nearly 20 years were agreed on: that we needed to have a more open market economy and deregulation of the banks, and that the way that interest rates are set in this nation by an independent entity is the right thing to do. So why are we revisiting economic arguments that were won and agreed to more than 20 years ago? I will tell you why. Because it is easy politics; it is lazy politics as well. It is simply appealing to those who want to find a simple answer rather than taking the hard way, the difficult way—the way that I know that many of you who sit over there in fact agree with.

I thought the Prime Minister’s comments last night were very, very apt and important to inform the community debate around what we are really talking about. Let us not let the economic debate in Australia fall so low that we get to questions around—and I do recall it—‘Why don’t we print some more money?’ That is another line that a former member of the House of Representatives, who I think the Prime Minister was alluding to last night, suggested was a reasonable economic strategy. Be careful. I urge caution. We are in this place to lead the debate and not to fall to the lowest common denominator. I encourage leadership; I encourage good, common sense.

Senator Brandis—But we are in opposition.

Senator McLucas—And that is all you do—simply oppose. If you sit there opposing forever, you will stay there. (Time expired)

Senator Ronaldson (Victoria) (3.12 pm)—I am not entirely sure where Senator McLucas was last night, but I know where she wasn’t. She most certainly was not at the AiG dinner, because she could not possibly have come out of that dinner and made the comments that she has now made. Indeed, it was a shrill commentary. It lacked any depth at all. It did not attempt to address in any way the big issues that are expected of the Prime Minister. Indeed, look at some of the commentary. I am looking at the Canberra Times headline: “ALP becoming ‘party of zombies’: internal rumblings’. There is a picture of Senator Doug Cameron. It looks as if he is doing 30 with a minimum of 20. I do not think the photo does him any justice at all, but his comments most certainly do.

Effectively, Senator Cameron, one of the strongest members of the parliamentary Labor Party, has—within the space of nine weeks since the last election—accused his own party of treating members like zombies and giving members political lobotomies. The comments of Senator Cameron are quite instructive. He said: ‘We are not allowed to stand up for the people that we represent. You can’t talk about things. You aren’t allowed to talk about things. And, really, you know, we don’t want zombie politicians.’

The most remarkable thing that we have seen today is the Newspoll. Nine weeks after the election of a new government, the Labor Party is behind in the Newspoll. There is only one reason for this. It is because the Labor Party have already broken the so-called deal that they went to the election with. They have broken the deals in relation to health, economic management and illegal immigration. They have broken deal after deal of the deals that they allegedly made with the Australian people.

The arrangement that they have made with the Australian Greens is clear evidence of the depths that they have reached. Labor are a party beholden to a group of people who in
the main—certainly in this chamber—they do not share the philosophical beliefs of. There are some in the chamber today—and I will not identify them—who do not share the philosophical beliefs of the Australian Greens. They do not share the philosophical beliefs of some of the Independents. Labor have done a grubby deal to retain power. The Australian people have seen through the grubby deal. The Australian people know that Labor do not believe in what the Greens believe in. But they know that Labor have done a deal simply to hold government.

The Australian people would look at the performance of the Prime Minister last night and say to themselves: ‘What have we done? What have we let this country in for for a maximum of three years? What can we trust about this political party?’ As the Leader of the Opposition has said quite clearly, this is a government which simply can’t keep its word. There is no more damming indictment of a political party, and particularly of a Prime Minister, than being accused of not keeping your word. The Australian people know what is going on. The Australian people can see through the Australian Labor Party and this new government. The Australian people have made a decision in nine short weeks that they do not believe you, that everything that you touch is a mess and that your word cannot be trusted. The great tragedy is that there is another potential three years left of the sorts of mistruths and policy inaction that we have seen from this government already. Senator Cameron is absolutely right. This is a political party in which there is no debate. This is a political party that is micromanaged more than it was under the Prime Minister that it unceremoniously dumped. (Time expired)

Senator MARK BISHOP (Western Australia) (3.17 pm)—Let me commence my contribution by addressing the central focus of Senator Ronaldson’s comments late in his contribution: that this government had broken its word and is not consistent in the application of its policy and that, after a miserable mere nine weeks, should forfeit its position. Let us talk about the five things that Senator Ronaldson listed. They were health reform, asylum seeker and migratory reform, carbon tax reform, mining tax reform and reform in the Murray-Darling Basin. Those are the five issues. Each of those five issues has received considerable prominence and press of late. Why is that? Because the government of Australia, through its relevant cabinet ministers, is in each instance seeking to resolve issues that were determined some nine weeks ago.

This government was given a clear mandate to go ahead with reform in each of these areas. On each of these issues, the relevant ministers are engaged in consultation and negotiation. They are holding meetings and forums. They are part-way through that process. No-one on God’s earth believes that, after nine weeks in government and after only some four or five weeks since the parliament first convened, each of those issues should have been resolved. The process is underway and will undoubtedly bear fruit in due course.

In contributions by opposition senators, snide references were made to the delivery of a speech last night by the Prime Minister. I must have been the only person in the Great Hall who sat and paid attention to that excellent speech by the Prime Minister, because the appropriate adjectives to use to describe it are ‘reasoned’, ‘calm’, ‘balanced’, ‘logical’, ‘forthright’, ‘deliberate’ and ‘authoritative’. They are the seven adjectives that any sensible person would use to describe both the content and the delivery of that speech.

We are also accused, as I understand it, of being somewhat inconsistent in the process of discussion and negotiation concerning the
mining resources rent tax. I would suggest in response that the position that we adopted in July and that we put to the people in late August is the same position that is now being negotiated by Minister Ferguson and his officials and Mr Argus from the National Australia Bank. It is the same position that will come out when that committee of inquiry delivers its report to the government later on this year sometime around about December. Those negotiations on the mining tax have been a model of consistency. The mining tax, as we all know, has particular application in Western Australia and Queensland.

What do we have to say about the proposal that was the subject of questioning by Senator Brandis? Yes, there was an agreement entered into back in late June or early July of this year. Yes, there was a mining tax agreement entered into with the three largest mining companies in this country. Yes, it was made public. There is no disagreement on those basic propositions. We also made it quite clear under the administration of Mr Rudd and the continuing administration of Ms Gillard that we—the government; the Australian Labor Party—are absolutely insistent that there be a fairer return for the use of non-renewable resources in this country. We will continue that discussion and consultation process right across Australia. We have been quite forthright about that process.

The basics will not change. The basics were outlined in the heads of agreement that was negotiated in late June or early July. That heads of agreement was made public. That document made it quite clear that the Australian government was insistent that the Australian people—on behalf of whom it was negotiating—would, through appropriate taxation mechanisms, receive a fair return for allowing mining companies to exploit non-renewable resources in this country in the greatest boom this country has seen in terms of commodities and the extraction of resources. That is what is going on now. The committee is moving around Australia. It is particularly active in Queensland and Western Australia. It is having negotiations at both ends of the— (Time expired)

Senator IAN MACDONALD (Queensland) (3.22 pm)—Last night I attended a dinner in the Great Hall with the captains of Australian industry and I heard there a very calm, thoughtful, balanced, intelligent speech by the chairman of the Australian Industry Group. He then introduced the only other speaker for the night, and what we heard then was an absolute embarrassment to the people of Australia—a shrill, ignorant speech that really embarrassed us. I went around to the Great Hall this morning and had a look at the floor. I thought there must have been something unusual about the floor because there was a point in the Prime Minister’s speech last night when suddenly for about 30 seconds everyone was looking at the floor. It was an embarrassment at the table I was at and it was an embarrassment at all of the tables that I could see around me. People were embarrassed that this was Australia’s Prime Minister, with such a shrill speech at that sort of event. The issues that the chairman of the Australian Industry Group raised very sensibly in his introduction were not addressed at all by the Prime Minister.

As Senator Brandis indicated in his very thoughtful question at the beginning of question time today, this government simply cannot be trusted. The Labor Party under Kevin Rudd were in free-fall a couple of months out from the election and one of the reasons was that they were trying to tax Australia’s resource industries out of existence. All the mine workers, particularly in states like Western Australia and Queensland, could see that their jobs were being put at risk by this mining tax. After the brutal stabbing by Ms Gillard of the then Prime Minister Rudd, Ms Gillard had to do something to try and re-
verse the electoral defeat that was staring the Labor Party in the face, and the easiest thing to do was to gather up the three biggest mining companies and make a deal with them.

One should perhaps be a little sorry for BHP, Rio and Xstrata today, now that they realise they have been treated with treachery by the Prime Minister. I cannot really bring myself to have sympathy for those three companies because they were so keen to climb into bed with Ms Gillard in the period before the election and save the Labor Party from ultimate annihilation at the election. I do hope that those three companies reflect upon the part they played by crawling into bed with Ms Gillard and its impact on the election held in August.

Unfortunately those companies, whilst they deal with a handshake with billions of dollars around the world, were fooled by a politician of Ms Gillard’s standard. She made a deal with them which, she led them to understand, contained certain arrangements. Yet she knew at the time, I suspect—and certainly it has since become clear—that she had no intention whatsoever of complying with and honouring the deal that she had made. She got through the election—admittedly Labor were almost defeated, but they were saved by some other deal, with a couple of Independents and the Greens, which I am sure will also go the way of the deal with the mining companies—but she has broken that deal this week. This should be a salutary lesson to anyone who would deal with this government that this is a government that simply cannot be trusted. It is an embarrassment to me as an Australian to have a Prime Minister and a government that cannot be trusted. It is an embarrassment to me as an Australian to have a Prime Minister and a government that cannot be trusted. Three of the world’s biggest companies now understand that they cannot deal with the Australian government. We saw last night a Prime Minister who simply cannot be trusted. In her delivery of that speech, with her pettiness, childishness and immaturity, she showed that this government is an embarrassment to all Australians. (Time expired)

Question agreed to.

NOTICES
Presentation

Senator Chris Evans to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act relating to education for overseas students, and for related purposes. Education Services for Overseas Students Legislation Amendment Bill 2010.

Senator Heffernan to move on the next day of sitting:

That the following matter be referred to the Rural Affairs and Transport References Committee for inquiry and report by 30 November 2011:

The management of the Murray-Darling Basin, and the development and implementation of the Basin Plan, with particular reference to:

(a) the implications for agriculture and food production and the environment;
(b) the social and economic impacts of changes proposed in the Basin;
(c) the impact on sustainable productivity and on the viability of the Basin;
(d) the opportunities for a national reconfiguration of rural and regional Australia and its agricultural resources against the background of the Basin Plan and the science of the future;
(e) the implications of more efficient water use, mining and gas extraction on the aquifer and its contribution to run off and water flow;
(f) the opportunities for producing more food by using less water with smarter farming and plant technology;
(g) the national implications of foreign ownership, including:
(i) corporate and sovereign takeover of agriculture land and water, and
(ii) water speculators;

(h) means to achieve sustainable diversion limits in a way that recognise production efficiency;

(i) options for all water savings and alternative basins; and

(j) any other related matters.

Senator Crossin to move on the next day of sitting:
That the Joint Select Committee on Gambling Reform be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 27 October 2010, from 4.30 pm.

Senator Hurley to move on the next day of sitting:
That the Economics Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 28 October 2010, from 3 pm.

Senator Ludwig to move on the next day of sitting:
That, in accordance with section 10B(2) of the Health Insurance Act 1973, the Senate approves the Health Insurance (Extended Medicare Safety Net) Amendment Determination 2010 (No. 2) made under section 10B(1) of the Act on 12 October 2010.

Senator Ludwig to move on the next day of sitting:
That, in accordance with section 10B(2) of the Health Insurance Act 1973, the Senate approves the Health Insurance (Extended Medicare Safety Net – Midwives) Amendment Determination 2010 made under section 10B(1) of the Act on 13 October 2010.

Senator Bob Brown to move on 28 October 2010:
That the Senate—

(a) supports the right of Tibetans to:

(i) be educated in their own language, and

(ii) peacefully protest to protect their right to speak their own language; and

(b) recognises the importance of language in a people’s social, cultural, religious, academic and artistic endeavours.

Senator Bob Brown to move on 28 October 2010:
That the Senate—

(a) recognises the 2010 international meeting of the Campaign for the Establishment of a United Nations Parliamentary Assembly; and

(b) congratulates this gathering of parliamentarians from around the world for their work in making an important step towards global democracy.

Senator Feeney to move on the next day of sitting:
That, in accordance with section 5 of the Parliament Act 1974, the Senate approves the proposals by the National Capital Authority for capital works within the Parliamentary Zone, being:

(a) the construction of a new access road from Kings Avenue to the National Archives of Australia; and

(b) the installation of five new outdoor exhibits at Questacon, and making permanent seven existing temporary outdoor exhibits.
LEAVE OF ABSENCE

Senator PARRY (Tasmania) (3.30 pm)—by leave—I move:

That leave of absence be granted to Senator Minchin from 26 October to 28 October 2010, for personal reasons.

Question agreed to.

NOTICES

Postponement

The following item of business was postponed:

General business notice of motion no. 63 standing in the names of Senators Siewert and Xenophon for today, relating to food labelling standards, postponed till 27 October 2010.

MINING

Order

Senator CORMANN (Western Australia) (3.31 pm)—I seek leave to amend general business notice of motion No. 59 standing in my name relating to key assumptions underpinning mining taxation, because a gremlin made a little mistake in the way it was published in the Notice Paper.

Leave granted.

Senator CORMANN—I move the motion as amended:

That the Senate—

(a) notes that:

(i) the Government has refused to provide information requested by the Senate about key assumptions it has used to estimate revenue from its original as well as its revised mining tax proposals,

(ii) specifically, the Government has refused to provide information about changes to commodity price, production volume and exchange rate assumptions and any other variables relevant to its mining tax revenue estimates,

(iii) in its response to the relevant order of the Senate, the Government justified its refusal to provide the information on the basis that, ‘commodity price forecasts underpinning the terms of trade forecasts are based in part on information provided by companies that is commercial in confidence. Disclosure of these individual commodity price forecast may therefore prejudice negotiations between private companies’,

(iv) the information sought by the Senate is published by the Western Australian State Government in its budget papers as a matter of course, and

(v) information published by the Western Australian Government includes its commodity price assumptions developed after relevant information about commodity price expectations is obtained from relevant mining companies, which includes at least some of the companies involved in the mining tax negotiations with the Federal Government;

(b) based on the Government’s response does not accept that there are any legitimate public interest grounds for the Government to refuse to provide the requested information;

(c) orders that there be laid on the table by noon on Thursday, 28 October 2010:

(i) all the Government assumptions used to estimate the revenue from the Resource Super Profits Tax as contained in the 2010-11 budget, including, but not limited to, the assumptions on commodity prices, production volumes and exchange rates, and

(ii) all the Government assumptions used to estimate the revenue from and overall fiscal impact of the Minerals Resource Rent Tax/expanded Petroleum Resource Rent Tax arrangement announced on 2 July 2010, including all changes to assumptions used for the 2010-11 budget;

(d) notes the agreements between the Government and other parties and independents to refer disputes about public interest
disclosures to the Information Commissioner, who will arbitrate on the release of documents; and

(e) orders that, if the Government does not produce the information required by this order within the specified timeframe, there be laid on the table by 15 November 2010, a report on the matter by the Information Commissioner, including a review of the adequacy of the grounds specified by the Government for its refusal to produce the information and, if applicable, his arbitration on the release of the information.

Question agreed to.

MINING

Order

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

That the Senate—

(a) notes that:

(i) the Government has refused to provide any of the information requested by the Senate about its negotiations with BHP Billiton, Rio Tinto and Xstrata on the revised mining tax proposal,

(ii) in relation to some of the information only, the Government justified its refusal in its response to the relevant Senate order on the basis that, ‘Data and other material provided to the Treasury as part of negotiations around the MRRT are considered to be commercial in confidence’,

(iii) no justification was provided by the Government as to why release of any of the other information was not in the public interest, and

(iv) specifically, no reason was provided by the Government as to why release of the signed heads-of-agreement between the Government and BHP Billiton, Rio Tinto and Xstrata would not be in the public interest;

(b) considers release of all the information requested on the negotiations between the Government and BHP Billiton, Rio Tinto and Xstrata about the revised mining tax proposal to be in the public interest;

(c) orders that there be laid on the table by noon on Thursday, 28 October 2010:

(i) any information held by the Government related to the negotiations and agreement about the new mining tax proposal announced on 2 July 2010, including, but not limited to, briefing notes, emails, data provided to the Government by BHP Billiton, Rio Tinto and Xstrata and any other information generated in the context of the negotiations about the new mining tax proposal, and

(ii) a copy of the signed heads-of-agreement on the new mining tax proposal between the Government and BHP Billiton, Rio Tinto and Xstrata;

(d) notes the agreements between the Government and other parties and independents to refer disputes about public interest disclosures to the Information Commissioner, who will arbitrate on the release of documents; and

(e) orders that, if the Government does not produce the information required by this order within the specified timeframe, there be laid on the table by 15 November 2010, a report on the matter by the Information Commissioner, including a review of the adequacy of the grounds specified by the Government for its refusal to produce the information and, if applicable, his arbitration on the release of the information.

Question put.

The Senate divided. [3.38 pm]

(The President—Senator the Hon. JJ Hogg)

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AYES

Adams, J. Back, C.J.
Barnett, G. Bernardi, C.
Question agreed to.

MINING

Order

Senator CORMANN (Western Australia)—I move:

That the Senate—

(a) notes that:

(i) the Government has ignored a request by the Senate for information about where the $10.5 billion in estimated revenue from the mining tax over the 2010-11 forward estimates is expected to come from, by commodity and on a state and territory basis, and

(ii) in what appears to be a consolidated response to three separate orders of the Senate for the production of documents the Government did not provide any of the information requested in the relevant order, nor did the Government provide any explanation as to why release of this information would not be in the public interest;

(b) orders that there be laid on the table by noon on Thursday, 28 October 2010:

(i) the Government estimates of where the $12 billion in revenue from the Resource Super Profits Tax was expected to come from, by commodity and by state and territory, and

(ii) the Government estimates of where the $10.5 billion in revenue from the Minerals Resource Rent Tax/expanded Petroleum Resource Rent Tax is expected to come from, by commodity and by state and territory;

(c) notes the agreements between the Government and other parties and independents to refer disputes about public interest disclosures to the Information Commissioner, who will arbitrate on the release of documents; and

(d) orders that, if the Government does not produce the information required by this order within the specified timeframe, there be laid on the table by 15 November 2010, a report on the matter by the Information Commissioner, including a review of the adequacy of the grounds specified by the Government for its refusal to produce the information and, if applicable, his arbitration on the release of the information.

Question agreed to.
GREEN LOANS PROGRAM
Order
Senator BIRMINGHAM (South Australia) (3.41 pm)—I move:
That there be laid on the table by the Minister representing the Minister for Climate Change and Energy Efficiency, no later than noon on 28 October 2010, a copy of the audit report by PricewaterhouseCoopers into the Green Loans Program’s assessor accreditation process and adherence to the Protocol for Assessor Accrediting Organisations, as referred to by the then Minister for Climate Change, Energy Efficiency and Water (Senator Wong) in her statement to the Senate on 10 March 2010 (Senate Hansard, p. 1521) and previously required by the Senate on 12 May 2010.
Question agreed to.

MENTAL HEALTH
Senator FIERRAVANTI-WELLS (New South Wales) (3.42 pm)—I move:
That the Senate—
(a) notes that:
(i) mental illness afflicts more Australians than almost all other health disorders, only ranking behind cancer and heart disease in prevalence,
(ii) 45 per cent of the nation’s population will experience a mental health disorder at some point in life,
(iii) younger Australians, those between 16 and 24, bear the brunt of mental illness with the prevalence of problems declining with age,
(iv) with early and targeted treatment many young people can overcome mental illness or lower the incidence of progression or relapse,
(v) expansion of the ‘headspace’ and Early Psychosis Prevention and Intervention (EPPI) centres models could help an estimated 200 000 young Australians and in doing so free up existing services for others with mental illnesses whilst also alleviating pressures on public hospitals and emergency departments, and
(vi) the Government has moved to cut services in mental healthcare;
(b) calls on the Government:
(i) to expand the number of ‘headspace’ centres to a minimum of 90 nationally,
(ii) to establish a national network of 20 EPPI centres,
(iii) to provide an additional 800 beds for mental health associated with EPPI centres,
(iv) to appropriate the funds necessary to provide these critical steps to expanding mental health treatment facilities, and
(v) immediately to provide additional funds for existing ‘headspace’ centres; and
(c) send a message to the House of Representatives informing it of this resolution and requesting that it concur.
Question agreed to.

Senator SIEWERT (Western Australia) (3.43 pm)—Mr President, I seek leave to make a short statement.
The PRESIDENT—Leave is granted for two minutes.

Senator SIEWERT—The Greens did not support this motion—and I had already signalled to Senator Fierravanti-Wells that we would not—because there was no costing associated with the proposal. The Greens were very clear during the election that we wanted to see improvements to the funding of mental health, including for headspace, but we differed with the coalition’s policy in that we also wanted community based care and other care services provided, such as having people trained in mental health in emergency departments and having step-up, step-down accommodation. That was not dealt with by this motion. Until we see the full breadth of the coalition’s funding for this...
proposal, it worries us that the funding that is available for mental health will all be spent on this and not on the provision of other vital services. I do not want it taken that we do not support headspace or EPPI centres. We support those in the overall framework for the provision of services for mental health. The provision of other vital services was not accommodated in this motion, so we were unable to support it. We are very happy to support any motions that cover the full suite of mental health services.

Senator FIERRAVANTI-WELLS (New South Wales) (3.44 pm)—Mr President, I seek leave to make a short statement.

The PRESIDENT—Leave is granted for two minutes.

Senator FIERRAVANTI-WELLS—Could I just make a point, Senator Siewert: perhaps if you had taken the trouble to have a look at the coalition’s mental health policy then you would have seen the costings and the basis upon which the $1.5 billion was outlined. For the record, Senator Siewert, I am very happy to provide you with a copy and perhaps you can reassess your position.

NOTICES

Postponement

Senator FIELING (Victoria—Leader of the Family First Party) (3.45 pm)—by leave—I move:

That business of the Senate notice of motion no. 1 standing in his name for today, proposing a reference to the Community Affairs References Committee, be postponed till 27 October 2010.

Question agreed to.

EMISSIONS REDUCTION TARGET

Senator MILNE (Tasmania) (3.46 pm)—I move:

That the Senate—

(a) notes:

(i) that a study release by the Australian National University’s Centre for Climate Economics and Policy concludes that the conditions for lifting Australia’s minimum emissions reduction target from 5 per cent to 15 per cent have been met,

(ii) that a study by the Climate Institute of comparative implied carbon prices shows that Australia’s existing implied carbon price of US$1.70 lags far behind the United Kingdom’s US$29.30 and China’s US$14.20,

(iii) that the European Union is publicly discussing a plan to unilaterally lift its target of 20 per cent emissions reductions below 1990 levels by 2020 to 30 per cent, embracing the economic benefits that come with this investment, and

(iv) that Scotland has recently announced that it will easily surpass its ambitious target of 50 per cent renewable energy by 2020 and is lifting that target to an impressive 80 per cent by the end of the decade; and

(b) calls on the Government to formally set aside the unconditional 5 per cent emissions reduction target by 2020 and lift its minimum ambition.

Question put.

The Senate divided. [3.47 pm]

(The President—Senator the Hon. JJ Hogg)

Ayes.............. 6

Noes.............. 34

Majority.......... 28

AYES

Brown, B.J. Hanson-Young, S.C.

Ludlam, S. Milne, C.

Siewert, R. * Xenophon, N.

NOES

Adams, J. Arbib, M.V.

Back, C.J. Bernardi, C.

Bilyk, C.L. Bishop, T.M.

Boyce, S. Cameron, D.N.

Colbeck, R. Collins, J.
Question negatived.

COMMITTEES

Environment and Communications Legislation Committee
Meeting
Senator McEwen (South Australia) (3.50 pm)—At the request of the Chair of the Senate Environment and Communications Legislation Committee, Senator Cameron, I move:

That the Environment and Communications Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 27 October 2010, from 4 pm, to examine the 2010-11 supplementary budget estimates for the Australian Broadcasting Corporation.

Question agreed to.

Legal and Constitutional Affairs Legislation Committee
Reference
Senator Siewert (Western Australia) (3.50 pm)—I move:

That the order of the Senate of 30 September 2010 adopting Report no. 11 of 2010 of the Selection of Bills Committee be varied to provide that the Commonwealth Commissioner for Children and Young People Bill 2010 be referred to the Legal and Constitutional Affairs Legislation Committee instead of the Community Affairs Legislation Committee, for inquiry and report by the last sitting day in May 2011.

Question agreed to.

Reform of the Australian Federation Committee
Meeting
Senator Parry (Tasmania) (3.51 pm)—At the request of Senator Trood, I move:

That the Select Committee on the Reform of the Australian Federation be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 27 October 2010, from 11 am.

Question agreed to.

WATER (CRISIS POWERS AND FLOODWATER DIVERSION) BILL 2010
Referral to Committee
Senator Xenophon (South Australia) (3.51 pm)—I, and also on behalf of Senator Hanson-Young, move:

That—
(a) the Water (Crisis Powers and Floodwater Diversion) Bill 2010 be referred to the Environment and Communications Legislation Committee for inquiry and report by 18 November 2010;
(b) the Senate notes that the Environment, Communications and the Arts Legislation Committee had all but completed its inquiry into the Water (Crisis Powers and Floodwater Diversion) Bill 2010 when the Parliament was prorogued on 19 July 2010; and
(c) in conducting its inquiry the committee have the power to consider and use the records of the Environment, Communications and the Arts Legislation Committee appointed in the previous Parliament relating to its consideration of an earlier version of the bill.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Economy
The Acting Deputy President (Senator Trood)—The President has re-
ceived a letter from Senator Fifield proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

The Gillard Government’s mismanagement of the budget and fiscal policy putting upward pressure on interest rates.

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 ACTING DEPUTY 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 clocks accordingly.

Senator CORMANN (Western Australia)
(3.53 pm)—This Labor government is addicted to spending, which leads to an addiction to new and increased taxes. It has delivered record levels of debt and deficit. This government has tried to hide under the cover of a global economic downturn. Those in the government want us to believe that this profligate spending only started after the global economic downturn started in 2009. But nothing could be further from the truth. Right from the word go, this Labor government was a high-spending, high-taxing, big-debt, big-deficit government—immediately causing significant pressure on interest rates moving forward.

In its first budget, net spending increased by $15 billion. There were additional taxes of $20 billion. Labor in three years in government has not once delivered a surplus budget in a year in which it was fully responsible for our nation’s books. The last surplus budget in Australia at a national level was the 2007–08 budget, and that was still in part, of course, under the stewardship of the Howard-Costello government. There was $15 billion in additional spending and $20 billion in additional taxes in Labor’s first budget, the 2008–09 budget—a $27 billion deficit—which was followed in 2009–10 by a $54.8 billion deficit. This next financial year we are looking at a $40.7 billion deficit.

We have a new Minister for Finance and Deregulation, Senator Wong. She is telling us this government has already made so many savings. Senator Wong says the Labor government has made $83.6 billion worth of savings over the last three years. But nothing is ever as it seems with this government. People out there in the community, people who might be listening to this broadcast, might think: ‘Well, $83.6 billion worth of savings? This government must have made some difficult decisions. This government must have made $83.6 billion worth of decisions to cut spending. This government must have looked at how to genuinely bring the budget back into surplus by making some difficult spending cuts.’

I tried to get some information from Minister Wong in estimates as to where that $83.6 billion worth of savings was coming from. More than $30 billion of what Minister Wong claims are savings are in fact tax increases. I will mention a few. I have here a list of all the increased taxes in Labor’s first three budgets in government which Minister Wong is claiming as savings, as if they are somehow spending cuts. There is the Orwellian-sounding ‘better targeting of personal income tax cuts’—that is, taking income tax cuts away—of $5.3 billion in Labor’s first budget. We have the tax on alcopops of $3.1 billion in Labor’s first budget. We have the tax on alcopops of $3.1 billion in Labor’s first budget. We have the tax on the North West Shelf gas project of $2.5 billion in Labor’s first budget. We have the fringe benefits tax ‘tightening of exemptions’—read ‘increased taxes’—which was also to deliver $1.4 billion. There was the increase in the luxury car tax of $550 million. There was the increase in the passenger
movement charge of $459 million. All these tax increases continued, budget after budget. Then we come to 2010-11. Bearing in mind that we had a record budget deficit of $54.8 billion in 2009-10, what do we see in 2010-11? Twelve billion dollars for—you guessed it—the mining tax. Minister Wong is claiming the $12 billion in additional revenue for the Gillard Labor government as a saving. I do not think that anyone across Australia would agree with the minister that imposing a $12 billion new tax on an important industry like mining is a spending cut or a saving. It is a new tax.

This government struggles with the definition of what a tax actually is. Senator Cameron tried to claim the benefits of speaking out, and we have heard him say in committee hearings in the past that, really, all the money is the government’s money and the government decides how much money people are allowed to keep. Senators on this side of the chamber, like Senator Bushby, Senator Ryan and Senator Parry—and you, Mr Acting Deputy President Trood, I am sure—take the view that it is the people’s money and that the government should take as little of it as possible; as much as necessary but as little as possible. We believe in lower taxes, smaller government and less wasteful spending.

With this Labor government here in Canberra for the last three years there has been waste and mismanagement everywhere, deficit after deficit and an addiction to spending, and of course this has already had an impact on interest rates. The problem is that there is now a fiscal policy at the federal level which runs completely counter to the monetary policy pursued by the Reserve Bank. When we were confronted with the challenges from the global economic downturn, the Rudd Labor government thought that it should do the same as the UK and the US, irrespective of our circumstances being very different. The Rudd Labor government inherited a strong budget position and a strong economy. There was a lot of scope for the Reserve Bank to reduce interest rates to stimulate the economy. In the UK for the last two years there have been interest rates at one half of one per cent. They have actually had to start printing money to stimulate the economy. Even that has not been enough. The government there thought, ‘We have got to stimulate the economy by fiscal measures—additional spending.’ In the US interest rates have been at about one quarter of one per cent for the last two years, and they too are printing money. But even that has not been enough, so the government there has had to circulate additional funds through fiscal stimulus.

However, here in Australia interest rates bottomed out at three per cent, which is much higher than they are in either the UK or the US, and they have increased much faster than in any other part of the world. In fact, we have had six increases in interest rates since October last year, and the consensus among economists is that interest rates will be one per cent higher again by the end of next year. We have a government that continues to shuffle the money out while the Reserve Bank tries to put the brakes on. If the government had not put billions of dollars in wasteful spending into the economy, the Reserve Bank would have had much more flexibility with its monetary policy. The Reserve Bank could have continued to reduce interest rates and stimulate the economy without leaving us hundreds of billions of dollars in debt and future generations of Australians having to pay the price for the wasteful spending of this Labor administration. This generation of Labor senators and Labor members should hang their heads in shame because they are leaving generations of Australians with a burden of debt that they should never have been left with.

There were other ways. There was the way of less wasteful spending and there was
the way of letting the Reserve Bank do its job for longer than it was ultimately able to. Of course, since the election nothing has changed. We have asked the Minister for Finance and Deregulation, Senator Wong, again and again, ‘Where are your spending cuts?’ Do not tell us about your plans for more tax increases. We know that you describe tax increases as ‘savings’. That is not what we want to know. That is not what the Australian people want to know. The Australian people want to know when you are going to start spending less so that you can tax less. The Australian people are tired of all the new taxes. They are tired of having to pay $10 billion a year in interest payments to pay for Labor’s debt. This is a government which inherited a strong economy and a strong budgetary position from John Howard and Peter Costello. It is a government that has wasted the money that was available to it when it won government, and here we are after three years of Labor government just short of $100 billion worth of debt with the government still borrowing about $100 million a week to pay for its spending. Of course, this is continuing to put upward pressure on interest rates, and that is not in our national interest.

Senator FURNER (Queensland) (4.03 pm)—I rise today to dispute Senator Fifield’s matter of public importance attacking the Gillard government’s management of this nation’s economy. In our first term in government we were faced with the biggest economic crisis of our generation—the global financial crisis. When we heard of the crisis unfolding in the United States, the Labor government took swift action and implemented the Nation Building and Jobs Plan to stimulate our economy and ensure that we did not go down the same path. Our $42 billion Nation Building and Jobs Plan did what it was supposed to do, and Australia’s economy continues to outperform those of other developed nations. Our stimulus package injected much-needed funds into education through the Building the Education Revolution as well as into infrastructure, roads, social housing, renewable energy, small business, defence housing and even the hands of working Australians. The coalition voted against this package that kept our economy afloat and our citizens in jobs. The coalition has attacked our spending and our deficit, which is to be paid back three years ahead of schedule. The coalition would have kept this nation’s surplus and let people join the unemployment queues, lose their homes and keep our schools infrastructure back in the past just like where the coalition are. Instead, due to the government’s strong and decisive action and injection of stimulus into the economy, our nation’s schools now have the 21st century facilities that they had been yearning for.

I have been privileged to open many BER projects in Queensland, and I am yet to hear any negative feedback about the scheme that kept the construction companies, sparkies, painters and public servants in jobs throughout the economic downturn. Students have new libraries, new computer labs, new halls, new indoor sports centres and refurbished classrooms thanks to the Labor government’s BER. I have heard from principals who are still in disbelief that they have these new facilities, which would not have been provided to them under a coalition government. I have heard from students who are excited that they now have somewhere to play sport when it is raining, a new library in which to research assignments or even a new dance studio. Benowa State School, for example, hires out its new dance studio to the local community. The BER not only assisted the students, the builders and anyone else who worked on these facilities but also assisted the furniture companies whom the schools chose to furnish their new classrooms, com-
puter labs and libraries. It also provided local community groups with facilities to hold meetings and functions.

Our stimulus package helped Australians enter the housing market for the first time. Our boost to the first home owners grant assisted 250,000 Australians into their first home. The first home owner boost provided an additional $7,000 to the already existing $7,000 first home owners grant, and those who chose to purchase or build a brand-new home received $14,000 on top of the grant. This has supported thousands of jobs in the housing supply industry, including those of electricians, plumbers, builders and tradespeople.

The Nation Building and Jobs Plan also provided funding to invigorate existing and build new facilities for the community to enjoy. The government allocated $800 million under the Regional and Local Community Infrastructure Program to help build and renew community centres, town halls, parks, playgrounds, sports facilities and swimming pools. This initiative employed many Australians and ensured our citizens had access to brilliant infrastructure. Under the $250 million allocation, 3,220 projects were approved for funding to 566 councils. More than 2,750 have already been completed. Under the $550 million allocation, 70 of the 137 strategic community projects have commenced.

It is true that we are strong economic managers. Just look at the new policies we have implemented that will still enable us to go back to surplus in 2012-13. In January 2011 our nation’s first Paid Parental Leave scheme begins. We will be enabling working Australians to stay at home longer with their new born or adopted children. Providing support to our working families is important in maintaining a relationship between employers and employees and provides an avenue for mothers to return to the workforce. We also overhauled our pension system and provided a much-needed increase for our four million pensioners who depend on it. Are you telling me that a pension increase is irresponsible?

How can the opposition accuse us of mismanagement when we are in one of the best fiscal positions in the world? We have the lowest debt and deficit of all major advanced economies. We have the lowest unemployment rate of all major advanced economies. We were the only major advanced economy to avoid recession and we maintained our AAA credit rating.

If we had not taken action during the GFC, about 200,000 jobs would have been lost. Can you imagine the struggle our working families would have faced if this were the case? Instead, this year 360,400 jobs were created, with 55,800 in September and 56,700 in August this year. This is the biggest two-month increase in employment in 22 years. Interest rates are still lower than they were under John Howard when he left office, and we have delivered tax cuts for our working families and low-income earners. Someone who earns $50,000 a year is now paying $1,750 less in tax than in 2007. In fact, the highest our interest rates had even been in this country were under a coalition government. Under former Prime Minister Malcolm Fraser and Treasurer John Howard interest rates peaked at 21.4 per cent. During our first term, interest rates continued to drop, but, since we avoided recession and have a strong economy, interest rates have started to go up. This was always going to happen. However, interest rates are still lower today than when the coalition was ousted from government in 2007.

As we all know here today, interest rates are controlled by the independent Reserve Bank of Australia. However, last week the shadow Treasurer, Joe Hockey, said he be-
lieved the RBA needed to be regulated on interest rates. He said:

... I would say that the Treasurer is not using the obvious levers available to put pressure on the banks to stop them from raising interest rates outside of the changes—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—Order!

Shadow Treasurer Joe Hockey said:

... I would say that the Treasurer is not using the obvious levers available to put pressure on the banks to stop them from raising interest rates outside of the changes brought about by the Reserve Bank itself.

He then went on to say:

Well there are a raft of levers that are available that may be punitive in measure when it comes to the banks, but the banks ought to understand they rely heavily on a government and a parliament that delivers good will and if the banks trade off that good will to gouge the Australian consumers, then if the Government doesn’t move to put pressure on the banks then the parliament will.

This statement of encouraging interference of an independent body is amusing coming from a frontbencher of a party that prides itself on supporting private enterprise.

Treasurer Wayne Swan labelled Mr Hockey’s remarks as a challenge to independence and walking away on economic reform. Even the Secretary to the Department of the Treasury, Ken Henry, dismissed his ideas. He said:

It would be rather difficult to have a central bank independently operating monetary policy through interest rates and at the same time another body, ie the Government, regulating those interest rates. That doesn’t sit too well together.

The International Monetary Fund released its World Economic Outlook earlier this month, confirming that Australia is in a strong fiscal position and continues to outperform other advanced economies. Other nations are dealing with high unemployment while we are leading the way with strong economic growth and job creation. The IMF has predicted unemployment will remain high in advanced economies at more than eight per cent for the next two years. The United States’ unemployment rate is at 9.6 per cent and in the Euro area it is 10.1 per cent. In comparison, Australia’s unemployment is at 5.1 per cent.

If you examine the facts, it is clear that the Labor government have managed a strong economy to the envy of the rest of the developed world. We kept people employed and successfully created jobs. We refurbished our schools and provided new facilities that they would not have otherwise received. We have upgraded roads and provided funding to upgrade the rail systems, funding for community infrastructure, funding for social housing and funding for defence housing. We have implemented schemes like Paid Parental Leave to ensure parents retain a relationship with their employers. We provided a boost to our economy through stimulus payments to our taxpayers to curb the GFC and keep Australia out of recession.

Senator RYAN (Victoria) (4.13 pm)—I rise to support the matter of public importance on the government’s mismanagement of the budget. What a performance. I note in the list of all the programs that Senator Furner mentioned then there was one that went missing—in fact, two. Firstly, I did not hear anything about home insulation. I remember sitting at the Senate hearing when this was discussed, and Senator Furner’s side were warned about the profligacy of the package they were putting forward. Yes, we voted against it on this side, and I am quite happy to say to the schoolchildren sitting in those overpriced school halls that we voted against it because we knew that they are go-
ing to spend their entire working lives paying that back.

But, more importantly, Senator Furner made the claim that this government debt will be paid back in three years. This is one of the great fictions that Labor hope to hoodwink the Australian public with. The government have promised that in three years, out of a $350 billion budget, they will have a surplus of $3 billion. They have promised a surplus of $3 billion—less than one per cent of government spending—in three years. That will only represent a start. If that happens, and it is a very big ‘if’, that will represent about two per cent of net government debt.

So there is a long way to go, Senator Furner, in paying back government debt. You cannot say that this level of debt is going to be paid back in three years. You are promising to make a start, and your track record tells the Australian people that that promise is absolutely worthless—just like your promise not to introduce a carbon tax and just like your promise not to build extra detention centres. And it is a three-year promise, not a three-week promise. The Australian people know that that is worthless.

It is basic economics that the larger the government deficit the greater the pressure on monetary policy and interest rates. It is not just on this side that it was said—it was the mantra of the Labor government in the eighties. I had the misfortune to listen to the Prime Minister’s speech, and the Orwellian tone of it, at dinner last night. I lost count of the number of times she mentioned reform and Hawke-Keating—as if to somehow, falsely, claim the mantle. Saying it does not make it true. All through the 1980s, the once reformist Labor Party made the point that government spending had to be reined in, because that is what took pressure off monetary policy. That is the opposite of what this government has done. It talks the talk, but it does not walk the walk. It alleges that, somehow, economic populism has found its roots on this side of the chamber. A simple look at the Labor record, while in opposition, shows that is completely untrue because, despite selling everything it could get its hands on under the sun when it was in office before 1996, it opposed the privatisation of Telstra as soon as it came into opposition.

Despite its own Treasurer and future Prime Minister proposing a consumption tax in 1985, it spent every ounce of its energy post 1998 opposing the tax package that was put to the Australian people at the 1998 election. It sold airports. It sold the long-cherished Commonwealth Bank. It was even planning to sell part of Telstra, as the 1996 election campaign made clear. But as soon as it came to opposition, it said ‘the sky is going to fall in if the government does not run a telecom company’, which is exactly what it is trying to do today. And in the most egregious example that I can remember of the last decade in Australia, the former Prime Minister—whom the Labor Party had the good sense to remove before the Australian people had their opportunity to do so—argued for the flawed RSPT and alleged that these foreign mining companies had to pay a greater level of tax. It was the former Prime Minister who started to run the economically xenophobic arguments that foreign owned mining companies were not paying their share. That did not happen from this side; it happened from that side of the chamber.

What we now know is that the record $90 billion deficit that has been run-up in just two years by this government is worrying people other than us. It was the Treasury itself that pointed out that something had to be done about this government’s wasteful spending. This is not from us. I will read a quote from Ken Henry, the Secretary of the Treasury—who you are so fond of quoting to...
justify all these other plans. The Secretary of the Treasury said:

Tighter fiscal policy, and measures to boost labour force participation and productivity, could play a useful role in complementing monetary policy, reducing the size of the required increase in interest rates and the exchange rate.

I am not an expert in bureaucratese, but this is about as clear as it gets in a briefing from government. The Secretary of the Treasury and the briefing to the incoming government, provided by the Treasury, make it clear that under this government’s policies—by refusing to reconsider its wasteful fiscal policies and its wasteful spending—interest rates are higher than they would otherwise be.

It is no use comparing us to our neighbours. What Australians want to know is: do they have to be where they are now? It is no use comparing us on interest rates. Australian householders and small businesses do not care what they are in New Zealand. They do not care what they are in the United States. They care what they are here, and in Australia they are higher than they otherwise need to be. And it is having a dramatic impact upon our economy.

Just last week, the ABS put out its biennial data on the number of entries and exits into business. In the first two years of the Rudd government, before the members opposite had the good sense to remove him, there were 25,000 fewer businesses than there were when the Rudd government came to office—25,000 fewer small businesses, if you include those with fewer than 20 employees. Over the same period there have been, roughly, over 250,000 job losses in the small-business sector. That is what your policies are doing to the growth sector of the Australian economy. But that does not surprise me because, quite frankly, those opposite have never understood nor ever cared for small business.

We hear a lot from those opposite about how strong the Australian economy is. To those on this side, the Australian economy and a low unemployment rate are things we are very happy about: fewer Australians out of work. I suppose it is lucky that you are not a kid who wants to work two hours, not three, after school, because you have not been quite as lucky. But it goes to this particular point. If the economy is so strong then why are you borrowing $100 million a day? The stimulus package, you know, is still being rolled out, particularly in the building space and in the schools. You are stimulating an economy that is running at capacity. You are forcing inflationary pressures in the economy ever higher, and it is unnecessary. It was wasteful to begin with and it is unnecessary now. Your own words testify to that.

Fifty years ago, the Labor Party in Australia wanted us to replicate Britain and its socialisation of the economy of transport, coal mining and steel-making. Today, it seems they want to replicate the British economy again. They want to ramp up the size of government and they want to try to plug revenue holes with new taxes, but they show absolutely no ability to restrain their own urges and restrain their own ability to offer preferred patronage to parts of the Australian economy. This government stands guilty of putting unnecessary pressure upon interest rates.

Senator HUTCHINS (New South Wales) (4.21 pm)—Listening to Senator Ryan’s contribution this afternoon, I was amazed. I do not think he missed any of his enemies in his 10-minute contribution—from banks to building societies—and he talked about George Orwell, but one thing that did intrigue me a little was his rant against the Hawke-Keating government and a number of the economic reforms that it conducted—mainly in privatising a number of government sectors. Now, I know that Senator Ryan
was an activist in the Victorian university clubs and all those sorts of things but I get an
inkling that deep down Senator Ryan is a leftie who was disturbed by what the Hawke-
Keating government did. And I will have an
opportunity, after my contribution, to talk to
one of my Left colleagues, Senator Marshall. I am not sure whether Senator Ryan applied
to joint the Socialist Left in Victoria and was
rejected. If he was rejected it was a sound
decision, Senator Marshall, in hindsight, be-
cause we have certainly seen a tirade con-
ducted by him here today.

When an election is called it is usual for
the major economic spokesmen of both par-
ties to present themselves before the Na-
tional Press Club. You may recall that the shadow Treasurer, Joe Hockey, walked into
the National Press Club and refused to an-
swer questions on the coalition’s policy, how
it would be funded and the impact it would
have on the economy. You may well recall
how embarrassing a day that was for the coa-
lition. Subsequent to that I asked a number of
coalition members: ‘Why didn’t Joe Hockey
answer those questions? Was he denied the
opportunity to answer those questions by a
vindictive leader in Tony Abbott?’ And I was
told by men and women who should know,
‘No, it was just lazy Joe Hockey.’ He hadn’t
done his work.

Senator Marshall—Sloppy Joe!

Senator HUTCHINS—As Senator Mar-
shall interjects, ‘Sloppy Joe.’ But do you
remember, even better, the unedifying pres-
ence of Mr Robb in this building having to
conduct a press conference to at least try to
explain the funny money opportunities that
were being put forward by the coalition?
Who could ever forget Andrew Robb dili-
gently, valiantly, trying to explain the unex-
plainable? And who could forget that poor
staffer down the back of the room, when An-
drew Robb continued to soldier on, trying to
argue the inarguable? The young staffer was
down the back of the room with his finger
across his throat, going: ‘Andrew! Andrew!
Cut, cut, cut! Do not let them know any
more!’ This was the farce of the coalition in
that period, and it continued right up to and
after the election.

We know now that there was an $11 bil-
lion hole in the coalition’s budget plans. This
is how good they were, and I would have to
say you would have to think they were trying
to sabotage their campaign. Mr Hockey said
at the National Press Club on 9 August, ‘The
Australian economy is the envy of the de-
veloped world.’ Mr Robb said: ‘Well, untrue.
That’s true, I’m sure. I’m sorry; I agree that
it is the rest of the world.’ These men knew,
and know now, that our economy is in that
state.

I now go to the post-election period. Do
you remember the farce of that period where
the coalition would not present their budgets
to the Treasury so that they could be costed?
Do you remember the almost two weeks of
farce that this country and its people had to
go through because he refused to provide
information that could have made sure that
the coalition was in government? Do you
remember that? I remember it very well, and
so do the Australian people. And that is why
the coalition is on that side of the chamber
and we are on this side—because everybody
can see through them.

When the opposition finally came up with
their funny figures from Sloppy Joe we
found that there was an $11 billion hole in
them. That is what tipped the balance and
gave us the treasury bench—because people
like those opposite were not prepared to be
honest with the Australian people, let alone
be honest with their parliamentary col-
leagues. It is an interesting paradox that we
have now. I have suggested that Senator
Ryan is a disappointed leftie who was denied
possible membership of the Socialist Left in Victoria, but now we have a situation where Sloppy Joe, the shadow Treasurer—I probably should not call him ‘Sloppy Joe’—

Senator Boyce—I rise on a point of order. Mr Acting Deputy President, members of the other chamber should be referred to by their proper names.

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—The point of order is correct. You should refer to Mr Hockey as Mr Hockey.

Senator Hutchins—Mr Hockey has now embarked on yet another program that would probably qualify him for the old Socialist Left in Victoria—and that is to re-regulate banks. I wonder when we are going to see from the coalition statements along the lines that we might need to reinstate some labour rights! What about restoring the single desk? I am sure that would be in Senator Williams’s heart! Why don’t we go back to the fifties, where it now looks as if our coalition colleagues are far more comfortable! Let’s see if that single rail gauge is really appropriate when we take a train from Victoria to New South Wales! Was the Snowy Mountains scheme appropriate? Was it necessary? I know that Robert Menzies boycotted the opening of it; was it really necessary?

All these great nation-building programs in the past, now and in the future, have been initiated by Labor governments. We will continue to provide those because they are necessary for the economic wellbeing of our country. My colleague Senator Furner has outlined a number of the social initiatives that have been conducted by this government but we have been receiving from the independent commentators the necessary compliments required for us to proceed with the program we are running. Standard and Poor’s said on 24 September this year:

Australia has one of the strongest fiscal positions globally with a net general government debt burden less than half the level of AAA rated countries.

Moody’s said:

In comparison to most other AAA-rated countries, Australia’s government financial strength is very high, with a very low gross debt—‘very low gross debt’, senator who will follow me—that is easily affordable and provides a high degree of fiscal flexibility.

I do not know why the coalition are in the pickle they are in at the moment; they seem to be all at sixes and sevens. But, as I say, we have been delivering for the Australian community and we will continue to do so. As I said earlier, we have a strategy that will get our budget back into surplus in three years, and that will be before any other major advanced economy. That is why it has been endorsed by the IMF and also by the Reserve Bank of Australia—

Senator Boyce interjecting—

Senator Hutchins—and international credit-rating agencies, as I just outlined to you, Senator Boyce. As I said, if you want to go back and re-regulate the economy, which seems to be what the shadow Treasurer wants to do—

Senator Boyce interjecting—

Senator Hutchins—If you want to go back and do that, if you want to be disappointed lefties like Senator Ryan, you go ahead and argue that at the next Australian election, because if you really look at what you want to do, it is confusing to many people in the street. Even noted economists are disturbed by where you are going, and so they should be, because it could take us back into difficulties.

This government has been one of the few governments in the last decade that has been
prepared to put on the table the issues of nation building and, at the same time, fiscal responsibility. In each and every way, we have been opposed by a narrow-minded and biased coalition. It is time that they understood that their duties in this place are to the nation, not to their own party. I hope today we may see some semblance of light from some of the contributors coming after me.

Senator BUSHBY (Tasmania) (4.32 pm)—What an interesting contribution we have had today from government senators!

Senator Bilyk—Thank you; they’ve done very well.

Senator BUSHBY—I look forward to something better from Senator Bilyk because so far we have not heard anything from any of the government senators that is actually in the least bit relevant to the matter we are discussing today. Senator Furner went into great detail about how the stimulus package which the government put in place was swift, and yet here we are, two years later, and a large percentage of it, 30 to 40 per cent of it, is still being rolled out. If the stimulus is what saved Australia’s economy, then why is it still being rolled out? And, if it needed to spend as much money as the government says it needed to spend to do that, why do we still have a large percentage of it that has not been spent? Quite clearly, the large part of it that has not been spent yet is not contributing to the stimulus and did not contribute in any shape or form to our economic performance over the last two years.

And how does that fit into Treasury’s requirement of the three t’s: that any stimulus package should be temporary, timely and targeted? Is the stimulus package still temporary when two years later there is still 30 to 40 per cent of it to be rolled out? How temporary is that? Is it timely? Any crisis that did exist in Australia to the extent that the North Atlantic financial crisis did impact on us is well past now; why do we still need to be rolling out a stimulus?

Is it targeted? Well, Senator Furner himself talked about how it had promoted local industry. In my home state of Tasmania, Tascot Templeton is the only remaining carpet producer of its type in the country. It specialises in making carpets of the type that you put in parliament—the carpet in this chamber now is Tascot Templeton carpet—and in places like schools and other institutions. It was perfect carpet for it, but, no, the Building the Education Revolution program did not use their carpet and now they will be closing before Christmas.

In general, Senator Furner spent most of his time highlighting how the economy is close to capacity. We could argue all day as to why the Australian economy actually came out of the North Atlantic financial crisis in the shape that it did. There are a number of arguments but I suspect China’s stimulus had a lot more to do with it than the Australian stimulus. This is the problem: Senator Furner himself and Senator Hutchins admitted that we are near capacity. This comes down to the nub of what we are talking about today. If we are near capacity, why are we still stimulating?

I want to take the trouble to repeat the quote that Senator Ryan mentioned, which was:

Tighter fiscal policy and measures to boost labour force participation and productivity, could play a useful role in complementing monetary policy, reducing the size of the required increase in interest rates and the exchange rate.

So said the Department of the Treasury and Finance in its incoming advice to this government, in the document commonly known as the red book. What Treasury did in that statement was highlight a couple of issues it sees within the control of government that, if addressed, could reduce the size of required
increases in interest rates and the exchange rate.

Surely, given the massive increases in the cost of living faced by all Australians, particularly in the area of government-supplied or government-controlled goods and services like water, energy and rates, mainly under state Labor governments, the last thing that this government should be doing is making decisions that add to the cost of living for Australians or, just as bad, ignoring advice to take action that would minimise pressures that would add to costs for Australians—in this case, the cost of servicing a home loan or, if you are a small business, your small business loan.

So what are these two measures that Treasury recommended the government take action on to reduce the size of required increases in interest rates and the exchange rate? The first was tighter fiscal policy, and this means better spending control by government. It means cutting back spending and working a little harder to ensure that spending is only on that absolutely required rather than for looser political reasons—or, to put it more bluntly, stopping the wasteful and reckless spending of this government. The second measure was to boost labour force participation—things like providing better incentives for people to get off various forms of government assistance or welfare and to get into the workforce—which would involve a mixture of carrot-and-stick measures.

But the subject of the MPI today is how the Gillard government’s mismanagement of its budget and fiscal policy is impacting on interest rate pressures, so I will focus on the first of the recommendations of Treasury. In doing so, I would like to refer to another quote from the red book, one that followed on from that with which I opened my comments:

... there is also scope for the government to improve the quality of its own spending programs in a way that takes pressure off interest rates and the exchange rate.

So here we have not just a polite suggestion that tighter fiscal policy can reduce the size of required interest rates but a comment that perhaps the quality of the government’s spending needs a little work. That is, that it maybe is not of the best quality and—just perhaps—the government should think about what it is spending its money on and maybe rethink a little or even a lot of it. Of course, Treasury in its red book has to be somewhat circumspect. It cannot just come out and blatantly slam the government for choosing to continue its wanton spending on stimulus for an economy that is nearing full capacity and for which stimulus is the last thing it needs. It cannot come out and say, ‘Your fiscal settings were set for a dire economic outcome that never actually transpired; so stop,’ or even, ‘Your fiscal settings are emergency settings and the emergency has passed’—if it ever actually applied in Australia. It just cannot come out and say that. No, Treasury in these documents has to be far more polite and responsible. So the comment of ‘scope exists to improve the quality of government spending’ is fairly direct and telling. Treasury clearly has issues with the government’s spending—and for good reason. Dr Henry in a June 2008 estimates hearing stated:

... the budget is estimated to have a mildly or moderately contractionary effect on the economy through the increase in the size of the budget surplus, and through that higher budget surplus or moderately contractionary effect on the economy that comes with that higher budget surplus there would be downward pressure exerted on inflation.

At the October 2010 estimates, just last week, I asked Dr Henry about these comments in the context of the current challenges, as outlined in the red book and else-
where, and whether the same principle applies now. He said:
In an economy close to full capacity—
and, as we have heard from Senator Furner and Senator Hutchins, that is where we are at now—
a tightening of fiscal policy would mean that there is less work left to be done by monetary policy, and that would mean, other things being equal, that interest rates would be somewhat lower.

A clearer statement of how things work could not be made. (Time expired)

Senator BILYK (Tasmania) (4.39 pm)—Senator Bushby, what an absolute classic! He is obviously not sure of his arguments because he has just stood up and argued that if Tascott Templeton had been able to supply carpet to schools through the BER program then they would not have had to cease business. So what he is actually saying is that the program was great for job productivity to increase employment. Earlier across the chamber he acknowledged that he had not been to one opening through the BER program. I was a bit concerned about why he had not, but now I realise that he is just deadset embarrassed by his own side’s arguments, because he obviously thinks there is an increase in employment participation through the program, and I am sure that that is something he would support for the people not only of Tasmania, from where we both come, but of Australia.

It is absolutely beyond me why the opposition continues to insist on scoring own goals when it comes to fiscal policy. They bring on an MPI to try to highlight some supposed budget mismanagement on our part and yet, if they had their say on the fiscal settings, Australia would be in a recession right now with double-digit unemployment. Of course, we had former Prime Minister John Howard on Q&A last night trying to rewrite history—I think he has done that in his recent publication as well—by trying to say that Australia avoided a recession and it was down to his economic management. Yet the reason that we needed such a large economic stimulus was the abject failure of those opposite to make any significant moves to boost Australia’s productivity—and productivity, as we know, is the key to good economic management.

The Gillard government is committed to strong and sensible economic management. We have a strategy that will get the budget back to surplus in three years, well before any major advanced economy. That is why it has been endorsed again by the IMF and also by the RBA and international credit rating agencies. Market economists overwhelmingly agree that our strategy will get us back to surplus in 2012-13 and keep us in surplus in 2013-14. Fiscal stimulus is being withdrawn, too. Far from fuelling growth, the withdrawal of stimulus will subtract around one percentage point from growth this year, and the remaining investments are in long-term infrastructure which is critical to building our productive economic capacity. Senator Bushby would have us abandon projects midstream. I cannot see any benefit in that at all, Senator Bushby, and I do not know if the voters in Tasmania would either.

If you want a strong bottom line in both good times and bad, you need to invest in productivity. This includes skilled and education, such as trade training centres; additional university and TAFE places; and new school facilities, including classrooms and multi-purpose halls. It includes infrastructure like the National Broadband Network; renewable energy schemes; record investment in highways, rails and ports; and innovation, spending on which has increased by 34 per cent since we came to government. I would leave, too, Senator Bushby. I would be very embarrassed if I were you.
If the coalition were not committed to productivity then at least they shared Labor’s commitment to economic reform—well, up until recently, anyway. Now they have got some bizarre idea into their heads that the best way to support Australia’s economy is not productivity, not economic reform, but re-regulating the banks. What kind of a policy gets described by one of your own backbenchers as being ‘a policy from the lunatic fringe’? I think that is a great description from the member for Canning. After all, as the Prime Minister pointed out, this was the kind of wacky policy being espoused by Pauline Hanson’s One Nation—or, if you want to explore the lunatic fringe a bit further, how about the Citizens Electoral Council? Come to think of it, the CEC also believe that global warming is a fraud and that Australia should invest in nuclear power.

When we had the coalition’s finance spokesperson Andrew Robb questioning whether Australia should have floated the dollar, does this indicate a return to protectionism by those opposite? Once we peg our currency to the US dollar like Communist China what is next for the federal opposition? Are we going to start raising our tariff barriers? Our floating dollar has kept Australia on an even keel for years, protecting us from price shocks and helping us through financial crises such as the dotcom crash and the Asian financial crisis of 1997.

In fact, our floating dollar, tariff reform, strong banking system and independent monetary policy have been supported by both major parties and kept our economy growing continuously for 20 years. Why would anyone want to wind back a financial system that has been so successful? Well, according to the member for Canning, as I said, only the lunatic fringe would want to do that.

Let us look at our fiscal position. I am going, at this point, to expose a few inconvenient truths for the pre-Copernicans opposite. First of all, they talk about debt and deficit, but fail to point out that Australia has the lowest debt to GDP ratio of all OECD countries. The average for major advanced economies was 70 per cent in 2009-10. I will see if anyone on the other side of the chamber can tell me what Australia’s debt to GDP ratio was. Anyone like to hazard a guess? No? I will give you a clue—it was somewhat less than 70 per cent. Australia’s debt to GDP ratio was 3.3 per cent in 2009-10. And guess what? We are paying it back, as I said, three years ahead of schedule.

This is the great claim of those opposite when they say that we mismanaged the budget—that we had a debt of 3.3 per cent of GDP and continued economic growth, while other advanced economies racked up debts, in some cases over 100 per cent of GDP, had double-digit unemployment and went into recession. In fact, what happened to other major advanced economies despite economic stimulus is a great example of the disaster that could have befallen Australia without stimulus. And that is what, in Australia, would have happened if those opposite had had their way—because they opposed economic stimulus.

If you want to talk about fiscal incompetence, you only need to look back to very recent history, to the 2010 federal election, to find an absolute corker from the opposition. Let us not forget that it was only two months ago that the coalition, after avoiding the scrutiny of having their policies properly costed, finally submitted their figures to the Treasury. And what did we get? An $11 billion blow-out. That is ‘billion’ with a ‘B’ for Barnaby—sorry, for Senator Joyce over there.
Do you know what could be bought with $11 billion? Let us think of a few examples. The Kingston bypass near my office, in the electorate of Franklin, is a $41.5 million project jointly funded by the state and federal governments. So the coalition’s failure to do their sums properly, if they had ended up in government, would have left the taxpayers worse off by the equivalent of 265 Kingston bypasses. Another project in the Franklin electorate is the Clarence GP superclinic, an integrated care centre receiving joint state and federal funding of $18.5 million. The coalition’s accounting error adds up to almost 600 Clarence health centres.

This explains why the coalition did not want the sunshine of Treasury analysis to be shone on their figures. It also explains why most of the Independents were reluctant to support them on supply and confidence. Remember what the Independent member for New England, Tony Windsor, said on the Four Corners program that aired on 4 October? He said:

… I think it does indicate that they knew that there were issues here in terms of the accountability process.

That was Mr Windsor’s polite way of saying that the coalition deliberately avoided scrutiny of their budget figures because they knew the figures were dodgy. And the member for Denison, Andrew Wilkie, cited the coalition’s budget black hole as one of the reasons he doubted their ability to deliver on their extravagant promise for the Royal Hobart Hospital. After all, their black hole added up to 11 times their proposed package for the Royal.

In another two months Christmas is coming, and I have a collective present for the opposition caucus—but it is especially for the shadow minister for finance, Andrew Robb, and shadow Treasurer, Joe Hockey. I am not usually in the habit of telling people early what their Christmas presents might be because I do not like to spoil the surprise too much. But I think, because the other side is in such need of this piece of equipment, this tool, I will just have to tell them. I am going to get them an abacus. I know how badly needed it is on that side of the chamber. I did consider a calculator, but I figured they needed to add their sums up slowly, to avoid any further mistakes, and do not want them to confuse millions and billions. Maybe I will throw in an instruction booklet and they can have a tutorial for their first caucus meeting next year. I hope they enjoy their present and put it to good use. (Time expired)

Senator BOYCE (Queensland) (4.49 pm)—The contributions to this debate from the government senators have been particularly worrying, and the worrying thing about them I think is that they believed what they were saying. I think they honestly think that if they just keep repeating the mantra of paying back the deficit three years early it will actually come true. Perhaps they forget that we went through the—very tortuous, these days—process of Senate estimates, where, in committee after committee after committee, the government had to admit that they had not met the deadline on anything that they were proposing—not on superclinics, not on anything. They cannot meet a deadline. They are not capable of it. Why would we think that, on something as important as reducing the deficit, they could actually improve on their deadline?

So what we have are the senators opposite repeating mantras, and thinking that if they set up these straw men and then knock them over they have actually achieved something. It has taken a long time for the government to continue to try and build up the global financial crisis as the greatest catastrophe of our time because then they could be terribly ‘successful’ at controlling it. What a laugh! This economy was in far, far better shape, as
other opposition speakers have already pointed out; the contribution of China towards our economy was at least as important as, if not more important than, the so-called economic stimulus.

I must admit, that given some of the ducks-and-drakes games that are being played with new tax measures being counted as savings by this federal government, I am reminded more of the state Labor governments. I am reminded even more of the state Labor governments’ habits of getting into the hollow logs and digging out whatever they can when we think back to the Medibank Private raid that this government undertook. Labor is in a mess. Labor’s management of the economy and of fiscal policy is in a mess.

There is no doubt whatsoever that excessive government spending is placing upward pressure on interest rates. It is time the government started to pay off the debt, not continue to accumulate it at $100 million a day. That is what is causing the problems. We have a $41 billion deficit along with an economy that is running close to capacity and employment running at almost full levels. They are overdoing it; they are over stimulating the economy. When the Howard-Costello government was managing the economy, the same group—Mr Swan, Ms Gillard and others—opposed almost everything that we did. From tax reform to privatisation, from waterfront to fiscal consolidation, they said no, no, no every time. Now we have a fiscal policy that is in complete opposition to the policy of the Reserve Bank. They are putting pressure on interest rates. This will continue until they can see reality, until they can stop believing their own spin and actually concentrate on the real issues at hand.

They can repeat over and over that the global financial crisis was the greatest catastrophe of our time, but it is not going to make it true. We currently have a situation where we have one shrill redhead evoking the memory of another shrill redhead. Can I suggest to the prime ministerial redhead that what she needs to do is look to her own mismanagement of the budget and fiscal policy—because she knows that, if interest rates keep going up at the same rate as they are right now, she will be as dead a duck as her predecessor.

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop)—Order! The time for this debate has expired.

MINISTERIAL STATEMENTS

Victorian Bushfires

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (4.54 pm)—I table a ministerial statement relating to the Victorian Bushfires Royal Commission.

Murray-Darling Basin

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (4.54 pm)—I table a ministerial statement relating to the reform of the Murray-Darling Basin.

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (4.54 pm)—by leave—I move:

That the Senate take note of the document.

This is an interesting time that we live in. It is a time of complete and utter confusion—a confusion which personifies a government which seems to have gone through more contortions on water than one would deem possible. I am fascinated to go back and read some of the statements that were given by the Prime Minister, Julia Gillard. On 10 August 2010 she said she was determined to implement the plan. Again on 10 August she
said, ‘I am determined we will do what is necessary to implement the Murray-Darling Basin Authority plan.’ She was going to implement the plan—until such time as they released it. Unfortunately, after they released it, what we had in our nation was a virtual riot. Throughout the Murray-Darling Basin there was evidence of complete social disarray and a sense that the government had become completely disconnected from reality. People were terrified that a government that had brought us the ceiling insulation debacle and the Building the Education Revolution program, a government that had got us into $164 billion of gross debt and had managed to deliver to our nation the biggest deficit since Federation, was now going to start turning its particular talents to our nation’s food bowl and capacity to feed itself. The government was like a seven-year old who had decided to fix the vacuum cleaner: there it was with a sledgehammer, a couple of forks and a fire hydrant and it was going to end in absolute disaster.

And we have now seen Mr Burke completely jettison Minister Wong and the Prime Minister. Minister Burke has said, ‘It is not my plan.’ It was their plan only a matter of days before, but it is not their plan now. If it is not their plan now, it must be somebody else’s plan. They have now gone out and got legal advice to say the bleeding obvious: that they should have been looking at the triple bottom line. If they are getting that legal advice now, what were they doing when they were delivering to us this guide to the Murray-Darling Basin Plan? If the minister’s statement is correct, we now have a guide that is completely without form. It is completely inconsequential. It only answers 33 per cent of the question. It talks about the environment but does not talk about the social and economic impacts. Even the chairman of the Murray-Darling Basin Authority, Mike Taylor, says it does not talk about the social and economic impacts.

I have had the privilege—and the misfortune—to go to some of the seminars that have been held and see some of the poor old bureaucrats there trying to defend the indefensible. I am dealing with a government that is completely and utterly incompetent, but the bureaucrats have been put up as bunnies to try and explain this government process. It is just like the way the Labor government is dealing with the issue of illegal entrants and the new shelter they are building for them in the Adelaide Hills: they just put the bureaucrats out there. This is a sign of a government that just does not know what it is doing, and it has become quite dangerous. There is nothing this government can put its hand to that it is actually able to deliver—except this perverse claim that they somehow saved us from a recession. I do not quite know how they did that. I thought it might have been the minerals boom that did that. That is Mr Swan’s fig leaf, and even that is without substance. However, the reality is that this is the granddaddy of all stuff-ups—and it just gets more complicated, nefarious and nebulous by the day. Every day seems to contradict the day before it. Every day seems to bring a whole new chapter into the rolling Greek tragedy of the government’s desire to somehow reconfigure Australia’s capacity to feed itself.

What is their solution? Where are we now? Where on earth have they left us? As we speak, people are out there spending money to defend themselves against a plan which the Minister for Sustainability, Environment, Water, Population and Communities has said is without meaning. Why does the minister not go out and tell those people that they can stop spending the money to do the hydrological surveys and the surveys into the habitats, which they are now doing to defend themselves against some of the ri-
dilapidous propositions that have been put up in this guide?

This guide was perverse to the extent it went in some areas. A year before, people had received letters saying that even though they wanted to sell water there were no environmental assets around them—there was nothing of consequence for which the government needed to purchase water. A year later, we find the government wanting to collect back in excess of 20 per cent of the water in some of these areas—and I refer to the Macintyre Valley. Where did these environmental assets pop out of? How is it that in one year there are none and the next year you have to give up in excess of 20 per cent of the water?

Then we have the Gwydir Valley, where they say they are contributing approximately the same amount of water to the system as the Macintyre Valley. The problem with that is that the Gwydir River ends in a wetland and it is only in high rainfall years that it actually spills into the Darling. But, if you believe their report, it is a flowing river—it flows into the Darling. Then you have the position with the Moonie, where there are only about three irrigators. All of a sudden, it is one of the hardest-hit rivers in the system. They are thousands of kilometres away from South Australia. You have the same situation on the Warrego. Everything about it is confusing, and this confusion has led to such resentment being built up in the Australian people.

The coalition put the plan forward, but we did not pick the players. The players are over there opposite, as picked by Minister Wong. I do not know what she is now. She must be bad cop and Minister Burke must be good cop—or is Minister Burke the patron saint of confusion? How does it all work? How do we have two people on the same side who, only a matter of months apart, have completely different views and different positions on the same subject? How can this be seen as a government that can manage our nation responsibly?

For the two million Australians who live in the Murray-Darling Basin this has really been a shock, and that shock has been conveyed through to the polls. The polls have turned against the government, because people are really scared about what the Labor government is up to. The fact that this government could have put at threat our capacity to feed ourselves as a nation is really something startling. Even the good, honest supporters of the Labor Party could not believe that this government could be that naive. Paul Howes is even out there slamming the Labor Party and slamming the plan. Your own people have turned against you.

Then there is the ridiculous proposition that 800 people are going to lose their jobs. Up to 3,000 people left Moree during the drought. There were 3,000 people who left one town. Judith Stubbs’s analysis is that between 20,000 and 30,000 people could lose their jobs because of this plan. And you said that you were going to look after working families! Is that how you do it? What did you think you were going to do to the price of groceries when this went through? What was going to happen to the capacity of our nation to feed itself? I might remind you that tomorrow the Food and Grocery Council will announce that Australia is now a net food importer. That is right: we are importing more food than we export. This would lock that situation in. This would have locked the drought in for the basin. It would have locked the drought in in a flood.

That is the sort of remarkable social engineering exercise that the Labor Party participate in—and for what purpose? What was the desire? Who drove this agenda? It could only have been the Labor Party. The Labor
Party picked the committee. The Labor Party were so diligent that it took 18 months to pick the committee that delivered this to us—18 months to pick six people. That is incredible. That is a record.

So this is what we have been delivered, and this is why the Australian people have taken the Labor Party to their lowest polling figures since 1903. Since 1903 they have not been this low. The Labor Party have become so ridiculous now that even in seats in Brisbane the Greens are beating them—the Labor Party are coming third. Why have the Labor Party put themselves in this position? Because they are totally and utterly incompetent, and the Australian people are seeing them as totally and utterly incompetent. They were elected claiming that they would support regional Australia, and look what their first decision was going to do to regional Australia—destroy it! (Time expired)

Senator BIRMINGHAM (South Australia) (5.05 pm)—I am pleased to join Senator Joyce in taking note of the ministerial statement on the Murray-Darling Basin. I welcome the ministerial statement and the release of the legal advice that was tabled by Minister Burke yesterday, but the core question that needs to be answered is: why did it take this long? Why did it have to come to this? Why have we only seen this legal advice presented at this time, which is, frankly, so late in the piece?

It is so late in the piece that it is now jeopardising a reform program that is critically important to get right for farmers, communities, the river system, environmental assets and a whole welter of people who expected that the Murray-Darling Basin reform agenda—set in train three years ago—would be delivered as set out three years ago. Instead, we have seen bungle after bungle and debacle after debacle from this government as they have failed to implement the reform agenda set out three years ago.

Having failed to deliver on the infrastructure projects that they promised and having failed to deliver a socioeconomic analysis of any decent quality in the report that was released recently, we now find that they have also allowed the Murray-Darling Basin Authority to proceed in releasing a guide to the proposed basin plan that is based on a false interpretation of the Water Act. That is the fact of the matter. The authority have been out there for the past 2½ weeks now highlighting that their interpretation of the Water Act was such that they had to give consideration to all of the environmental assets and that then precluded them from giving equal and fair weighting to the economic and social impacts of reforming the Murray-Darling Basin. That has been proven to be wrong, in the advice that Minister Burke has tabled.

It is of no surprise to any of us that it has been proven wrong, because the Water Act that the coalition proudly passed in 2007 sought to deliver the triple bottom line of social, economic and environmental balance in order to balance basin reform in a way that would leave us with a sustainable river system and sustainable basin communities that are able to produce goods for the benefit of all Australians. Somehow that balance has been thrown off course. This legal advice provides an opportunity to put it back on course. Why has it taken this long? The reason I ask is that I have sat at meetings—like Senator Joyce but at different meetings—of community consultations the MDBA has undertaken and heard the MDBA chairman Mike Taylor explaining the authority’s interpretation of the act. Mr Taylor said that he raised the interpretation of the act with the water minister, Mr Burke, at his very first meeting after Mr Burke was appointed minister, which was before the release of this
guide, the document that has sparked controversy throughout the Murray-Darling Basin.

Why did Minister Burke sit on his hands for one week, two weeks, one month or six weeks—however long it was—between that first meeting and all hell breaking loose across basin communities and allow a misinterpretation of the act to stand? Why did he allow that? Why did he not say to the chairman then and there that basically every parliamentarian understood that this act was about getting a balanced, equitable and fair outcome? If the authority disagreed with that, why did he not call in the lawyers to give some decent advice after that first meeting? Indeed, why didn’t the government act sooner? I am pretty confident, from the way Mr Taylor has explained his conversations with Minister Burke, that Mr Taylor would have raised this issue with the previous minister, Senator Wong, as well. We asked that question in question time today, and I look forward to seeing the response as to when this government was first warned about the authority’s interpretation of the Water Act versus what this parliament’s understanding was and what the lawyers have said the interpretation should be.

I am pretty sure this government has known for a long period that the authority was going down the wrong path. In allowing the authority to go down the wrong path, it is the Labor government that has jeopardised the success of the process of water reform. Even if Mr Taylor did not mention this to Senator Wong prior to the election—as remarkable as that would be, given the way he has highlighted it again and again since the release of the guide and the fact that it was the topic of his very first meeting with Minister Burke—there was a warning back in March, which Senator Joyce highlighted in question time today. That warning came in the Productivity Commission’s report into the water buybacks. In that report the Productivity Commission stated:

The value people place on environmental outcomes, the opportunity cost of forgone irrigation, and the role of other inputs such as land management must also be considered. If the Water Act 2007 precludes this approach, it should be amended.

So the Productivity Commission, back in March this year, called into question the interpretation of the Water Act, but there was absolutely no action at all from the government to achieve a balanced outcome and not jeopardise the process of Murray-Darling reform.

Let’s take a look. The act talks about balancing those economic, social and environmental factors numerous times. Section 3(c) seeks to promote the use of water ‘in a way that optimises economic, social and environmental outcomes’. Section 4(2)(a) requires the MDBA to follow principles that ‘effectively integrate both long-term and short-term economic, environmental, social and equitable considerations’. Section 20(d) states that the basin plan is intended to provide for ‘the use and management of the basin water resources in a way that optimises economic, social and environmental outcomes’. Section 21(4)(b) requires that the MDBA ‘act on the basis of the best available scientific knowledge and socioeconomic analysis’ in developing the basin plan. Section 21(4)(c)(ii) expects the MDBA to have regard to ‘the consumptive and other economic uses of basin water resources’ in developing the basin plan. Ultimately, it requires that, when the basin plan is presented to the ministerial council for consideration, the MDBA must provide the ministerial council with advice on the ‘likely socioeconomic implications of any reductions in the long-term average sustainable diversion limits proposed in the basin plan. That is in section 43A(3).
It is comprehensive and it is clear—as clear as you could hope—that this act was written with the intention of getting a fair balance between economic, social and environmental considerations, and yet the government allowed the authority to charge on ahead without due regard to those objectives and details of the act. The questions remain as to why they did that and, in doing so, how much damage they have done to the water reform process in communities that are now very concerned about the credibility of the process and the credibility of the government and the authority in delivering on this process for communities that rightly deserve answers as to how it could have been so comprehensively botched. Frankly, we know the reason why it was so comprehensively botched: the Labor government simply wanted to play politics with this issue during the election campaign.

Prime Minister Gillard flew into Adelaide during the election campaign and promised to implement the independent authority’s report. That was the promise. There was no caveat about ministerial discretion—nothing of the sort. She was greeted with a front-page picture in the Adelaide Advertiser—the entire front page was taken up with a picture of Ms Gillard and the river under the banner headline ‘River Queen’. The ‘River Queen’ has turned river rat as the government has back-flipped on that election promise.

Senator HEFFERNAN (New South Wales) (5.15 pm)—In addressing this debate on the minister’s statement, I do not intend to play politics with people’s livelihoods, and a lot of people have. I think it is a disgrace that the government has set about ambushing rural Australia. For most farmers, this has been one of the biggest ambushes at the most vulnerable period in the life cycle of a farm. Irrigated dairy farmers, having seen the rice crop, for instance, go from 1.2 million tonnes to 18,000 tonnes over three consecutive years, are physically, mentally and financially exhausted. The government has then gone out and propositioned these people with a remedy based on no known science. If the government had had the brains to say—and privately a lot of them will admit they have made a mistake—‘This is the science we are facing, this is the vagary in the science until 2050 and these are the possibilities for solutions,’ it may have made sense, instead of going out there and telling people they were going to absolutely decimate some towns, as some speakers have pointed out. During an estimates hearing the other day the Australian Bureau of Agricultural and Resource Economics said, ‘The figure of 800 job losses is actually net at the end of the tunnel.’ That is when Griffith shuts down and Coleambally shuts down or St George shuts down, and they all go off and get a job in a mine somewhere. But what this fails to recognise is Australia’s participation in the global food task.

You do not have to believe the science, but if your doctor said, ‘That little mark on your arm is a melanoma,’ you would either
get a second opinion or get it taken off, wouldn’t you, Senator Joyce? The science is saying that, by 2050 with nine billion people and by 2070 with 12 billion people on the planet, half the world’s population will be poor for water. One billion people will be unable to feed themselves by 2050 and 30 per cent of the productive land of Asia will have gone out of production. Two-thirds of the world’s population will live in that area, the food task will have doubled, and there could be 1.6 billion displaced people on the planet. The same science—and you do not have to believe the science, but you sure as hell ought to have a plan to deal with it if it is partly right or three-quarters right—is saying that by 2070 places like China will have one billion people that they will have to feed from someone else’s agricultural resource.

Here we are in Australia proposing that we are going to return a certain amount of water to the environment, and I think that is fair enough. All governments of all persuasions for a long time have made some serious mistakes in water management, and they are still making them. The present government has absolutely decided to ambush rural Australia, without regard to the impact on the global food task and Australia’s contribution to that food task. So by not having set out the problem it has absolutely set terror in some of these communities. Some of these places are absolutely, diabolically distressed now. And what are we going to do about it?

Let us put some facts on the table. No-one likes to talk about the facts. The Murray-Darling Basin has 6.2 per cent of Australia’s water run-off—23,400 gigalitres. I went to estimates the other night and asked ABARE to tell me what the assumption which they were told to model an outcome for the government was based upon. Eventually, with great struggle, we got it out of them that they were told that there would by 12,300 or 12,400 gigalitres of run-off for consumptive use. That is, they allege, a three per cent decline by 2020 in the run-off. The Murray-Darling Basin has 6.2 per cent of Australia’s run-off, 23,400 gigalitres, and 38 per cent of the run-off coming from the two per cent of the landscape between here and north-east Victoria. The minimum decline in run-off due to an increase in temperature of two degrees and a 15 per cent decline in rainfall—and the rainfall pattern is moving south, so south-west Queensland is actually going to have increasing run-off and rainfall, and rivers like the Warrego, the Paroo and the Culgoa will increase their run-off—is 3,500 gigalitres. The maximum is actually 11,000 gigalitres. We are saying, for the purposes of this plan to the never-ending journey through the forest on the water plan for the Murray-Darling Basin, that we are going to have a three per cent decline in run-off.

We do know that, if we made efficiencies between the point of extraction and the point of delivery, we could save about 2,500 gigalitres, before it gets to farm use. We have made some dreadful mistakes in the way we have allowed willy-nilly buying of water and trading of water. They separated water from the land and made it tradeable, and they then set in motion all the sleeper licences. If you are the banker and your client owes you $200,000 and they have got a sleeper licence, you are obviously going to tell him to sell the licence, which wakes up the licence, which further adds to the overallocation of the river system. Then, if you trade those licences up the river, you lose the advantage of water that is traded down the river—having the freight and environmental carriage while it is getting to a point of use down the river. All of these things are a serious mistake.

The government should have said, ‘These are the propositions that the scientists are making. This is the known science on water improvement technology and plant improvement technology.’ In the Ord area they
have just got rid of their sugar and got new wonderful crops like chia. Carnarvon, in Western Australia, is 40 times more efficient with its water use than the Ord and 20 times more efficient than the average across the Murray-Darling Basin. Instead of saying to our farmers, ‘Here is the solution: we are going to shut your town down,’ we should have said, ‘What is the solution to all of this?’—because our best farmers are our best environmentalists in Australia; they are inventive and they are resilient.

While all of this is going on, there are some fundamental problems that have not been addressed. One is: the Murray-Darling Basin plan and the Murray-Darling Basin Authority are toothless, because, while the states still have veto power, it is all a waste of time. While all of this is going on, while we are telling Griffith and Mildura and all these other towns that we are going to take all this water from them, the Queensland government, for God’s sake, is about to issue a 469 gigalitre overland flow licence to Cubbie Station. While all this is going on, we are saying, ‘Hang on, we’re going to issue another licence.’ The biggest water licence that will ever be issued in Australia is yet to be issued. It is not sustainable. The Culgoa has 1,200 gigalitres of mean flow, it has 1,500 gigalitres of on-farm storage and it has destroyed the biggest floodplain in Australia with the plan they have. There is no environmental input in the plan, and yet we are supposed to sit around and cop this.

I have to say, we have made a serious mistake. I think people ought to own up to the mistake. To that end, I intend to move a motion in this chamber to refer the matter to a committee to look at all aspects of it—including the fact that the more efficient you make your irrigation the more pressure you put on the aquifer, because a lot of the so-called waste from the irrigation is actually recharging the aquifer and, at some sections of the river, 40 per cent of the river flow is actually groundwater entering the river. We have not taken that into the calculations. We have not in the past taken into the calculations the 2020 vision for forestry and the 2.5 megalitres per hectare that is intercepted at 35 inches of rainfall by monoculture forestry. So there are a whole lot of things we ought to be dealing with.

If it is going to work, farmers will take it on—non-paddy rice is a good example. Most people do not realise that the paddy in a rice field, which is highly evaporative, is only there to moderate the temperature of the plant. You do not even have to have the water there if you have the gene modification to have the thermostat in the plant, rather than having the blanket, the insulation, of the water. So there are a whole lot of things that we can do, and I am sure Australia’s farmers will meet the task, will be productive and will feed Australia, if they are given the opportunity to do it. But the first thing we have to do is make politicians in this place—most of them have no idea—understand what the challenge is and present that challenge to the farmers and they will come up with a solution. Thanks very much.

Question agreed to.

PARLIAMENTARY ZONE
Proposal for Works

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (5.25 pm)—In accordance with the provisions of the Parliament Act 1974, I present two proposals for works within the Parliamentary Zone, relating to the construction of a new access road from Kings Avenue to the National Archives of Australia, and installation of five new outdoor exhibits at Questacon and making permanent seven existing temporary outdoor exhibits. I seek leave to give a notice of motion in relation to the proposals.

Leave granted.
Senator FEENEY—I give notice that, on 28 October 2010, I shall move:

That, in accordance with section 5 of the Parliament Act 1974, the Senate approves the proposals by the National Capital Authority for capital works within the Parliamentary Zone being:

(a) the construction of a new access road from Kings Avenue to the National Archives of Australia; and

(b) installation of five new outdoor exhibits at Questacon, and making permanent seven existing temporary outdoor exhibits.

COMMITTEES

The ACTING DEPUTY PRESIDENT (Senator Ludlam)—The President has received letters from a party leader requesting changes in the membership of various committees.

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (5.27 pm)—by leave—I move:

That senators be discharged from and appointed to committees as follows:

**Corporations and Financial Services**—Parliamentary Joint Committee—

Discharged—Senators Farrell and McLucas

Appointed—Senators Hurley and Stephens

**Electoral Matters**—Joint Standing Committee—

Discharged—Senator Feeney

**House**—Standing Committee—

Appointed—Senators McEwen and Sterle

**Privileges**—Standing Committee—

Appointed—Senator Sterle

**Public Accounts and Audit**—Joint Committee—

Appointed—Senators Hurley and Sterle

**Treaties**—Joint Standing Committee—

Appointed—Senator O’Brien.

Question agreed to.
AIRPORTS AMENDMENT BILL 2010

First Reading

Bill received from the House of Representatives.

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (5.28 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 FEENEY (Victoria—Parliamentary Secretary for Defence) (5.28 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—

Today I am reintroducing into the parliament, the Airports Amendment Bill to give effect to many of the government’s airport planning and development policies that were announced in the Aviation Policy white paper, Flight path to the future. These policies have been subject to extensive consultation with stakeholders in the aviation industry and the community, and also with state, territory and local governments.

I introduced this bill into the last parliament but the bill lapsed when it was prorogued. At the time, the bill was referred to the Senate Standing Legislation Committee on Rural and Regional Affairs and Transport.

The committee commenced an inquiry into the bill; however it did not have the opportunity to fully examine the bill before the caretaker period began.

I want to thank those people and businesses that took the time to prepare submissions for the inquiry.

This bill is a priority for the government, and I welcome further debate.

Significant reforms are needed to get the balance right between the need for ongoing investment in aviation infrastructure, community consultation and the integration of airport planning with local, state and territory planning regimes.

This government is committed to supporting sustainable growth in aviation, underpinned by meaningful engagement and consultation with the community and industry stakeholders.

As airports get busier and our major cities grow, airport planning assumes increased importance.

Airports are not islands. Better integration of on- and off- airport planning is in everyone’s interests—airport operators, airlines, passengers, local communities and businesses.

The public rightly demands better information and consultation when it comes to airport development, especially the impacts of aviation on neighbouring communities.

The Gillard government is committed to better urban planning and the reforms contained in this bill complement and support our national agenda on major cities.

The amendments contained in this bill underscore the objectives of the Airports act, including:

- to promote the sound development of civil aviation in Australia;
- to establish a system for the regulation of airports that has due regard to the interests of airport users and the general community; and
- to promote the efficient and economic development and operation of airports.

The need to strengthen airport master plans was a recurring theme in submissions and meetings during the 20 month consultation and develop-
ment period for the National Aviation Policy white paper.

The Airports Amendment Bill 2010 will strengthen airport master plans through a number of new requirements.

Firstly, airport master plans will need to include a ground transport plan which shows how the airport’s facilities connect with the surrounding road and public transport system.

Secondly, airport master plans will need to include additional detail on proposed use of land in the first five years of the plan, including detailed information on proposed non-aeronautical developments.

Thirdly, airport master plans will need to have information on the number of jobs likely to be created, anticipated traffic flows, and the airport’s assessment of the potential impacts on the local and regional economy and community.

Fourthly, airport master plans will need to include detailed analysis on how it aligns with state, territory and local government planning laws, as well as a justification for any inconsistencies.

Fifthly, airport environment strategies will now be part of airport master plans. This will ensure the community has comprehensive information about proposed developments at airports and that airport operators can focus on a single public consultation and approval process.

Community consultation over major developments at airports is very important, and this bill will add an important extra trigger for major development plans.

As a result of this bill, any proposed development that is likely to have a significant impact on the local or regional community will be required to go through a major development plan process.

Similarly, any alteration of a runway, including an alteration that changes flight paths or patterns of levels of aircraft noise will be subjected to public consultation through a major development plan approval process.

These are important amendments to improve community consultation and the oversight of airport developments.

Given the primary purpose of an airport is the provision of aeronautical services, a range of activities such as residential developments, aged or community care facilities, hospitals and schools, are likely to be incompatible with the long-term operation of an airport.

Under this bill, these incompatible developments will be prima facie prohibited unless the airport is able to demonstrate that there are exceptional circumstances for taking the development to the next stage.

In recognition of the economic importance of our major airports, this bill allows developments covered in detail in the master plan to be considered for a reduced period of public comment if the development proposal is consistent with the master plan and, importantly, does not raise any issues that have an impact on the community.

Further, the bill also allows for the approval process for aeronautical developments to be streamlined where appropriate safeguards are met.

Other minor technical and housekeeping amendments made by this bill include:

- removing certain items made redundant by previous amendments to the act,
- updating the names of a couple of airports; and
- clarifying the operation of certain sections of the act.

The changes to the act are supported by other non-legislative reforms contained in the government’s Aviation white paper. These include the requirement for all leased federal airports to have community consultation groups with independent chairs, and for capital city airports to also have a high level planning forum with the state government and my department.

The government’s white paper was Australia’s first ever national blueprint for aviation. This bill furthers the implementation of the reforms contained in that document.

Debate (on motion by Senator Feeney) adjourned.
MINISTERIAL STATEMENTS

Afghanistan

Debate resumed.

Senator KROGER (Victoria) (5.29 pm)—I rise to contribute to the debate on the ministerial statement. Australia has followed an integrated approach in Oruzgan province with military police and aid workers on the ground. Currently there are 28 members of the Australian Federal Police deployed inside the main Australian base at Tarin Kowt. They provide training to the Afghan National Police by teaching basic policing and survival skills, along with human rights considerations. So far more than 600 Afghan police have graduated from this course. This integrated Australian approach has improved security, governance and development. It has delivered projects which make a difference to the lives of the Afghan people.

To effectively deliver education, health or governance a basic level of stability and security is necessary. To withdraw our troops at this time would simply condemn the Afghan people to many more years of suffering and despair.

Projects include a new waste management facility in the provincial capital of Tarin Kowt, a boys primary school and high school, a girls school and numerous infrastructure projects. Such an integrated approach is critical to winning the enduring support of the Afghans and defeating the insurgency. It is also critical to create better conditions for governance, reconstruction and development efforts.

Australia’s military and policing efforts go hand in hand with our aid commitment. We have currently 50 civilians deployed to Afghanistan, based in Kabul, Kandahar and Tarin Kowt. Their main objective is to work with the locals to improve fundamental government services, such as health and education, and to support agriculture, which is considered to be the key driver for future income generation. Almost half of Australia’s aid money is delivered through Afghan government systems, which is worth mentioning as this is generally considered to be a main tool for building local capacity. Through these channels Australia has been able to deliver important services, such as basic health and hygiene education, and mine risk education, and to improve food security through the distribution of wheat and other foods.

Thousands of kilometres of roads have been built. School enrolments are six times higher than in 2001, when there were only one million boys going to school. Today there are six million students attending school, of which one-third are girls. Health services have been significantly increased, as well as access to telecommunications. These are without doubt enormous achievements when compared to the lives of Afghans under the Taliban regime.

Our mission is not to impose a foreign government or a Western value system; our aim is to help the people to help themselves. Retired Major General Jim Molan summed this up succinctly, when he said:

The coalition’s aim is to help the Afghan people, despite their appallingly imperfect government, to produce an army and police force capable of securing the country so that governance and prosperity can improve, and Afghanistan can determine its own future. This is still doable.

Australia has clearly defined goals in Afghanistan. We are there to deny terrorists sanctuary. We must not forget that more than 100 Australians have lost their lives through terrorist attacks attributed directly to links in Afghanistan. To abandon this process now is to deny the Afghan people a self-sufficient future. It is not in any way humane nor justifiable to consider this as an option. There is a lot of good we can do in Afghanistan and
there is a lot we can do to make the lives of women and children better.

There are reports that the Taliban banned girls from school, locked away women and allowed them few, if any, rights. This is unjustifiable and unforgettable. Women’s advocates have repeatedly warned that it would be the mothers and children who would suffer most if Western troops were to end their commitment in Afghanistan too early. Dr Sakena Yacoobi is the Executive Director of the Afghan Institute of Learning, AIL, which is an Afghan women-led NGO she founded in 1995. She asserts that the women of Afghanistan completely depend on the ISAF troops. She said:

As soon as allied soldiers walk out and leave Afghanistan, the first blood shed will be women and children.

Dr Yacoobi is one of those brave women who stood up to the Taliban and risked their lives in the pursuit of helping others. She ran underground schools for girls in the 1990s during the Taliban regime. Today Dr Yacoobi heads the Afghan Institute of Learning, an organisation which works with women to improve health and education in seven Afghan provinces.

Dr Yacoobi is not the only woman swaying the ISAF allies to stay and finish what they began. There is also renowned Afghan human rights activist Suraya Pakzad, who founded the acclaimed Voice of Women Organisation. This organisation assists underprivileged and vulnerable women and children, providing critical relief and rehabilitation. Mrs Pakzad also stresses that women have benefited tremendously through the war in Afghanistan. She said in the West Australian:

In the Taliban time we weren’t women, we were second-class citizens and we were not considered a person equal to men.

The days when women were not allowed to walk down the streets on their own, without being accompanied by a male family member, are gone. Women could not go to school, could not travel, had no choice who to marry and were excluded from any kind of social life—an existence that we in Australia would find very hard to imagine. Life was very dangerous for women. There are countless stories of women who lost their lives because they tried secretly to gather basic knowledge. These women who sought to go to so-called underground schools were hounded out and faced the terrible consequences. Life can still be very dangerous for women in Afghanistan. This is just another reason why the coalition of troops must stay the course. Female representation in the Afghan parliament has also improved.

The culture of the Taliban has not disappeared. Educating the women has not changed the majority of men—and their views—who still believe that females are their personal possession. I have read about women who try to burn themselves trying to escape their cruel husbands and fathers. This self-immolation is a huge problem that still exists, with, unfortunately, case numbers still on the rise. Luckily, the number of women who try to escape this cycle of violence is also on the rise. There are ever more young women who emancipate themselves and fight for their rights. It is these very people that we must continue to support. These women need our support because such a decision can have very severe consequences.

Ten women’s rights activists have been murdered since 2005. Others live under constant threat, like the famous female MP Malalai Joya, who never spends more than 24 hours in one house, in order to keep her assassins at arm’s length. If these women continue to ask Australian troops for help, I feel we have a moral obligation to hear and fulfil their pleas. We are fighting this war for
a just reason: to help the good people of Afghanistan to help themselves. Stability and security are the very foundation of this process, which must lead to an improvement of the appalling human rights situation.

Only last week I read a quote from another young woman in an interview with the Adelaide Advertiser. This was an Australian woman. This woman, 23-year old Taryn McGowan, spoke about the reasons why her partner had decided to serve in Afghanistan. Ms McGowan said, impressively:

He is there to help get the country back to a place where women and children are protected and I am proud of that.

It is a sentiment that I think we all would salute. So she should and so should we. I hope that this parliamentary debate can truly recognise the essential work that is undertaken by Ms McGowan’s partner and by his 1,500 or so Australian mates and colleagues. Their commitment will not be in vain. Supported by their loved ones at home and in this parliament, our troops will lead Afghanistan to a prosperous, self-sufficient democracy and future—a contribution for which Australia can be proud. If there is one thing that history has taught us, it is that we must continuously support the families that fight for freedom and democracy, and we must continually honour those that fight and have lost their lives to serve us and to serve the great fight for democracy around the world.

**Senator ARBIB** (New South Wales—Minister for Indigenous Employment and Economic Development, Minister for Sport and Minister for Social Housing and Homelessness) (5.40 pm)—In addressing the debate on the ministerial statement, and along with other speakers, I express my sorrow for those who have lost their lives in this conflict. We were reminded of the toll of this war just yesterday, when we learnt that four Australian special forces soldiers had been wounded during operations. Our thoughts are with the soldiers that are injured and their families, and at this time we wish them a speedy recovery. I rise to speak in support of our engagement in Afghanistan. I speak in support of our service men and women tasked with bringing peace and stability to a nation in turmoil. I speak in support of the Australian soldiers that have been injured or have lost their lives in the service of our great nation.

The privilege I have today of expressing my views to the Senate is a privilege that is not reflected in nations around the world. The privilege that we have been gifted was built on the backs of Australians before us—Australians that fought in far-off lands for the gift of freedom and democracy. Our troops today are not in a dissimilar place. In the harsh arid lands of Afghanistan our troops are held in the highest regard by our coalition partners. Their courage, spirit and professionalism are constantly recognised. They are Australian qualities that I admire and respect. It is for those reasons I state my support for the war in Afghanistan with deep consideration.

When I woke on the morning of 12 September 2001, I could not believe what was unfolding on our television. I will never forget the images of the twin towers engulfed in fire and of occupants throwing themselves to their death to escape the inferno, the phone calls of the trapped office workers to their loved ones, and the ultimate loss of 3,000 lives. I will also never forget the night of 12 October 2002, when 202 innocent people lost their lives in the first Bali bombing—88 from Australia and several from my home community of Coogee. And I remember Afghanistan in 2001, under the draconian and extremist rule of the Taliban, a regime that executed women for minor offences, a regime that outlawed the education of girls, a regime that destroyed the cultural icons of
other faiths, a Stone Age regime that attacked knowledge itself, and a country that sanctioned the flow of drugs onto the streets of the West. Not only did the Taliban oppress and murder its own citizens, it harboured and ultimately became beholden to the extremist organisation al-Qaeda, the organisation that has at its core the slaughter of those that do not surrender to its doctrine, and that was behind the attacks in New York and, of course, connected to the attacks in Bali. It was the Taliban in Afghanistan that provided al-Qaeda with its support to establish its military and financial networks. Under the Taliban in Afghanistan, al-Qaeda trained and funded terrorists to kill. Al-Qaeda provided jihadists to conflicts across the globe. Before the September 11 attacks, al-Qaeda in Afghanistan was allowed to become a global terror network with the clear purpose of the destruction of the West.

Our battle is not against the peaceful religion of Islam practised by over one billion people. Our battle is against fundamentalism; it is against militant extremism. It is a battle we cannot afford to lose. Western democracies have fought against extremism whenever they have encountered it, and in Afghanistan it is no different. The war in Afghanistan is a battle of ideas—a battle against the extremist doctrine of a global terror network that gave a green light for the murder of Australian citizens; a battle of ideologies between a belief in the rule of law and freedom for citizens versus Stone Age sharia law.

Our mission in Afghanistan is worth fighting for. We are part of a NATO led force and our role is to help build a civil society. We are part of a mission to provide the citizens of Afghanistan the security environment they need to allow the country to move forward and to prosper. Our armed forces are currently training Afghan soldiers and helping nation-building efforts to help the Afghan people. We cannot allow Afghanistan, after all this, to become a failed state. We owe it to the people of Afghanistan not to walk away because the task is difficult and challenging but rather to stay the course. We owe it to the people of the country, to the children and the women, to support their education, to support their voice and to support their development. And, importantly, we must stay in Afghanistan to keep interrupting an evil terror network.

We are making progress. I am not going to say that everything is perfect. There are still a great many challenges, but at the same time there have been great strides. Militarily, our special operations task force is effectively disturbing Taliban activities and we are damaging the al-Qaeda network every day. There is progress in the training of the Afghan National Army. Women for the first time have a voice in the government. Education enrolments have increased. The Australian Federal Police is training Afghan police officers. And normality is returning to society. As Minister for Sport I was heartened to read that the Afghan judo team participated in the Judo World Cup for the first time, and two of the team members were female. I also recently watched the ICC Twenty20 World Cup, which Afghanistan competed in for the first time, and I read that there is enormous cricket talent in that country that is being developed.

The government and the parliament understand the challenge that is ahead of us. From a fight against fundamentalism through to the challenge of helping build a nation, it is an enormous task. Again, I do not take the decision to support this conflict lightly. I believe this conflict is critically important. It is too important to walk away from those who lost their lives on September 11. It is too important to walk away from those who have lost their lives at the hands of al-Qaeda. It is too important to the region and to our allies.
It is too important to the people of Afghanistan. And it is too important to our nation.

I conclude by echoing the sentiments of the only veteran in my party in the House of Representatives, the Hon. Dr Mike Kelly. He calls for us not to leave Afghanistan because it is too hard. He states that we should keep faith in those who serve in our name in Afghanistan and for the nation to stay the course. I wholeheartedly agree. We have to stay the course for the benefit of those who wish for a better life in Afghanistan, for the memory of those who have paid the ultimate sacrifice, for our national security and ultimately for the security of our own citizens and families.

Senator IAN MACDONALD (Queensland) (5.48 pm)—I commence my contribution to the debate on Australia’s involvement in the war in Afghanistan by acknowledging the professionalism and dedication of the members of the Australian defence forces deployed in that theatre of war. Coming as I do from the garrison city of Townsville, I do on a daily basis see and understand those magnificent men and women who put their lives at risk every day for the security of our nation and for peace in our world. All our soldiers are trained to use weapons, but they are also trained to help people who, without the work of the Australian defence forces, would find the quality of life and the freedoms they do enjoy much more illusory.

There will always be critics of Australia’s involvement in any military action. Just last Saturday morning I was privileged to be able to attend, on behalf of the Leader of the Opposition, a commemorative service to acknowledge the commencement of the Korean War some 60 years ago—a war that some people have labelled the ‘forgotten war’. Some people will still challenge Australia’s involvement in that conflict. You have to look no further than the repressive, totalitarian regime that still controls the long-suffering people of North Korea to understand what Australian troops in the early 1950s succeeded in doing for half of the people of the Korean Peninsula. Koreans south of the demilitarised zone lead a life of freedom, with rights in a working democracy that have brought prosperity and relative peace to those citizens. Without the involvement of the United Nations in those years, which included a substantial contingent of Australian forces, all Koreans today would be under the control of that harsh, repressive dictatorship which has no respect for human life or liberty.

Any person on this planet with a conscience would want to avoid any sort of war. But for those who sit in the comfort and security of life in Australia, it is easy to overlook the fact that for some people their liberty and future can only be protected if a stand is taken against aggression and political power. Appeasement never works, and World War II showed that. In September 2002 the Australian parliament supported Prime Minister Howard’s invocation of articles IV and V of the ANZUS treaty to support Australia’s involvement in the war against terror following the September 11 attacks on the World Trade Center and the Pentagon.

Our original objective in Afghanistan was to combat a clear threat from international terrorism to both international security and our own security. Whilst others in this place have cited the accomplishment of this objective as a reason to bring our troops home, we cannot afford to let Afghanistan again become an open training ground for terrorist organisations. The best way of protecting Afghanistan’s new-found freedom and preventing terrorist organisations returning is to ensure that that country enjoys a democratic, open and peaceful government and also to make sure that the Afghan National Army is
well trained, well led and well educated. We can give them the skills and guidance they need to secure freedom and stability for their nation. This is the mission, currently, of the 1,550 ADF personnel serving in Afghanistan.

Our training mission is succeeding. It is making progress. The 4th Brigade is proving to be an increasingly professional force, fighting better and becoming more capable of conducting the complex operations that are needed in that sort of conflict. Over the last couple of years the Afghan security forces, in partnership with the forces of Australia, Holland and the US, have methodically expanded their permanent presence in key population centres in Oruzgan province. This permanent presence has provided the security necessary for the provincial government to be able to start delivering roads and services to its people.

I applaud the leadership shown by John Howard, Peter Reith, Robert Hill, Kevin Rudd, John Faulkner, Tony Abbott and David Johnston in continuing to support Australia’s troops and Australia’s involvement in the conflict in Afghanistan. All of these people and many more have a clear understanding of the objectives and roles of the Australian troops. It is just such a pity that some of those who have grabbed headlines with comments on Australia’s involvement have not yet bothered to be properly briefed by those with all the information on the role, actions and strategies of the Australian troops in Afghanistan. In fact, some people have a very naive view that Australia rarely needs military forces. This sort of approach comes from those who have never, in my view, shown any great consistency in relation to policy issues involving Australia’s future.

It has always been a disappointment to me that the Greens political party, for example, never seem to worry about the rape of native forests in our near neighbours in South-East Asia and the Pacific which supply timber to Australia, whilst they oppose and denigrate logging practices in Australian forests that are some of the best managed in the world. If those practices were allowed to continue in Australia, it would mean that there would be no call for the sort of rape of forests that is occurring in our near northern neighbours. It is that sort of hypocrisy in policy thinking that is repeated in the Greens political party policy approach to the maintenance of Australia’s professional Army and its involvement in conflicts that threaten the peace and security of the world.

Australia’s troops in Afghanistan will return home, as they have done from every other conflict, but they will come back when the job is finished. To bring them back before the job is finished would mean that the sacrifice of 21 Australians would have been in vain. As the wife of one of Australia’s brave soldiers who fell in Afghanistan said:

To pull the troops out now when the job isn’t done, then, really, all those guys did die in vain.

Clearly, our role in Afghanistan has changed since 2001. Australia’s SAS forces were responsible for removing much of the al-Qaeda threat and the Taliban. Their efforts have meant peace and freedom for Afghani civilians, particularly women, that would not have been possible under that repressive regime. The goal is now to rebuild and to make Afghanistan a place where women and children are protected and can progress, with secure, positive and worthwhile futures.

It is interesting to note that in Oruzgan province Australia has helped with 78 school reconstruction projects, over 100 kilometres of roadworks and the disbursement of more than 950 microfinance loans. We have helped to refurbish hospitals. We have assisted in the rehabilitation and operation of 11 health centres and 167 health posts. Indeed, in Afghanistan generally economic growth has
Poppy cultivation has decreased and 20 of the 34 provinces in Afghanistan are now poppy free. Basic health services are now available to some 85 per cent of the population, compared with only 10 per cent under the Taliban regime. Since 2002, primary school enrolments have reached six million. That is up from about one million when the Taliban were in charge. Of those six million enrolments, approximately two million are girls, who were, as has been pointed out in this debate so far, excluded under the Taliban regime. These successes are perhaps small, but they are successes and they would never have occurred without Australia’s involvement and the involvement of other willing nations in the fight against terror in Afghanistan.

I conclude where I started. Those young men and women who join Australia’s armed forces do so because they believe there is a role to play in protecting our country. They are trained to fight and they are trained to become what are universally recognised as some of the best soldiers in the world. They are there to do a job and, when called upon, they do it professionally and bravely and in fulfilment of the hours, days, weeks, months and years of training that have been part of their lives since they entered military service. They are always willing to put their training and skills into action and to ensure that, by their work, the world is a safer and better place.

I salute all of those brave Australians who have at any time served in the defence of our country. As a nation we are honoured by the sacrifice of those who have given their lives in the service of their country, and I do recognise the sadness and heartache for the partners, children, parents and other loved ones of those who have made the ultimate sacrifice. Yes, our troops will come home, but they will do it when the job is done and not before.

Senator BOSWELL (Queensland) (6.00 pm)—I rise to also take note of the ministerial statement we are debating today and to support our troops in Afghanistan. When Australians ask, ‘Why should we be in Afghanistan?’ three answers come to mind. The first reason is that the first objective of Australia’s national security is freedom from attack or the threat of attack—that is, the capacity to protect our citizens and interests at home and abroad. Australia has lost 111 citizens to terrorist attacks abroad. All of these attacks are linked back in some way to the freedom of action that terrorist forces have enjoyed in Afghanistan. We have to remove the safe havens for extremist Islamic terrorists and other groups that are capable of extending their influence into the Australian region and thereby further impacting on our national interests. We also must remember the horrific attacks of September 11 which killed over 3,000 people.

One of the principles of Australia’s national security strategy is to support the UN to promote a rules-based international order. In Afghanistan, Australian forces are under ISAF command, under a UN mandate along with about 40 other countries that are involved. If our alliance with the United States remains a key strategic partnership and the central pillar of Australia’s national security policy, then we have a responsibility to join with the US and its partners under the auspices and sanctions of the UN to continue to achieve the mission in Afghanistan. The maintenance of a strong ANZUS alliance is critical to Australia’s regional security. Australia’s involvement in Afghanistan serves at least in part to reaffirm the strength of the ANZUS alliance and indeed the value of the ANZUS treaty. That is the second reason we should be in Afghanistan. The third reason we should be there is for the welfare of Af-
ghani citizens, who are repressed under extreme Islamic laws.

Firstly, there is the question of whether the troops should pull out altogether. That is an idea advocated by the Greens, who support all sorts of rights—women’s rights, human rights, gay rights. I say, emphatically, no. That would be a sell-out of everything our troops had fought for. Secondly, there is the question of how Australia actively encourages potential Afghan refugees to stay in Afghanistan so that the nation can rebuild itself properly.

It is important to point out that Afghanistan was not always a war-torn nation. Before 1974, it had a university and a form of governance in the monarchy. From 1932 to 1972, Afghanistan enjoyed a certain level of peace and prosperity. Maybe it was not what we would expect, but there was a government. The country was ruled by King Mohammad Nadir Shah, who brought some quite modern, progressive changes to the country—for example, he made the wearing of the veil non-compulsory for women. He was actually a supporter of women’s rights and tried to steer away from the more religious fundamentalist forms of government. He also tried to devise a democratic constitution of sorts. But, after his death, Afghanistan was thrown into conflict by clashing factions from the Marxist side and from the Islamist side. In 1979, the Soviets invaded in an effort to help the Marxist uprising. The war continued for 10 years and it was only after America went in to assist that the Russians pulled out.

In 1990 an interim government was set up in the hope that they could forge ahead with democracy. However, the Taliban as we know it today was already becoming quite a strong political movement, and its growing strength led to the overthrow of the government in 1992. With the subsequent invasions of the country and the formation of the Taliban, Afghanistan turned into a haven for terrorism and extremism, and a training ground with al-Qaeda terrorist camps. But now, with the overthrow of the Taliban and with our forces in Afghanistan, there is no reason why Afghanistan cannot become manageable again, as it was between 1932 and 1974.

Over the past decade, close to 100 Australians have been killed by terrorist attacks that were planned and executed from terrorist safe havens in the mountains of Afghanistan. Australia’s involvement in Afghanistan was then and is now directly linked to our national security and the safety of our citizens, and this is one of the most compelling reasons for us to stay in Afghanistan.

While Afghanistan remains an unstable and volatile hot spot in the world, it cannot be denied that the allied initiatives have brought a level of hope to the people of Afghanistan, and that has not been seen for a long time. School enrolments have increased from one million in 2001 to over six million today, including two million girls, through the national education program. They have expanded the provision of basic health services from less than 10 per cent of the population under the Taliban to around 85 per cent today through national health programs. Over 22,000 communities have identified and managed their own development projects through the Afghanistan-led national solidarity program.

Yet, despite these advancements, there still remains strong opposition to the good work that our brave service men and women in the armed forces are doing. Bob Brown and the Greens would have the Australian public believe they represent the majority of Australians in calling for our troops to come home, but once again the Greens are not telling the truth. That is a very minority point of view. The Greens say that they represent the
weakest groups in society such as women, children, gays and all these sorts of people. If we withdraw our troops and subject minorities in Afghanistan to the iron fist of the Taliban, chaos will rule again. Going back 10 or 15 years I can recall an occasion that horrified me when I read about women having been paraded before the crowd in a football ground and hung from the goalposts because they violated some sharia law. It has always stood out in my mind and I have never been able to forget it. Is that what the Greens want? Is that their form of human rights? Do they not realise this has happened and will happen again if we are not in there? People will be wrongly imprisoned for years for the slightest infringement. The vote would be a thing of the past along with education for girls. All these things would go the moment that we left.

The demands of the Greens threaten to derail and sabotage all the good work that has gone into trying to make Afghanistan a stable country again. Enormous sacrifices have been made: 21 of our troops have paid the supreme sacrifice and 100 more have been wounded. That is something that we should recognise in this parliament as a contribution that we have made to stabilise Afghanistan. To just walk out of Afghanistan and return it to the way it was would be, in my opinion, terrible. It would say to the people, the loved ones, the partners and the wives of these soldiers who have made the supreme sacrifice for us, ‘You have given your life for nothing.’

Due to the hard work and cooperation of the allied forces, the people of Afghanistan have had some form of stability brought to their country. It is nothing we would recognise and nothing that we would be happy with, but it is a start and it is moving forward. We have to bring stability to Afghanistan. By bringing stability we do face other problems. How does a nation like Afghanistan that has lost 3.3 million citizens that are now scattered around the rest of the world reconstruct its government when these people, probably from the middle classes, have left? These are the things that we have to recognise. In Afghanistan the average life expectancy is 40 years. Less than 10 per cent of males in Oruzgan province are literate and zero per cent of women in the same area can read. We are in a fight over there and one I do not believe we can walk away from. The country cannot recover if we walk out and let the atrocities that were happening before we arrived to continue.

In closing, I want to recognise the bravery and the high performance with which our soldiers have represented us. They are recognised as the best in Afghanistan. I do not believe that we can walk out now. Afghanistan was once a stable nation, and it can return to that state again if we stay the course. Our country owes a debt of gratitude to our armed forces who fight for us in Afghanistan and other overseas countries. They should know that we are behind them 100 per cent. To cut and run now would not be in Australia’s best interests and would indicate that what our troops have fought for—that is, the stabilisation of Afghanistan—is not appreciated by the parliament or by the Australian citizens. Therefore, I support the Prime Minister’s statement. I believe it is a true reflection of what the Australian people want of our armed forces. They are doing us proud and we should acknowledge their efforts and encourage them to stay there until the job is done.

Senator HANSON-YOUNG (South Australia) (6.15 pm)—I rise to take note of the Prime Minister’s statement on Afghanistan. I have been looking forward to participating in this debate for quite some time. Of course, the Greens have argued for many years that we needed to hold a discussion and a debate in both chambers of this parliament—that
parliamentarians needed to be directly engaged with the conversation and discussion about whether we should continue our presence in Afghanistan. I would like to support the Greens leader, Senator Brown, in his contribution to this debate and to reinforce the Greens’ position that we really should not have gone to war without this chamber and the other chamber—our parliamentarians, the elected members of our Australian communities in our Australian parliament—discussing and debating the deployment of our troops.

Before I go on to the reasons why I believe it is time to withdraw our troops from Afghanistan and look at the reasons why we need to be doing more in relation to civilian aid, I would firmly like to stipulate that this debate is not about the job that our troops are doing. This is a debate about whether our brave Australian men and women need to be there at all, through the military forces. My respect and value for our defence forces is absolute. I have many friends and family who have fought in both Iraq and Afghanistan. Thankfully, none of them have been seriously injured. I have one friend, in particular, who is waiting for the green light to go. Of course, his family are dreading the day he departs, and many Australian families right around the country would concur with the feelings of my friend’s family—his girlfriend, his mother, his father and his sister. This is not a question about the ability of our brave men and women. It is not a question about their courage or their commitment.

This is about Australia’s ongoing role in Afghanistan in a war that, until now, our nation’s parliament has not been able to debate. This is our 10th year of conflict, and everything we are seeing today facing the Afghan population points to the question: what is it that we have actually achieved? Have we ensured that women are able to live without fear and that children are safe and able to attend schools? Have we improved what is the highest maternal mortality rate in the world? No, we have done none of these things.

Let us look at the hard realities of a country ravished by conflict. Every 30 minutes an Afghan woman dies during childbirth; 87 per cent of Afghan women are illiterate; just 30 per cent of girls in Afghanistan have access to education; one in three Afghan women experience violence, physical or sexual; 44 years is the average life expectancy rate for women in Afghanistan; and 70 to 80 per cent of women in Afghanistan are forced into marriage. With the statistics that I have just mentioned, it is clear that one of the key reasons the investment in Afghanistan has not improved the lives of Afghans is that we have not been focused on dealing with the issues at the local level. We have to remember that this is a war that even the experts tell us is an unwinnable conflict—that, rather, we should be looking at how we can work better to empower the population of Afghanistan to overcome the embedded disadvantage and discrimination. And that, the experts tell us—the NGOs, the human rights organisations and former military personnel—cannot be achieved through a continued military presence.

Everything that we have seen for the last 10 years has shown that you cannot deliver effective, empowering community development through civil aid that is delivered through a military presence. All of the statistics that I have pointed to have not been dealt with because of our military presence—in fact, they have worsened in many places because of the conflict. It should be noted that an estimated 42 per cent of the Afghan population live below the poverty line, and there has been an increase of 31 per cent in civilian deaths just in the first six months of this year alone in comparison to the numbers this time last year. We are not winning. We are not achieving the outcomes that many people
would like us to believe. These statistics are reflected by our own realities of the injuries and death toll of our own defence forces and, unfortunately, we have seen them increase alongside the increase of civilian deaths.

So what are the reasons? Let us just pinpoint them. What are the reasons and the arguments behind Australia’s continued engagement in Afghanistan? The most common argument is that it is of counterterrorism. Second to that is the reason of stabilising Afghanistan, which is generally linked more to humanitarian efforts. The final reason is simply that of our continued alliance with the US.

It is clear that the arguments for why we are there now are very different to the reasons we were told we needed to go 10 years ago. When you consider that this is Australia’s longest war and that the Prime Minister has asserted that we could be in Afghanistan for another decade, we must look at the grim reality of our commitment. Twenty-one Australian soldiers have lost their lives, 10 of them since June. There have been over 2,100 international military fatalities—but that, of course, excludes the private security contractors, which we know would increase that number significantly. The total civilian casualties between 2007 and 2010 alone are estimated to be in excess of 7,000. I guess we need to reflect on the information that was released through the WikiLeaks website only recently in relation to the unknown civilian deaths that were accounted for in the Iraq War. While we are looking at the awful number of 7,000, we must remember that that is most likely a very, very conservative figure.

When you consider that each year combatant and civilian casualties are on the rise, I think it is time for us to step back and wonder. When we have statistics that only 30 per cent of Afghan girls can access education, when the maternal mortality rate in Afghanistan is the highest in the world and when 80 per cent of Afghan women are forced into marriages, what are we really achieving? Are things going so well?

We must remember that we are on a combative mission; we are not there as peacekeepers. If after 10 years our mission has indeed changed and is now to assist Afghanistan with its urgent developmental needs and to engage its communities to overcome this disadvantage and to overcome the discrimination, particularly against women and girls, then our engagement must reflect this reality. It is clear that we must boost our civil aid and diplomacy efforts to address the serious developmental issues that Afghanistan currently faces, but this should not in any way be seen as being able to be delivered or having to be delivered through our military engagement. In fact, all the statistics and all of the expert evidence show that, when you try to deliver civil aid through military force, in fact what you do is disempower communities. The schools that are built through that military operation end up becoming, as they have in Afghanistan, targets for terrorism. So why would people send their kids to that school? Why would you let your daughter go to that school when that school is a target of terrorism because it has been put there as part of the military operations? These are the realities of the things that we are doing but are not doing so well because they are cloaked in the military presence.

The Australian Council for International Development has recently calculated that Australia’s military spending on Afghanistan outstrips our aid expenditure by a factor of 10. So, if we want to get real about helping the Afghan people and dealing with disadvantage and discrimination, we need to start putting some rebalance into the types of efforts that we have in Afghanistan: boosting civil aid and ensuring that we can engage with the local communities and give them
some ownership of the projects that we are funding. If we are serious about investing in Afghanistan to improve the lives of Afghan people then we need to ensure that aid is directed to the community, not to the military—whose deployment, we must remember, is largely a combative one.

The Executive Director of Oxfam Australia, Andrew Hewitt, recently argued that many of the developmental projects underway in Afghanistan have been implemented with military money or through military-dominated structures that often do not have sufficient community involvement to make them sustainable. They are considered quick wins—quick projects with quick impact. They are not being supported as sustainable institutions and sustainable infrastructure, either social or community. This, of course, is no criticism of the Australian Defence Force—it is not their role; it is not what they have been sent there to do—but it is a simple acknowledgement that the military are not designed to do this community-level work. The quick-impact nature of many of the projects that have been embarked on means that they are not designed to achieve lasting change.

This war, we have been told, is not winnable. We have already heard that from several voices on various sides of the chamber in the last week. We have heard that from the military experts. We have heard that from former military personnel. We hear that from the various different organisations engaged on the ground in Afghanistan. The mission that we embarked on is not winnable. If we are serious about helping the Afghan people to overcome disadvantage and discrimination and ensuring that we can deliver lasting change, we need to change our strategy.

In 2009, a study by the Afghan Ministry of Education and the World Bank found that schools supported and constructed by military forces were perceived by local Afghans to be at much higher risk of being attacked than the civilian-constructed schools. When we look at those statistics—only 30 per cent of Afghan girls going to school—we need to think about why that is. Yes, the infrastructure in many of those communities is not there. Yes, the teachers have not got the training. Yes, we need to invest in those communities and those education systems. Yes, we need a boost in civil aid to do that. Yes, we need to engage with the local non-profit and non-government organisations to do that. Yes, we need to engage with the experts. But we need to learn that delivering these quick-fix, quick-impact measures through the military deployment is not achieving success. We may have schools built, but there are no kids there, and the kids that are there are often targeted because of the impact. You cannot deliver long-lasting community social change through a combat military presence. History has taught us that, and what has been going on in the last 10 years in Afghanistan is teaching us that. We need to heed those warning signs. We need to be focusing on long-term solutions, not quick fixes or bandaid solutions. We need measures that address Australia’s role in helping the Afghan people directly.

As I said at the outset, this debate is not about doubting the amazing, brave, good job that our troops are doing in Afghanistan. My heart goes out to them and to their families, who are here waiting for them to come home. This is not about questioning their courage, their bravery or their commitment. This is about saying that, as the arm of parliament that keeps the government responsible, we need to seriously consider the impact that we are having on the Afghani people and the risk at which we put the lives of our young Australian men and women and think about how we can safely bring our troops home. There is no question that this is inevi-
table—it is inevitable—but how much longer do we have to wait? How much longer are we going to expect them to be in harm’s way before we bite the bullet and accept the inevitable truth that this war—this mission that we have been set—is unwinnable? If we really want to help the Afghani people, we need to engage them. We need to ensure that they feel safe sending their kids to the schools that are built.

We need to bring our troops home. I think it is wonderful that we have this opportunity to have this discussion in our chamber, but I am sad that it has taken nearly 10 years to have the discussion. I think it is a good thing that the government, the opposition and the crossbench have been able to participate in this discussion, but I do not want us to fail to accept the realities that we face and instead simply continue down this blind path. Our troops must be brought home and we must engage the Afghani people in helping them overcome the discrimination and disadvantages that we have not helped them with to date. In fact, in some places we have made the situation worse, and I am very sorry.

Senator BIRMINGHAM (South Australia) (6.32 pm)—I also rise to contribute to this very important discussion on Afghanistan. This is a very sombre and serious debate because it goes to perhaps the most important of all topics that we in this parliament could ever discuss—people’s lives. First and foremost, the decisions made within this parliament and by our executive go very directly to both the lives of our service personnel—our men and women in uniform who we deploy overseas, do their all in the name of Australia and put their lives on the line as a result of those decisions—and the lives of their families and friends. This discussion also goes to the lives of the people of Afghanistan. Whenever we deploy our service personnel overseas, it is not just their lives and the lives of their loved ones that are affected but also the lives of the people within the country to which we deploy those service personnel. Lastly, this debate also touches on the lives of people the world over who are at risk of terrorist activities. That encompasses so many people in so many countries which have a cultural outlook and a level of freedom and development much like our own.

Decisions that impact on lives and threaten lives cannot and should never be taken lightly, and that is why I join with others in welcoming the discussion of these matters in this place. It is helpful at this juncture after many years of conflict in Afghanistan—longer than other military operations that Australia has been involved in—for us to ensure that the commitment of this parliament is resolute behind the mission, that there is a strong bipartisan unity behind the mission our troops are undertaking and that we send a clear signal to the people of Afghanistan, to our allies and to others that we are there to see the job through.

In addition to its being a serious debate because of the impact of the conflict on the lives of so many people, this is equally a serious debate because of its impact on our international relations and the development of the world as a whole and Afghanistan in particular, which is the country that we are talking about. This discussion is about not just the impact of the war on our relations with Afghanistan but also the development of and changes in Afghanistan, topics which I will return to shortly. As with Afghanistan, we need to ensure that Pakistan, which has seen increasing terrorist activity over the years of our engagement in Afghanistan and which is a nuclear state, does not become the type of safe haven for terrorists that we have been working against in Afghanistan. There is also the question of our relations with our coalition partners—our traditional allies and friends as fellow nations of the free world.
with whom we have built lasting relationships. We rely upon them and expect them to be there to work with and defend us in times of need, and they rightly and reasonably expect that we will be there to work with and help defend them in their hour of need.

Australia has played a serious role in the conflict in Afghanistan from day one. We are currently the 11th largest force in the country. That is perhaps misunderstood. Many people believe, perhaps as a result of the composition of the coalition of the willing that engaged in the Iraq conflict, that Australia is a standout contributor in Afghanistan. It is true that we are a standout contributor, but it is also true that we are one of many standout contributors. We are the largest non-NATO force in Afghanistan. However, we need to note that there are not merely one or two but 10 other countries with a larger troop presence in Afghanistan than ours, and there are many other countries with a smaller presence. This is a truly multinational force working, we hope, towards a very positive end to this conflict.

Currently we have 1,550 personnel or thereabouts serving in Afghanistan, playing a leading role in security in the Oruzgan province in particular—long a Taliban heartland. It is an area that is at the centre of reforming Afghanistan, the centre of where we need to succeed if we are to have a positive impact in the long run. Our involvement has not been an easy one, not an easy one at all. Our role there, our remit, the partner countries we have worked with and the provinces we have worked within have at times changed over the course of our involvement since 2001. The level of our deployment has fluctuated, so we have seen variations to the extent of our commitment and involvement. But it is true to say that throughout that time the overwhelming spirit of the commitment by Australia to Afghanistan has been a strong one.

It has also not been easy because we have had casualties. More than 150 of our personnel have suffered injuries, some of them quite serious. And, as has been mentioned by probably all members and senators in this debate, 21 of our servicemen have paid the ultimate sacrifice in the name of Australia as part of our army. They follow in the path of many before them who have paid that sacrifice in other conflicts defending Australia’s way of life and our hopes for the future.

It is not just those immediately obvious casualties that we need to reflect upon. There will also be challenges in casualties for years to come with regard to mental health that Australia needs to be conscious of. It will not just be the commitment of this government or the next government to the Afghanistan conflict that will be important; it will be the commitment of many more governments to come to care for and ensure the protection and rights of the personnel who have served there and served our country with such honour and distinction.

Overall, I believe Australians do have much to be proud of for our involvement there. I will return to some of the achievements on the ground in Afghanistan, but I think most importantly we in this place need to reflect on the outstanding service of those men and women whom we have sent to Afghanistan over this time. Australians in uniform have gone there and there are many others who have worked alongside them from other countries, as well as non-uniform personnel and those from non-government organisations. They have all been working towards a better Afghanistan, a safer Afghanistan and a safer world as a result.

Importantly, at the heart of this debate are questions. Why are we there? Should we still be there? Should we stay there? When will the job be done? These are not easy questions, and I am not someone who approaches
them, particularly the question of when the job will be done, like I somehow have the wisdom of Solomon. There will always be elements of judgement in this, and it is judgement best exercised by our military commanders, by the leadership of Afghanistan, by our own political leadership here in Australia and by our allies through NATO and throughout the rest of the world.

But why we are there is in many ways easy to answer. You can put it down to a one-word answer, if you want, and that one word is ‘terrorism’. It is an evil scourge of extremist, fundamentalist-driven terrorism. I think back to September 11, 2001. I know that people of my parents’ generation would say that one of the defining moments of their lives where time stood still and they forever remembered where they were was when they heard of the assassination of President Kennedy. For my generation one of those defining moments will forever be where we were when we heard of the attacks on the World Trade Centre and the attacks of September 11, 2001. I was living in this fair city, not far from this building, at that time and I remember the night vividly. I remember the very little sleep that I got that night as the true horror of what was occurring unfolded. We should remember that night and the other terrorist instances when we come to this debate. We must remember that night and the other terrorist instances when we come to this debate. We must remember why it is that we went there in the first place and what it is that we are trying to prevent from happening again. Those terrorist attacks, and others, brought a new form of warfare to the world, a brutal warfare. It was brutal in particular because it was so random in its attacks and who it struck and where it struck. It could be anyone anywhere. In particular, they were attacks aimed at striking at our way of life. That is the summary. The interest of the terrorists is to attack our way of life in countries like Australia and those of our allies around the world.

People found that they could be threatened anywhere at any time, whether it was sitting at a desk in their offices in New York, enjoying a nightclub visit in Bali, travelling on the London Underground, turning up to work at the Australian Embassy in Jakarta or simply berthing a ship in Sudan. Australians and those people from our allied nations found real threats to life day after day after day that were totally random as a result of these terrorist organisations, and the terrorism grew out of a fundamentalism that was encouraged and fostered in Afghanistan.

It grew out of that fundamentalism of al-Qaeda. It was a direct result of the support of the Taliban, in Afghanistan, that allowed terrorists to flourish and to undertake some of these atrocities. Not only did the Taliban promote violence to the rest of the world but we should also never forget that in their own country, Afghanistan, they were a repressive regime with a terrible record against their own people. This was a regime of violence and oppression. It was a regime that I do not think anybody in this place would stand up for—neither the fundamentalist views they sought to impose nor the way they went about trying to impose them.

It is for the sake of our own security and for the security of the world—and hopefully for the security of and a better life for the Afghan people—that we came to be in Afghanistan; that we came to be part of this conflict. Our goal must be to ensure that Afghanistan does not return to being such a safe haven for terrorists in the future.

When will our time there be done? I do not know. Others in this debate have speculated. Some have called for it to be immediate. To me, it is quite clear that Afghanistan is not ready for our immediate withdrawal. To me, it is quite clear that fixing a specific time frame right now is unlikely to help—because the only message that sends to the
terrorists is that if you wait then you will win.

We need to ensure that we leave Afghanistan in a condition where it is best placed to fend for itself. It may not be left as the type of country that we would aspire to live in, or that we would aspire for Australia, but at least it may be left as a country with a relative level of security, with a relatively stable government, with a capacity to function and to have functioning internal systems and, of course, with a strong internal security force that is committed to the stability of the country and to ensuring law abidance within that country. I would hope that we are leaving Afghanistan as a place that is no longer a haven for terrorists, where it can no longer feed the type of terrorist activity that spawned those attacks of 11 September or the various other terrorist attacks.

That is why Australia’s military operations are so committed to delivering the type of training and support in Afghanistan that will leave individuals and communities better equipped to look after themselves into the future—the type of country about which I just spoke. That is why we have ploughed resources in targeted province-by-province localities, as an international force—ensuring that each province is ideally slowly but surely transitioned to one of self-sufficiency. In doing so, we can transition the entire country. It will never be perfect. I suspect that we will have many doubts about the type of government and some of the decisions of government in Afghanistan for many years to come. But we are looking to leave a country that is no longer a threat to the world and, ideally, no longer a threat to itself.

My leader in the other place, Mr Abbott, spoke about what type of progress had to be achieved in this debate, and his words were that progress has to be made family by family, village by village and district by district. Those words are right. They are right not just in a military sense but also in a sense of building a civic society and in the sense of providing the types of humanitarian advancements that we aspire to see throughout developing countries.

Senator Hanson-Young, in contributing to this debate, highlighted a number of human rights issues. She highlighted a number of concerns about aid. Let me say that I agree with those concerns, but I expect them to be exercised in a markedly different way. I expect them to actually be supported by our military. I want to see our military supporting humanitarian outcomes. I want to see greater aid funding. I want to see that aid funding working to an outcome to support the entire Afghan population.

Debate interrupted.

**DOCUMENTS**

The **ACTING DEPUTY PRESIDENT** (Senator Forshaw)—Order! It being 6.50 pm, the Senate will proceed to the consideration of government documents.

**Medibank Private Limited**

**Senator Barnett** (Tasmania) (6.50 pm)—I move:

That the Senate take note of the document.

I note the very good success of Medibank Private during this period, and I want to pay a compliment to and congratulate the management—to George Savvides and his team; to those who are involved in making that success possible. Based on my understanding of the report, and perusing the details, it appears that Medibank Private has announced a net profit of $380 million for that financial year—four times the previous year’s profit. That is a good result. Member benefit payments totalled $3.75 billion. Membership covered 3.479 million Australians. Eighty-six per cent of members used their insurance cover to claim for ancillary benefits: dental,
optical, physiotherapy et cetera. There are ancillary claims totalling $752 million. You can see the benefits of private health insurance in this report, quite clearly. The market share reported was some 28.7 per cent of the total market and the last premium increase, announced in February 2010, saw premiums increase 5.74 per cent, which was just below the average for the industry at 5.8 per cent.

Speaking to the report gives me another opportunity to highlight my view and the view of the coalition that this should be sold. I expressed these views many years ago—in fact, on 4 August 2005, in an opinion piece in the Mercury newspaper and also in the Australian Financial Review on 3 August 2005, indicating that it made no sense for the Australian government to own Australia’s largest private health fund. Of course, that was coalition policy prior to the last election for very good reason. Joe Hockey has espoused those reasons and released the economic action plan for the coalition at the time. The No. 1 economic priority was to get Labor’s debt down and under control as quickly as possible. And the proceeds from the sale of Medibank Private would be quarantined for paying off Labor’s debt. It made a lot of sense then, it made a lot of sense in 2005 and it still makes a lot of sense now.

I note that, according to the annual report, it has paid an interim dividend of $32 million for the three-month period ending December 2009, and in addition the annual report advised that a final dividend payment of $48.3 million was recommended by the directors to be paid. Well, frankly, in terms of the taxpayer, that is still not good enough. Taxpayers deserve better and it is in the interests of the public and the taxpayer that it be sold. It is obviously performing very well under the good stewardship and management of Mr George Savvides and his team. As I said, they should be congratulated for what they have done.

This is clearly a policy decision. It is not a matter for the management of Medibank Private, but I do want to congratulate them and thank them for their initiatives in promoting healthy lifestyles. They have a range of initiatives to help the community address the obesity epidemic, tobacco and alcohol concerns and to promote prevention measures. That is fantastic. Congratulations! Well done. Obviously, over time—the short-, medium- and long-term—it is to the benefit of not only Medibank Private but also Australia that those initiatives are undertaken and implemented. I congratulate Mr Savvides and his team for that and look forward to working with them in pursuing and supporting those particular initiatives.

I made that call about privatisation in 2005. I make it again. It is a meritorious one that should be seriously considered to get our debt under control, and it is in the interests of the Australian taxpayer. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Office of the Renewable Energy Regulator
Senator BARNETT (Tasmania) (6.55 pm)—I move:

That the Senate take note of the document.

This is a very important report. It highlights the merit of renewable energy in Australia. I particularly want to note the merit and the importance of the Musselroe Bay wind farm in north-east Tasmania. There has been considerable discussion about this particular project over many years now, but also in recent days. The fact is that we need this development to proceed now more than ever before. There has been news, which is in the public domain, of the Gunns sawmill closure, with some 100-plus jobs being impacted. That closure in the months ahead will greatly hurt north-east Tasmania, specifically Scottsdale.
The Musselroe Bay wind farm will be a $400-plus million wind farm development that is vital for the north-east to compensate for the impending loss. The governments at both state and federal level should not have a nonchalant attitude, which it appears they have at the moment. They should take this very seriously. They should grasp this opportunity with both hands.

I support any action that will progress this project sooner rather than later. We cannot take anything for granted under both these governments. The news reports in recent days that this project would proceed vindicates my public comments in September advising that the project would go ahead, despite criticism at the time that I was jumping the gun. I was absolutely spot on at the time, and my comments were based on credible reports and advice that I had received from both Roaring 40s and Hydro Tasmania. I am pleased that that is now on the public record.

This project is going ahead because the Liberals, particularly in this place, and the coalition have kept up pressure on Labor, who have bungled the renewable energy certificate market—and that is unfortunate. Earlier this year, I moved a motion in the Senate calling for early action to support the Musselroe Bay wind farm. That motion was put to the Senate on 15 March and it was passed on the voices but it was opposed by Labor senators, including Tasmanian Labor senators, which was a great disappointment. Shame on them!

Pressure subsequently intensified on the federal government, who were forced to fast-track their legislation to stabilise the renewable energy target market, which supports projects such as Musselroe Bay. The wind farm, as I said, will cost over $400 million. There will be 56 turbines delivering 168 megawatts of power. The company has already spent more than $20 million. Congratulations to Roaring 40s for what it has done to date. It has the full support of the Dorset Council and the local community. In that regard I am pleased to advise that Sophie Mirabella, the shadow minister for industry, science and research, and I will be there on 5 November, meeting with the council and taking up the concerns of the local community to see what we can do to assist the local community to save jobs, to progress the development and to do anything else that is relevant in the interests of the local community.

It is expected that the project will bring as many as 180-odd jobs to the north-east during the construction phase, and approximately 50 ongoing jobs. So this is an important project, and I also want to commend Peter Gutwein, the shadow minister for industry in Tasmania, for his work in promoting this project and in supporting the north-east. He has been diligent and on 25 October, just a few days ago, he called for that wind farm to be fast-tracked. He called on the state Labor government to act more diligently to get that project underway. He indicated that the Labor-Green government had been lolling around, ignoring all the economic signs and that they should be helping Roaring 40s get on with this project.

Well, Peter Gutwein, you are spot on. Well done, and congratulations to you. We will do whatever it takes to get growth, jobs and development in the north-east to not only compensate for the Gunns sawmill closure but also overcome the difficulties they are having as a result of other closures they have suffered over the past months and years. I commend this report to the Senate and I seek leave to continue my remarks later.

Leave granted; debate adjourned.
Military Superannuation and Benefits Board of Trustees

Defence Force Retirement and Death Benefits Authority

Senator RONALDSON (Victoria) (7.01 pm)—I move:

That the Senate take note of the documents.

I welcome this opportunity to take note of these documents, namely the Military Superannuation and Benefits Board of Trustees annual report 2009-10 and the Defence Force Retirement and Death Benefits Authority annual report 2009-10. I particularly note on page 48 of the DFRDB Authority report that the average annual pension paid for the 2009-10 year is reported as $39,259. I have been informed that this is an error; the correct figure should be $23,549, an average increase of just under $1,500 since 2008-09.

At the last election there was only one party in this place committed to economically responsible reform of military superannuation, and that was the coalition. On 27 June this year, the coalition announced an important first step in military superannuation reform. The coalition announced that, if elected to government, from 1 July 2011 DFRDB superannuants aged 55 and over would have their DFRDB pensions indexed at the rate of CPI, MTAWE or PBLCI, whichever was the higher. Our commitment, worth $98 million, was fully funded and costed over the forward estimates. The coalition’s clear statement on military superannuation reform was widely welcomed in the veteran and ex-service community and was a central plank in our veterans’ affairs policy announced during the election campaign.

During the election campaign, the Labor Party did their level best to discredit the coalition’s mathematics. But, quite unsurprisingly, they completely failed. Labor, and particularly the former minister for veterans’ affairs, tried to besmirch the coalition’s commitment because the Labor Party refused to make one of their own. The Treasurer and the former minister claimed that the coalition had an $8 billion hole in our commitments. They used inaccurate actuarial modelling in an attempt to prove their claim. I say to the veteran and ex-service community that the coalition’s commitment to military superannuation reform is clear and is rock-solid. Our commitment was absolutely affordable, paid for through identified savings measures. We are committed to reform of the DFRDB superannuation scheme; Labor is not.

We acknowledge that the unique nature of military service requires the parliament to legislate quite separately for the needs of military personnel past and present. It is for these reasons that, earlier this year, we opposed the merging of civilian and military superannuation management under one authority. Losing the independence of military superannuation boards would only make it harder to ensure our retired defence personnel received fair and just indexation of their pensions.

The coalition remain committed to military superannuation reform. We call on the Gillard Labor government and the new minister in the other place to bring about some real action on reform. Our veterans and their families deserve nothing less than fairness in their retirement.

Just before closing, I also note the statement by the Director of the Australian War Memorial in Senate estimates last week that the memorial’s council considered, but ultimately did not action, the closing of the memorial one day a week as a result of Labor’s reckless spending and funding cuts. I further note that the memorial’s annual Christmas carol event has been cancelled this year, as, similarly, much other work at the memorial has been scaled back or cancelled as a result of this government’s reckless spending. Re-
grettably, in this I also include the World War I gallery, which was to be refurbished.

The revelation that the memorial even had to consider closing for a day a week is simply remarkable and shows a lack of respect by this Gillard Labor government for veterans, ex-service people and the families of those who made the ultimate sacrifice. I find it impossible to understand how, after wasting billions on the BER and pink batts, the Gillard Labor government are making the Australian War Memorial—the memorial to those who have made the ultimate sacrifice—pay the price for their reckless spending. I call on the minister and indeed the local Labor representatives from the Australian Capital Territory to lobby for increased funding for the memorial to ensure it remains Australia’s pre-eminent place of commemoration and reflection of the horrors of war. The Australian community can and should expect no less. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Consideration

The following government documents tabled earlier today were considered:

Final budget outcome 2009-10—Report by the Treasurer (Mr Swan) and the Minister for Finance and Deregulation (Senator Wong). Motion to take note of document moved by Senator Ryan. Debate adjourned till Thursday at general business, Senator Ryan in continuation.


ADJOURNMENT

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

That the Senate do now adjourn.

Schools

Senator BILYK (Tasmania) (7.07 pm)—I doubt anyone in this chamber would disagree with me if I said that the role of Australian schools in preparing children for their lives as adults goes beyond simply teaching skills and imparting knowledge. Sure, we want our high school graduates to be able to secure a job and to learn life skills, but we also want them to have a sense of philanthropy and to want to make a difference in the lives of those less fortunate than themselves. As well as learning facts and skills, school is also a place for learning values.

Great values are learnt by helping students to develop an awareness of how their actions positively impact on the environment and society at a local, national and global level. What better way to develop this awareness than to produce an educational toolkit for public schools, non-profit organisations and government funded community agencies that enables young people to become active citizens and lead social change.

The Foundation for Young Australians, an organisation which aims to empower young Australians to be ‘successful learners and creative, active and valued citizens’ has done just that with a program called ruMAD? ru-MAD? stands for ‘are you making a difference?’ I guess it appeals to young people to abbreviate phrases like this, especially when you consider the way text-speak is pervading our culture. There are four different programs or levels of ‘MADness’ that a school or organisation can implement with the pro-
gram. They could organise a MAD day, where the students take on a one-day activity that gets everyone thinking about making a difference. They could organise a MAD project, a longer term commitment that involves detailed research, planning and involvement. They could establish a MAD foundation to raise funds for a cause and donate those funds to a local community organisation. Students could become ruMAD? youth ambassadors. Students celebrate their achievements through ruMAD? at an annual Youth Action Conference and learn about being an ambassador for community action.

Conferences have been held in the north and south of Tasmania over the past two years and hundreds of students have attended. A fifth level of MADness—ruMAD? social enterprise—is soon to be added to the list. Since the inception of the program, over 50,000 young people in 150 schools around Australia have participated. I am very pleased to say that 12,500 of these students, or one quarter, have been from my home state of Tasmania. In fact, last year 32 Tasmanian schools participated.

The success of the program in Tasmania is a testament to the dedication of a local organisation, the Tasmanian Centre for Global Learning. The program is primarily funded through the Tasmanian government’s Tasmanian Community Fund, but there are a number of other organisations, including local councils and government departments, that also contribute funding. The centre provides professional development; curriculum materials; a global learning resource library; a ruMAD? school coordinator, education officer and program manager; and also helps network with other organisations working for a fairer world, including Amnesty, Anglicare and World Vision to name just a few.

Three schools in Tasmania—Rokeby High School, Queechy High School and Gagebrook Primary School—have taken a lead in running the program by providing dedicated ruMAD? teachers for one day a week. I was pleased to have the opportunity to attend the expo session of this year’s ruMAD? Youth Action Conference in late August at Rokeby High School. While there was an extensive program for the conference, the expo was the opportunity for the schools to exhibit their projects to invited guests and members of the public. Some 180 students from 16 schools participated in the conference, and they had clearly put a lot of work into their projects and their exhibits.

One of the great things about the ruMAD? program is the amount of direction and planning that comes from the students themselves. The students had the opportunity to choose their own projects, and I could tell from their excitement that they were not only proud of their projects but had a genuine and passionate commitment to the causes they had chosen. East Derwent Primary School had been raising funds and awareness to help save the Tasmanian devil, a native marsupial that is currently at risk of extinction from a facial tumour disease that has spread rapidly throughout its population. Two of their fundraising initiatives included selling chocolates and holding a car wash.

Cambridge Primary School had chosen a cause closer to home—connecting with the elderly. A couple of weeks after I had attended the expo, I had the opportunity to visit Cambridge Primary School to attend an assembly that was dedicated to showcasing the results of their project. The students had put together gift bags for elderly people. These included useful information for seniors such as bus timetables and concession guides. They collected recipes and collated a recipe book, which was sold to raise funds, the proceeds of which were used to purchase board games and DVDs to donate to Ningana Nursing Home in Sorell.
Other issues that featured at the expo included child rights and global poverty, environmental sustainability and water conservation. The other participating schools included Cygnet Primary, Huonville Primary, Clarendon Vale Primary, Herdsmans Cove Primary, Gagebrook Primary, Rosetta Primary, Lenah Valley Primary, Rokeby High, Geilston Bay High, New Town High, Kingston High, Dover District High, Tarremah Steiner School and Campania School. I thank Rokeby High School for the invitation and the opportunity to hear directly from students learning valuable lessons about social action.

Since the conference, Rokeby High School have organised a major concert, securing Australia’s Got Talent winners Justice Crew as the headline act. The funds raised from the concert, titled Concert 4 Cambodia, have been used to support the Tabitha Foundation, a not-for-profit organisation that conducts development, education and housing programs in Cambodia.

I would like to conclude by acknowledging a few people for their role in making ruMAD? a success in Tasmania. First of all I wish to thank and congratulate Helen Hortle, Jeremy Picone and Karen Reid from the Tasmanian Centre for Global Learning for their stewardship of the program. I would also like to thank teacher Emma Christian, who, after coordinating the program at Rokeby High School, helped to roll it out to other schools and took a lead role in organising the ruMAD? conference. Her involvement in ruMAD?—amongst other important contributions to the school community—has earned her the 2010 Pride of Australia Inspiration Medal, an award that is well deserved. I would like to acknowledge and thank all the other teaching staff and volunteers who have assisted with ruMAD? throughout the state.

Finally, I will acknowledge the most important people of all: the thousands of schoolchildren who have worked hard on their respective ruMAD? projects. I hope ruMAD? has inspired you to continue making a positive contribution to your community, even after you finish your involvement in the program. I am impressed by the dedication, the consideration and the imagination that you have put into your projects. Your efforts to make the world a better place set a great example for the rest of us. While there is still poverty in the world, while there are still people living in isolation, while threats still exist to our sustainability and natural environment, it is incumbent upon each of us to ask ourselves and those around us: ‘Are you making a difference?’

**Nitric Oxide Therapy**

**Senator KROGER (Victoria) (7.16 pm)**—I rise today to place on the public record the critical need for publicly funded nitric oxide therapy to treat critical care infants. This therapy is used to treat hypoxic respiratory failure, HRF, which affects about 500 newborn babies each year. I would like to note that Senator Connie Fierravanti-Wells raised the issue of nitric oxide therapy in estimates only last week, and, disappointingly, the witnesses knew nothing about it. Nitric oxide therapy is available and could provide much-needed help, but it is not listed on the PBS. It is a safe, proven and effective treatment that has a clear role in the management of critical respiratory failure in newborns.

Exactly a month ago, I wrote to the Minister for Health and Ageing, Ms Roxon, about my concerns. As of today I have not received a response from the minister or her department. In my letter I urged the minister to investigate the situation and consider how this therapy could help newborn babies with respiratory failure. My office has been con-
tacted by two key stakeholders in this area. The Australian and New Zealand Neonatal Network wrote to me, seeking assistance for critically ill babies and young children, which their members care for. Associate Professor Dr Kei Lui, director of newborn care at the Royal Hospital for Women in Sydney, wrote to me as the spokesperson for the group in August, and expressed the critical need for appropriate funding for HRF. In correspondence with my office, Dr Lui recently said:

I strongly believe that critical care babies who need this Inhaled Nitric Oxide (INO) treatment should have access to it under a federal funding scheme. Withholding or rationing a life saving treatment due to local budgetary constraints is unacceptable to health care providers and the families of babies who need it. Access to a life saving treatment should not be a lottery.

Earlier this month I met with Lorna Mel- drum, the general manager of IKARIA—and Lorna and her colleagues are here in the gallery this evening; I note their attendance, and thank them for coming. IKARIA is the Australian provider of the drug INOmax, which is nitric oxide for inhalation. Lorna advised me that the drug is currently used around Australian in over 20 hospital neonatal units. She expressed her concern that, due to the hourly cost of nitric oxide treatment, it is potentially being rationed within the hospital system. IKARIA has been advised that the drug cannot be subsidised through the PBS and MBS because it is classified as a designated ‘orphan drug’ and should be funded through the hospital budget.

In Australia, orphan drugs are defined as drugs which treat diseases or conditions affecting no more than 2,000 individuals at a time. Whilst other orphan drugs are eligible for public subsidy consideration under the PBS, MBS or the Life Saving Drugs Program, IKARIA has been advised that INOmax does not meet the criteria as INOmax treatment is only administered in a public hospital setting and requires technology to deliver it. INOmax is only ever used within a hospital, and therefore should fall under the hospital budget.

Hypoxic respiratory failure is a serious condition that occurs when the cells in a baby’s body are unable to receive enough oxygen. Nitric oxide has been used by Australian specialists to treat HRF for a number of years prior to its approval by the TGA. Prior to the introduction of nitric oxide, there was no other pharmaceutical product available, and the only alternative form of treatment was heart-lung bypass surgery. Mortality rates reported in the pivotal nitric oxide registration trials indicate that 11 per cent to 17 per cent of newborns receiving conventional treatment died before discharge from hospital. This equates to 65 to 85 babies dying each year. It is important to note, however, that management of hypoxic respiratory failure has improved since these trials were conducted which is likely to have an effect on the mortality rates.

In the pivotal nitric oxide registration study, referred to as the NINOS study, the incidence of primary outcome, defined as death or the requirement of a heart-lung bypass, was reduced by almost one-third in babies who were treated with nitric oxide. Treatment duration varies, depending on the baby’s response and needs. This therapy allows medical professionals to determine if it will be effective in opening up the blood vessels in the lungs within the first four hours. If no response is seen in the first four hours of treatment, it can be stopped, capping the cost at a mere $300.

The truth is that at such a traumatic time for newborns and parents, especially mothers who have only just given birth, the cost of life-saving therapies should not be a consideration they are burdened with. The benefits
and risks of nitric oxide have been extensively analysed in clinical trials. Nitric oxide has received both TGA and FDA approval for the treatment of full-term and near-term babies with HRF associated with pulmonary hypertension. Nitric oxide therapy causes few side effects. During treatment with nitric oxide all babies remain under constant supervision and are monitored within the neonatal intensive care unit to minimise the risk of side effects. A recent published detailed analysis by the prestigious Cochrane Collaboration concluded with the following summary:

Inhaled nitric oxide is safe and can help some full-term babies suffering respiratory failure who have not responded to the usual methods of support. Trials have shown that inhaled nitric oxide can increase the level of oxygen in babies’ blood and reduce the need for extracorporeal membrane oxygenation, a highly technical and invasive therapy. Unfortunately, these benefits of inhaled nitric oxide care are not seen in babies whose respiratory failure is due to a diaphragmatic hernia. Inhaled nitric oxide has not shown any short- or longer-term adverse effects.

Dr Lui estimates that the average cost of this treatment per case is around $10,000. However, treatment duration varies depending on a baby’s responses and needs. There seems to be a simple solution to this circumstance: if INOmax cannot be funded through the PBS then it should be funded through the hospital system. But, of course, politics gets in the way of the good, made even more difficult by the recent deal between the Prime Minister and the Independents. Let me just recap on one recent example of the confusion and outrage this deal has caused. Reports just after the deal was struck said that the government had freed up almost $2 billion of its health and hospitals funding in a new round of spending for regional Australia. One of the most publicised examples was Blacktown Hospital in Western Sydney, where a $150 million, 100-bed upgrade, including new renal and cancer units, was put on hold so that federal funding could be redirected—all in the name of politics, I might add. The Daily Telegraph reported:

WESTERN Sydney’s most urgent hospital upgrade has been dumped from a funding priority list because of the political deal between the NSW independents and the Gillard Government to divert health money ...

I thought it important to conclude with one brief example of how this therapy can literally save a life. Baby Nagirrah was born by caesarean after doctors discovered major complications. He was struggling to breathe properly and needed treatment immediately. Within a week he was be able to be taken off ventilation and go home with his parents. His mother reflected afterwards: ‘I was worried sick that my baby boy wouldn’t pull through but his improvement was so dramatic he was taken off the ventilator in less than a week.’

This is potentially a life-and-death decision and Minister Roxon should immediately act to fix the problem and fund this life-saving treatment.

Population

Senator MOORE (Queensland) (7.26 pm)—Last week in this place the Parliamentary Group on Population and Development hosted the launch of the State of World Population 2010 report, an annual report which is produced by the United Nations Population Fund, the UNFPA. The title of the 2010 report is From conflict and crisis to renewal: generations of change. In her foreword to the wonderful document the Executive Director of the UNFPA, Ms Thoraya Obaid, who has visited the Australian Parliament on a number of occasions and was actually here for a couple of our previous launches, makes a statement about one par-
This report coincides with the 10th anniversary of Security Council resolution 1325, which called on parties to armed conflicts to take measures to protect women and girls from gender-based violence and called for greater involvement by women in negotiating and implementing peace agreements. But this report is not only about the resolution. It is also about the special challenges women face in conflict or in humanitarian emergencies and about how women themselves are responding, healing wounds, moving forward, and not just helping the communities return to the status quo but also building new nations on foundations of equal rights and opportunities.

The report covers a couple of well-known communities across the globe, all of which have been victims of horrific conflict or humanitarian crisis. We have stories from Haiti, which look at the horror of the recent earthquake response. We also have issues about East Timor and a particularly devastating chapter about Bosnia-Herzegovina 15 years after the actual conflict. We saw quite a bit of media coverage at the time, but it is 15 years after the hostilities ceased and this chapter is about the ongoing pain and damage that women are suffering who were the victims of systematic rape during that conflict. They lost partners, they lost families and they were used in a systematic process of power domination during that conflict. So, 15 years on, we have the cases of women who were working to respond to that to provide counselling and services to their own community, which is making a genuine difference.

The State of World Population 2010 report is a confronting document but it is also permeated by hope. The stories talk about how women have made real differences to their communities. I call upon members to read this report if they can. It comes out every year. Each year it has a different theme and focus, but this year in particular it focuses on post-conflict resolution. As Mr Obaid said, it also coincides with the 10th anniversary of United Nations Security Council resolution 1235, which came about as a result of years of lobbying by women and friends of women to ensure that the particular impact of conflict on women is acknowledged and there are true efforts made by countries across the globe to ensure that women's needs are actually responded to.

In October 2000 the Security Council of the United Nations unanimously passed resolution 1325 and for the first time recognised the impact of conflict on women and girls, their increased vulnerability to sexual violence during conflict and their exclusion often from peace agreements, negotiations and post-conflict reconstruction. UN Security Council resolution 1325 recognises the importance and the reality of women's experience of conflict in peace processes and in conflict resolution, rather than looking at women as only the victims of war or, in many cases, actual combatants. There is documented proof that, in many of the recent conflicts—and I believe also in historical focus as well—women are actual combatants, and that is often overlooked. One of the key challenges for us now is rebuilding communities and recognising women who have been taking active roles in the conflict and rebuilding their communities, re-educating and resettling.

It did not just finish in 2000; there have been subsequent actions by the UN, allowing this document to have real life rather than just being put on a shelf and referred to on occasions such as this. Since that resolution in 2000, three additional resolutions have been adopted in order to ensure accountability and leadership. Resolution 1820, which was passed in 2008, called for an end to widespread conflict related sexual violence and for real accountability in order to enable impunity for women. Resolution 1888, passed in 2009, continued the focus on
strengthening leadership and institutional capabilities within the UN and in member states to end conflict related sexual violence. This resolution also called for the appointment of a special representative to monitor and report on efforts made and the ongoing issues. The position was adopted and was filled by Ms Margot Wallstrom that same year. Resolution 1889, passed in 2009, called for the establishment of global indicators to measure progress on 1325 implementation. This is a real document. It has action. Together, the women, peace and security focus is now taken up with what we call the four Ps: prevention of conflict; protection of women and girls during conflict; participation of women in peacekeeping, peacemaking, peace-building and political decision making; and the prosecution of gender based war crimes.

Australia has been a strong supporter of this process and has made a number of statements along the way, putting forward our support. The Australian government made a statement on this 10th anniversary of resolution 1325. There was a UN process around the anniversary of 1325. Senator Alan Eggleston, who is representing our parliament at the UN at the moment, delivered a statement to the Interactive Dialogue on Women, Peace and Security. Australia is a co-sponsor and proud supporter of ‘Women, Peace and Security’, and it has restated its commitment to continue to ensure the protection needs of women and girls are met, including in complex emergencies; to uphold and enforce a zero tolerance approach to sexual abuse and exploitation; to train and deploy Australian peacekeepers to the highest professional standards; to support UN nominations and recruitment policies promoting gender equality; to ensure women in the Australian military are deployed to all operational theatres, selected for command positions and promoted to star rank; to increase the proportion of women in the Australian police force and the Australian protective services; and to ensure Australia’s laws and national security frameworks protect the human rights of women and girls in accordance with our international obligations.

We also as a nation have committed to finalising, in accordance with resolution 1325, an Australian national action plan on 1325. Currently there are only 18 nations in the world who have actually completed a plan. Australia has not completed a plan, but it has committed to doing so. That work is being drafted at the moment. We have committed to supporting access to justice, including women- and girl-focused legal aid and law enforcement; strengthening the role of women in conflict prevention, resolution and peace-building; increasing financial support to UN GenCAP and ProCAP initiatives; and rolling-out Addressing conflict-related sexual violence: an analytical inventory of peacekeeping practice.

All those actions are specific commitments that our country has made. In that way, we are responding to the need that was put forward to the UN to ensure that resolution 1325 was passed. In the decade leading up to 2000, when the UN finally passed 1325, there were a number of international conflicts which provided documented evidence of the horrific violence that was perpetrated on women in fields of conflict. It is not new; I am sure that, if you do a history on war across all the generations, you will find that women, in particular, have been victims of war. The situation in some of the African states and Bosnia and Herzegovina, as I pointed out earlier, was particularly looked at, and the UN had no other recourse but to act. Australia was part of ensuring that that occurred.

We need to celebrate the 10th anniversary of 1325. We also need to ensure that the ac-
tion continues. We cannot allow this resolution to just be noted as something that communities have signed to. We need to have ongoing action, and I am sure that that is something we all expect.

**Parliamentary Practice**

Senator BRANDIS (Queensland) (7.35 pm)—I want to address tonight a matter which is now largely of historical interest, but I do so essentially to correct some inaccurate claims that were made about the opposition—in particular in relation to me. Honourable senators will recall that in the period of uncertainty after the recent federal election, when both the coalition and the Australian Labor Party negotiated with the members for Lyne, New England and Kennedy, an agreement was reached, described as the Agreement for a Better Parliament, between Mr Albanese, Mr Pyne and the three Independents. One clause of that agreement, clause 2.1, provided for what was described as ‘pairing the Speaker’. Subsequently, the opposition, on the basis of, among other things, an opinion commissioned from me, concluded that pairing the Speaker of the House of Representatives would circumvent the plain meaning of section 40 of the Constitution, which provides:

> Questions arising in the House of Representatives shall be determined by a majority of votes other than that of the Speaker. The Speaker shall not vote unless the numbers are equal, and then he shall have a casting vote.

The gravamen of the opinion that I prepared was that by, in effect, treating the Speaker as if he had a deliberative vote the pairing arrangement was plainly, at the very least, an attempt to circumvent the plain words of section 40 of the Constitution and was therefore—and I know that this is an ambiguous term—unconstitutional. That advice was provided to the Leader of the Opposition on 20 September 2010.

On 22 September 2010, the Commonwealth Solicitor-General, Mr Stephen Gageler, whom I know and whom I respect, also provided advice to the government. Mr Gageler was asked to address a very narrow question. The question was:

> Is there any necessary constitutional impediment to a pairing arrangement between the Speaker of the House of Representatives and another member from an opposing political party if that arrangement has a fixed operation irrespective of any particular vote?

Mr Gageler’s answer to that question was no, subject to two important qualifications. It was subsequently represented by the Prime Minister and other ministers that Mr Gageler had advised that pairing the Speaker of the House of Representatives was constitutional. In fact, what Mr Gageler said, subject to two heavy qualifications, was that pairing the Speaker of the House of Representatives was not necessarily unconstitutional. Given that the meaning of section 40 of the Constitution has never been considered by the High Court of Australia or, indeed, by any court, no competent lawyer would provide absolutely unambiguous advice that pairing the Speaker of the House of Representatives was necessarily constitutional or necessarily unconstitutional. All a competent lawyer could do would be to arrive at a tentative conclusion. I did that; so did Mr Gageler.

In the discussion in Mr Gageler’s advice, particularly at paragraph 41, Mr Gageler treats of the alternative view that pairing the Speaker of the House of Representatives might be in violation of section 40. He says this:

An argument can be mounted that the prohibition—

that is, the prohibition in section 40 of the Speaker exercising a deliberative vote—

is properly to be construed as having a broad substantive operation so as to deprive the Speaker of any capacity to exert influence over the determin-
nation of a question in the House through the exercise or non-exercise of any deliberative vote, including by exerting influence over the exercise or non-exercise of a deliberative vote by another member. If the prohibition were to be construed as having that broad substantive application, the application of the prohibition to particular circumstances would necessarily turn on questions of fact and degree. Were even a voluntary arrangement to give to the Speaker the substance of a deliberative vote, the potential for the application of the constitutional prohibition could not be ruled out.

So, if I can express the contending views in layman’s language, they come to this, and they are not very different. One is the view that I expounded in the opinion that I wrote that it was likely that the effect of a pairing arrangement would be to circumvent the plain words of section 40. Mr Gageler said that was not necessarily so; there was not necessarily any constitutional impediment but there might be. Mr Gageler’s position was, as I said, misrepresented and oversimplified by the Prime Minister for political purposes.

Subsequently, on 23 September 2010, I prepared a critique of Mr Gageler’s opinion in which I focused attention on the narrowness of the question that he had been asked, the way in which what Mr Gageler said had been misrepresented, and parted company, in some respects, from Mr Gageler’s reasoning. The two opinions that I wrote, both the original opinion and the critique, were written at the request of the Leader of the Opposition for his use and for the purpose of informing the coalition’s views as to the legalities of the matter. They were not written for the purpose of being released. The decision to release them, to which I have no objection, was a decision ultimately made by the Leader of the Opposition.

There is nothing unusual about that, particularly if one adopts an orthodox view of the role of the Attorney-General to provide legal advice to the government. Good attorneys-general who are senior and competent lawyers, from both sides of politics, have historically done that—though more commonly these days the task is placed in the hands of the Solicitor-General. It seems to me that, for the opposition, the shadow Attorney-General’s role is no different from the orthodox role of the Attorney-General in providing objective advice to the government. Might I say that I give legal advice to Mr Abbott very often at his request. Sometimes it suits the opposition’s political purposes and sometimes it does not. In any event, the opinions of Mr Gageler and the two opinions that I wrote were tabled in the House of Representatives by, respectively, Mr Albanese and Mr Pyne during a debate.

To complete the record, I should say that Mr Tom Hughes QC, the leader of the Australian Bar, who has more experience in appearing in matters of the High Court than any other practising barrister in Australia, having taken silk in, I think, 1959, some 51 years ago, and practiced at the top of the profession for half a century, approached me after he became aware of the public controversy about the advice that I had given and the impeachment of my integrity by certain Labor politicians. Mr Hughes told me that he actually agreed with my view, and he has furnished to me an opinion expressing the view that the position, as I had expressed it, was in accordance with his own views on the meaning of section 40 of the Constitution.

I seek leave to table my opinion dated 20 September 2010, Mr Gageler’s opinion dated 22 September 2010, an opinion written by me entitled ‘Critique of Gageler opinion’ dated 23 September 2010, and the opinion of Mr Tom Hughes QC dated 5 October 2010. I might say that Mr Hughes’s opinion, which supports my view of section 40, is supported by most, though not all, of the experienced
constitutional lawyers that participated in this public discussion.

Leave granted.

Australian Defence Force Parliamentary Program

Senator FURNER (Queensland) (7.44 pm)—My involvement in this year’s Australian Defence Force Parliamentary Program was undertaken with Operation Resolute in Darwin, commencing on Monday, 5 July and concluding on the Thursday. Operation Resolute is the ADF’s contribution to the whole-of-government effort to protect Australia’s borders and offshore maritime interests.

On the Monday we received a briefing at the NORCOM building, Larrakeyah Barracks. The briefing delivered an appreciation of the overall coordination of the Border Protection Command in Northern Australia. This is the only ADF operation that currently defends homeland Australia and its assets. The area of responsibility is huge. The Operation Resolute area of operations covers approximately 10 per cent of the world’s surface and includes Australia’s exclusive economic zone, which extends up to 200 nautical miles around the mainland, Christmas, Cocos, Keeling, Norfolk, Heard, Macquarie and Lord Howe islands.

The ADF assets protect Australia’s maritime domain from security threats including: irregular maritime arrivals; maritime terrorism; piracy, robbery and violence at sea; compromise to biosecurity; illegal activity in protected areas; illegal exploitation of natural resources, such as illegal fishing; marine pollution; and prohibited imports and exports.

At any one time, there may be up to 400 ADF personnel at sea, in the air and on the land, working to protect Australia’s borders and offshore maritime interests. They work alongside personnel from Customs and other agencies. ADF resources allocated to Operation Resolute comprise: Air Force AP3C Orion maritime patrol aircraft that provide aerial surveillance of Australia’s north-west and northern approaches; at least seven Navy Armidale class patrol boats operating daily throughout Australia’s northern offshore maritime areas; Australian Army regional force surveillance unit patrols, which conduct land based security operations; a transit security element of approximately 37 personnel from either Army or Air Force who embark in the ACPBs; and a standby Navy major fleet unit for northern waters response.

The following day was the first opportunity for many of us to experience an Armidale class patrol boat. Our boat for the day was the HMAS Broome, which was berthed at the Navy base HMAS Coonawarra in Darwin. Upon boarding, we were greeted by the very experienced and professional CO of HMAS Broome, Kylie, one of two female commanding officers of Operation Resolute. We left the base on a near perfect sea, heading due north. The Armidale class patrol boat is a truly amazing craft with many capabilities. The vessel weighs 305 tonnes, is 56.8 metres in length and is powered by two MTU V16 M70 diesel engines, giving the ship an operating speed of at least 25 knots. There are generally 21 crew, and onboard armament is one Rafeal Typhoon 25 millimetre naval stabilised gun deck, along with two 12.7 millimetre machine guns. The ACPB is able to maintain operations in sea state 5 conditions to 1,000 nautical miles offshore, it can be deployed for up to 42 days and it is also capable of surviving cyclonic conditions up to sea state 9.

Additional to the main vessel, the ACPB hosts two diesel jet-propelled 7.2 metre rigid-hull inflatable boats rapidly launched and recovered using the Vest davit system. During the training exercise out to sea we were able to see firsthand the capabilities of the crew in concert with the boarding ves-
sels. Complementing the boarding capabilities, the Armidale has an onboard surveillance and communications suite that underpins its patrol and response capability. The system comprises twin radars, a radar warning system and an electro-optical detection system for short-range detection.

By the time we were a fair distance from Darwin Harbour, the training demonstration commenced with a makeshift illegal fishing boat, the *Sapphire Bay*, detected by the crew of the HMAS *Broome*. All procedural processes were followed in an expedient manner to give us an appreciation of what would occur from a basic contact to the highest level of boarding. This ranged from radio contact, the firing of birdshot from a shotgun, intense broadcasting of instructions along with high-pitched noise and firing the 12.7 millimetre machine gun in front of the bow, followed by sending the two-crewed rigid hull inflatable boats to intercept the illegal fishing boat and launching imitation tear-gas canisters onto the boat and boarding.

Later that afternoon we were all provided an opportunity to witness the live firing of the 12.7 millimetre machine gun. After this exercise we witnessed the live firing of the 25 millimetre gun deck. After all this action we were ushered onto the rigid-hull inflatable boats to leave the HMAS *Broome* to be delivered to the Customs ACV *Hervey Bay*. Despite the Customs Bay class vessels being older than the Navy’s Armidale and having different capabilities, they are effective for their purpose. They are 38 metres in length, have two deck-mounted 7.62 millimetre general purpose machine-guns, can accommodate up to 16 people for extended periods, can operate at a cruising speed of 20 knots for 1,000 nautical miles and can operate for 365 days with an annual total fleet target of 2,400 sea days. They are crewed by up to 10 marine unit officers, although the number of crew may vary depending on the operation or activity. Each patrol lasts between 22 and 30 days on a rotational roster. Close to sunset after heading back towards Darwin Harbour we were gathered into the two tenders, which are capable of carrying two crew and four passengers, and headed into shore.

The following day, Wednesday, was a journey to the aerial part of Operation Resolute based at RAAF Darwin. After a briefing of the operation of the day, we boarded the AP3C Orion to head over the area where Scott and Ashmore reefs are located. The Orion is a workhorse of the No. 92 Wing, equipped with multiple capabilities. It is fitted with a variety of sensors, including digital multimode radar, electronic support measures, infrared and visual electro-optics detectors, magnetic anomaly detector, identification friend or foe systems, and deployable acoustic detectors. The aircraft are relied upon to conduct long-range surveillance missions within Australia’s exclusive economic zone and provide early warning of maritime security threats. They provide approximately 2,000 hours of aerial surveillance to Operation Resolute per year.

During our flight over Scott and Ashmore reefs and the MOU area, we spotted many fishing boats and luxury craft. Most of them were conducting legal activities; however, out of those we detected one illegal fishing boat. It was appropriately photographed and reported for detainment.

On our final day, Thursday, we visited Cobham base and inspected the Custom’s Dash 8 surveillance aircraft. Despite being smaller in size, the Dash 8s have state of the art equipment on board, making detection much easier.

In closing, I extend my appreciation to Lieutenant Commander Grant Zilko and Deputy Commander Border Protection Command Mr Demetrio Veteri for their sterling job in ensuring all our needs were taken
into account. In addition I extend my thanks to the friendly nature displayed by Flight Commander McDonald and the crew of the P3 and all of those aboard HMAS Broome. Furthermore, I want to recognise the professional commitment and competence displayed by all the Navy, RAAF and Customs personnel over the three operational days of the program. These men and women are a true inspiration—our nation’s finest.

I urge everyone, as we go to sleep in our warm beds tonight, to spare a thought for all our defence personnel and their families, whether they are facing the insurgents in extremely dangerous situations in Afghanistan, protecting our Australian borders in the Timor Sea or working at other posts throughout the globe. These men and women are the real heroes and salt of the earth.

St Mary of the Cross

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (7.53 pm)—I rise tonight to speak briefly about the delegation to Rome for the canonisation of Mary MacKillop, which I was a part of. It was a great honour to travel to Rome. I was in a delegation that included the Minister for Foreign Affairs, Kevin Rudd; the Deputy Leader of the Opposition, Julie Bishop; and Senator Ursula Stephens. We were there not just as a delegation but also to celebrate with many other Australians of many faiths. For them it was a reinforcement of what was sacred; it was also a celebration of a good and decent life and a good example for all.

It was evident that this celebration represented our nation’s psyche. It was incredible to be in St Peter’s Basilica, something constructed over many years beginning in about 1506. They only finished decorating it in about 1800. The Australian nation was evident in the piazza, reflecting the colour and tapestry of our nation. As I made my way to St Peter’s Square I passed through a crowd in which I met Catholic priests of Asian descent and heads of business of Italian descent and I was in a delegation made up of politicians of British and Irish descent. We were all celebrating the life of a remarkable lady of Scottish descent.

It made that piece of ground in Italy on that day remarkably Australian. There was a real warmth there. It was not just something particular to Catholicism; it was a celebration of the Christian faith and a celebration of things that are decent, things to be admired, things to be fought for and things to be held on to. It was a celebration of our culture. Mary MacKillop ticked all the boxes of cultural identification under the Australian persona. She worked to bring equality to those on the margins of society. She worked to bring equality to people in one of the most fundamental ways—through education. It was revolutionary that she went to people who were not educated, in a society which at the time did not treasure education as we do know, and started to educate those people and give them a chance for a future.

The late 19th century was a pretty hard environment. This was a lady who worked in the outback in an area dominated by male culture. We heard stories of Mary MacKillop going into pubs to borrow a horse to ride to see people who were sick. Someone going into a corner pub now and asking to borrow a car to drive to see someone who was sick would be a person of exceptional qualities. And this is something that we admire.

Mary MacKillop was actually kicked out of the Catholic Church. That tangle with authority is also something that is quite Australian and unique to us. But Mary MacKillop did not throw teddy in the dirt, as we say. She did not grow to resent authority or walk around carping about the terrible things that had happened to her; she was just resolute in pursuing her cause of what was right.
She worked with the people to bring herself back into the fold and to bring her sisters back into the fold. When she was excommunicated, she was supported by people of the Jewish faith and by strong members of the Anglican community. This goes to show another thing about Australians: we are egalitarian. We work with a whole range of people over a whole range of dimensions. We respect people who try to do things that are good.

People were there to celebrate Mary MacKillop the person, but I think it is also right and appropriate that we acknowledge the spiritual dimension and that we do not shy away in Australia from the spiritual dimension that is in all of us. There is a sense in Australia at times that we get a little bit embarrassed when the spiritual side of life is mentioned. It can make us uncomfortable and open to ridicule from our peers. But I think there is nothing wrong in talking about the spiritual or about Mary MacKillop’s effect on us in a spiritual way.

There has been discussion of miracles. I believe in miracles; others do not. That does not detract from who Mary MacKillop was. Every time I see the sun rise, every time I see the colour around us and every time I see the dynamism of the personalities around us and the goodness in other people, I see a form of miracle. When we see miracles which we do not quite understand we become cynical, and maybe we should not.

Mary’s work goes far beyond the miracles that have been attributed to her. I see a miracle when I see the little school in Quilpie which, if she had not existed, would not exist. I see a miracle in our local school which was formed by the Josephite nuns. My wife also went to school in a Joey’s school. I find it a miracle that I actually used to send them back the homework they sent me when I was doing school by correspondence. These ladies were extremely decent people.

When I saw the Sisters of St Joseph over in Rome they reminded me a lot of a favourite auntie at a family function, so clearly identifiable as Australians were they. My poor wife was told to go over there and that because she was at the Vatican she was to wear black, and she did—everything she had was black. But among those nuns she was the only one in black; they turned up wearing all colours. They are just easygoing people who work with their communities, and they were such a great representation of who we are.

I make special mention of Sister Mary Casey, who was the postulator responsible for progressing the case for Mary’s canonisation, and also Sister Anne Derwin. I also make special mention of Cardinal Pell, who supported the process. It was a great day for Australia. It is great to think that our first saint is a woman when the first saints of so many other nations—in fact, of virtually all of them—were blokes. This is another example of Australia’s always breaking the mould.

For me, Mary’s miracles and the way she affects our nation will go on. I think there was a real sense of pride throughout our nation in what was achieved by the canonisation. The person who may become our second saint was also a sister of St Joseph. Unfortunately, she was martyred in South America. She was a lady from Western Australia who was shot by the Shining Path guerrillas for standing up for the people around her. This gives you a sense of what Australia does in its own way that is so good. It also gives you a sense of how the Australian tapestry is always growing—that we have many things to be proud of and to reflect on as a country, and they are always increasing. It was a great honour to be sent
by this parliament to celebrate the canonisation of Mary MacKillop. I thank the Australian people for the honour of being sent over to Rome to represent them, and I hope that in a small way the grace given us by having a saint of our own will be reflected in the way we all act.

We should bear in mind that we all have the fortitude, although we might be a bit embarrassed at times, to look to the margins at those who are less fortunate than us and help them out as Mary MacKillop did. We, as Mary did, have the capacity to walk into the pub and ask for the loan of the horse to ride through the night to the person who we know is sick. If that sort of courage is reflected in our lives in some way, then this will be a better country. If we ever get down or get kicked around by authority, we have the capacity not to get resentful but instead to work as Mary did in a constructive way to try to bring about a resolution and pursue the course of what is good, right and just. We have the capacity, as Mary did, to work with people of other faiths or no faith to do what is right and not to be offensive to people of other faiths but to be happy to live in harmony and do what we think is right while living in a close and humble relationship with our God.

Teenage Pregnancy

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations (8.03 pm)—Not wanting to detract from the spiritual tone of Senator Joyce’s speech on the works of Mary MacKillop and noting her canonisation last week, I rise to speak on a different matter, although it is not dissimilar to some of the fine works that Mary MacKillop did in her time. I speak tonight about a small but special group of parents. They are a special group of mums and dads because of their age. They are young parents, teenagers in fact, some as young as 14 or 15. The reason I speak in praise of these young mums and dads is that they have not only made the courageous decision to have their children and embark on the toughest job of all—that is, raising kids—but also made the decision to continue with their schooling. I also admire these parents because they have other issues to contend with which make their lot in life even harder. A lot of them are single parents, a lot of them lack family support and, sadly, a lot of them are scorned by society, which for some reason judges them incapable of properly looking after their children.

Yesterday I had the pleasure to speak at the launch of the Australian Young, Pregnant and Parenting Network, AYPPN, at Canberra College. Canberra College has an impressive story to tell: from four young mums at the school in 2004 there are about 100 young parents at the school today, including some dads and up to 15 Indigenous students. The young parents bring their children to school, there is a nurses clinic on site and every morning three school buses drive around Canberra collecting mums and bubs from their homes. As I said in my speech yesterday, these young mothers are champions, and schools like Canberra College and Corio Bay Senior College in Victoria—where one young mum was school captain a few years ago—are champions as well. They are education, community and workplace champions.

To illustrate the need for and the success of these programs, I share with the Senate tonight the story of 18-year-old Stevie-Lea Pedemont, who is the mother of 2½-year-old daughter Charlie. A single mother, Stevie-Lea says she lost most of her friends when she became pregnant during year 10. But, thanks to the support and encouragement of the CCCares program at Canberra College, this remarkable young woman has turned her
life around. Ms Pedemont will graduate from year 12 in one month. She will start studying architecture at the University of Canberra next year and she is already working two days a week with an architectural firm in the job offer following a work experience placement. The future looks bright for this Queanbeyan teenager, and it looks bright for her precious daughter as well.

I believe that as a community we need to rethink how we treat young mothers. It is interesting that, on the one hand, we have increasing numbers of middle aged women who regret that they did not try to have children sooner yet, on the other hand, we demonise and chastise young women because they become pregnant and decide to keep their babies. As I said earlier, these young women have the toughest job of all—that is, raising children—but it is even harder for them because society punishes them, whether through scornful looks, abusive remarks or simply shutting them out.

Why do we scorn and discriminate against young women for having children and for trying to do the best they can for themselves and their families? We need to support and nurture young parents to overcome barriers to achieve better educational, health and employment outcomes, which will clearly provide a better life for their children. That is not to say that the federal government are not concerned about the rate of teenage pregnancies and wants it to decrease, because of course we do. But we are talking about one of the most vulnerable groups in our society and for that reason they deserve as much support and encouragement as we can give them, not to be abandoned to a life on welfare, of social isolation and entrenched disadvantage. That would be the absolute worst outcome, for mother and child—and for our society. What the Gillard Labor government is about is giving young women choices that they might otherwise feel they do not have.

And that is what the schools that run these important programs provide.

I was interested to learn from Jan Marshall that Canberra College has some mothers returning to school just two days after leaving hospital with their newborns, sadly because they feel they have no other place to go. To use the jargon, Canberra College has demonstrated what being a good corporate citizen is all about. Without relying on government, the school identified a community need and rather than say, ‘It’s too hard,’ or ‘It’s not my problem’ they made it their problem and they found a solution. That is the sort of community minded attitude that needs to be encouraged.

I also acknowledge and applaud the many and varied partnerships that the school has established with government, with academia and with the community and corporate sector. I congratulate the Australian Young, Pregnant and Parenting Network on its launch yesterday and I note that one of its aims is to raise community awareness and stimulate public debate about the needs of young pregnant women and mothers. I look forward to playing my part to start the process of changing community attitudes so that young mothers and fathers—and their children too—do not feel ostracised but are embraced as valued members of our community and, in this case particularly, are assisted within their education community.

Education of Students with Disabilities

Senator BOYCE (Queensland) (8.09 pm)—I am on record in the past for having suggested that what we need to do is close down all the special schools in Australia and divert all of those human resources and all of the other resources, including the technological resources, into mainstream schools because that is the place where students with disabilities should be. I continue to hope that
this is something that will be achieved in my lifetime.

The Commonwealth Disability Discrimination Act 1992 makes it unlawful for schools to discriminate against a person on the grounds of disability, but in education discrimination is everywhere. There was a 2002 Senate inquiry into the education of students with disabilities—it was before I came to the Senate—that found clear and unambiguous evidence of a growing proportion of students with disabilities, a growing number of students with increasingly complex disabilities, a considerable level of unmet need, underfunding and underresourcing of programs, a serious and worsening skills shortage among teachers, and teachers ill prepared and unskilled in methods which involve teaching across a wide spectrum of abilities, capabilities and disabilities. That inquiry also found that there was an assumption that teachers would develop skills in areas that were once the domain of specialists, presumably by osmosis, but that there had been a failure to provide the resources or training to achieve this.

I would like to say that this problem has been fixed. I held a public forum in Brisbane in late 2008 to try to push this idea further. The title of the forum was ‘Is it the will, the skill or what’s in the till that will make inclusive education work?’ The decision of that forum was that it was all three—that is, it was schools wanting to do it, it was schools having staff with the skills to undertake inclusive education and it was also about the level of funding that was available. There is also the problem that schools that do not have the ‘will’ will use the ‘till’ excuse, the lack of resources, not to take on a student with a disability. And this can only change if we move all of the resources out of special schools into mainstream schools, where they should be, so that we are practising the talk that so easily trips off our tongues about equality of students with disabilities.

What do we say to children at mainstream schools if they watch a bus with children with disabilities in it drive past to go to another school? We can talk as much as we like and as a hollowly as we like about how we must include people with disabilities and how they must have equal rights. But while we are separating them in that most fundamental of areas—education—from their peers, we are giving them a completely different message from the one we send with our words.

This broken landscape of equal rights is not only further defined but also accentuated by the total chaos of funding, administration and definition within the area of inclusive education. A recent study this year by the Australian Education Union found a total mess when it came to support of children with disabilities in the nation’s schools. It found there were variations within and between states and territories, school sectors—that is, government, independent and Catholic—and the different levels, namely secondary, primary and child care. We do not even have uniform definitions of learning disabilities, so how do we know what we are doing in this area if we do not know what we are doing it about? It is the same sort of question I have asked many times of the Australian Institute of Health and Welfare. Until we define it and measure it, we cannot know how successful we are being.

The 2002 Senate inquiry noted the importance of reaching national agreement on the definition of learning difficulties, and yet eight years on nothing has been done about these definitions. This is a serious and a disgraceful omission that has been perpetuated by the government. They have omitted reforming the funding for students with disabilities in the National Education Agree-
ment, which came into effect in January 2009. The only significant reference to reform of the support for students with disabilities in that agreement is a reference to ‘future work’. Future work? Education is the way to future work. We acknowledge that in every other sector.

Under this government, people with a disability apparently do not have a future. The 2004 Productivity Commission review of the Disability Discrimination Act 1992 described exclusion from and segregation within education as one of the most serious forms of disability discrimination regarding long-term effects on individuals. It was found that education accounted for the third-highest area of complaint under the DDA. Discrimination is a word. Let us see what it means in this context. In the context of inclusive education it means: refusal of enrolment; exclusion from sport, excursions, camps or other activities; lack of suitably trained staff or adequate amenities; and unsuitable or inflexible curricula.

Nationally, the number of students receiving some sort of funding—no matter how inadequate—rose by nearly 38 per cent between 2001 and 2008. The New South Wales Auditor-General has looked at the increase in students there, between 2001 and 2006, and described the increases as the most dramatic change in the classrooms of public education in decades. There was a 23 per cent increase in the number of secondary students with a moderate intellectual disability, a 280 per cent increase in the number of students with autism and a 585 per cent increase in the number of students with a behaviour disorder. It is to be praised that these increases have happened. What is to be deplored is the fact that these people have been set up to fail, by a lack of resources. Over the same period, in primary schools, the New South Wales Auditor-General found a 50 per cent increase in the number of students with a moderate or severe level of disability.

Growth in this area will go on as diagnosis improves and the population grows. What is this government doing about it on a practical level? According to people who know—the education system’s teachers and principals—nothing much and not nearly enough. The 2010 Australian Education Union’s *State of our schools* report surveyed 10,000 teaching professionals. It stated that 70 per cent of school principals in the survey said the state education department’s support for students with disabilities was less than adequate, and that while inclusion was a slogan—often repeated—all it produced were greater numbers of unmet need.

One principal, who had a son with Aspergers, described the disability and impairment funding requirements in regard to autism as a farce—and this is just one example. The survey makes it very clear what teachers and principals consider would assist teachers in improving student outcomes. The two critical factors were smaller class sizes and additional support for students with disabilities or behavioural issues. Some 44 per cent thought that additional support for students with disabilities or behavioural issues was an important change.

Disability is not just one little world that we can isolate and coat with verbal platitudes. It affects all of us, and that is especially true in education. Rights are not just words on paper—they only truly ‘live’ when they are given the priority of actions and resources. It is an old adage, but it is true: if you want to know what is important in this world, follow the money. If you follow this government’s priorities, supporting our educators and disabled students is not one of them—pouring more money into the black holes of waste and spin seems to be what is important. A commitment to maintaining and
justifying their fiscal mess appears to be more important and more valued than a commitment to principle and to assisting teachers, students and their families in inclusive education.

**Victoria Cross Recipients**

Senator BARNETT (Tasmania) (8.19 pm)—Tonight, I stand in support of a posthumous granting of a Victoria Cross for Ordinary Seaman Teddy Sheean and Captain Hec Waller. The Victoria Cross is the highest honour that can be awarded to an Australian armed service person during wartime. Ninety-seven have been awarded to Australians: 13 from the great state of Tasmania, including Harry Murray VC—Australia’s most highly decorated soldier.

The most recent Victoria Cross, of course, has been granted to Trooper Mark Donaldson, for his efforts in Afghanistan. As we debate, in this place, issues related to the war in Afghanistan, in which young Australians are serving and making the ultimate sacrifice, it is important to remember and properly recognise the bravery of those who have served. I am aware that the Australian War Memorial is conducting a national tour of Victoria Cross medals around the country—soon to be coming to Tasmania. Tasmania was originally left off the tour, but now they are coming to Tasmania. Together with the RSL, I am pleased to have played a role in ensuring that they will come to Tasmania. Together with the RSL, I produced the book *Our Heroes: Tasmania’s Victoria Cross Recipients* and it is now heading into its third edition. It is a very popular book among students and RSL veterans, in particular.

I raised this issue, the merit of the granting of these posthumous Victoria Crosses, in the Senate estimates last week, and I am absolutely delighted that the Chief of the Defence Force and the Chief of the Navy have agreed to consider this seriously. I will be writing to the minister directly, to confirm this and to ensure that this matter proceeds at an appropriate pace, with due consideration. I wanted to specifically note that, in my view, there is overwhelming evidence in support of the claims for both Ordinary Seaman Teddy Sheean, from Tasmania, and Captain Hec Waller. I would like to outline the reasons why in this contribution in the Senate right now.

Ordinary Seaman Teddy Sheean was born in Lower Barrington, Tasmania, on 28 December 1923. His family soon moved to Latrobe and he was educated at the local Catholic school and worked as a farm labourer until he enlisted in the Royal Australian Naval Reserve in April 1941. Initially sent to the Flinders Naval Depot in Westernport Bay, Victoria, Sheean was later sent to Garden Island for further training in about March 1942. In June 1942 he helped commission the new corvette HMAS Armidale and was posted to that vessel as an anti-aircraft gun loader.

At the end of November 1942, the Armidale was assigned to sail to Japanese-occupied Timor in the company of corvette HMAS Castlemaine. Their task was to land Dutch forces to reinforce the guerrillas on the island, withdraw the Australian 2nd/2nd Independent Company and withdraw some Portuguese civilians. Arriving off Timor on 1 December, the two corvettes met up with HMAS Kuru, which had already picked up civilians from the island. These civilians were transferred to the Castlemaine, which then returned to Darwin.

Ordinary Seaman Teddy Sheean was aboard the HMAS Armidale on 1 December 1942 at about 12.30 pm, when the vessel came under repeated attack by at least 13 Japanese aircraft. By 3.15 pm the Armidale had begun to sink, an event that would take less than five minutes. The Armidale had
been struck by two aerial torpedoes, and after the second hit, Lieutenant Commander David Richards ordered the ship to be abandoned.

Ordinary Seaman Teddy Sheean did not carry out that order. Out of 149 on board, only 49 would be rescued from the water. As the ship was sinking and the survivors in the water tried to board rafts the Japanese aircraft continued to strafe the men in the water. They were being shot while they were in the water. Ordinary Seaman Sheean, did not obey his commander’s command to abandon ship; he strapped himself to the gun and began firing at the aircraft. Witnesses report that tracer fire could be seen leaving the gun after it had sunk below the waves. He acted to save his mates. He acted in accordance with his conscience. He reportedly shot down at least one Japanese Zero in his efforts, and impacted on others. Sheean was posthumously awarded a Mention in Dispatches and in 2001 HMAS Sheean, a Collins class submarine, was commissioned. It is the first Royal Australian Naval vessel to be named after a non-officer. There is a wonderful portrait of Ordinary Seaman Sheean in the Australian War Memorial. It is a fantastic story, and one that will be told, I am sure, for months and years to come. I am pleased to advise that members of his family are now very pleased with the news that the defence department are reconsidering this matter. I have talked with Garry Ivory, a nephew, who I will be meeting with early next week, and I know how pleased he is. Indeed, Max Sheean, another nephew, and other family members, I understand, are also pleased. I also want to acknowledge and thank the Tasmanian media for their interest in this story.

I also want to put on record my acknowledgement of Paul Cleary, who I spoke with today, the author of *Men Who Came Out of the Ground*, who particularly makes the case for Teddy Sheean to be properly recognised. I want to acknowledge also Mike Carlton, who I have had contact with, who wrote the book *Cruiser: The Life and Loss of HMAS Perth and Her Crew*, which details the bravery of Hec Waller. The shadow minister, Senator Johnston, has a portrait of the HMAS Perth in his office. It has been my pleasure to have contact with both of them in recent days, and I commend them for their work in highlighting important aspects of Australia’s military history. I also note that Paul Cleary, Mike Carlton and Brendan Nicholson of the Australian have all written articles on this issue in the national media in recent days, and I welcome the attention for this issue.

Captain Hec Waller was born in Benalla, Victoria, in 1900. He was appointed cadet midshipman in the newly established RAN in December 1913. He studied at the RAN College in Geelong and received the King’s Medal on graduation in 1917. He was sent to Britain in April 1918, and he ultimately reached the rank of commander in 1934. In 1937 he was given command of the British destroyer HMS Brazen. He was referred to by the Australian Prime Minister Robert Menzies as ‘one of the greatest captains who ever sailed the seas’, and he gained the respect of the commander-in-chief, Admiral Sir Andrew Cunningham, who described that to the late Prime Minister Menzies. In May 1940 he was appointed to command the 10th Destroyer Flotilla, and in June he was promoted to captain. Waller would be involved in naval battles on many occasions during his two years in the Mediterranean.

When he returned to Australia in September 1941, Waller was given command of the cruiser HMAS Perth. Following Japan’s entry into the war, Perth was sent to defend the Netherlands East Indies. The Allied fleet, of which the Perth was part, suffered heavily in
the Battle of the Java Sea on 27 February 1942, and Perth and the USS Houston were attempting to withdraw through Sunda Strait when they encountered a Japanese invasion convoy and escort. Houston and Perth destroyed at least four Japanese transports and a minesweeper, but both were sunk in the early hours of 1 March 1942. Of Perth’s 700 crew, only 218 would survive the sinking in subsequent years as prisoners of war. In terms of prisoners of war, I had the great honour of being on the Thai-Burma Railway on Anzac Day this year with colleagues and friends, including Senator John Williams.

Captain Waller went down with his ship. As well as his DSO and Bar, Waller was thrice mentioned in dispatches. Some believe he should have received a VC for his actions in the Sunda Strait. Indeed, many wrote accordingly. Captain Albert Rooks, commanding officer of the USS Houston, posthumously received the Medal of Honour, the US’s highest award for gallantry. Well, what about Captain Hec Waller?

The Dutch subsequently sought to posthumously honour Waller with an award of the Knighthood of the Militaire Willems-Orde, the highest Dutch gallantry award that could be given. He certainly deserves consideration for his efforts. I hope that within the department this is properly and seriously considered. I am confident that it will be. I commend this contribution to the Senate for serious consideration.

Senate adjourned at 8.29 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

- Acts Interpretation Act—Statements pursuant to subsection 34C(6) relating to the extension of specified period for presentation of reports—
- Commonwealth Authorities and Companies Act—Notices under section 45—Australian Rail Track Corporation Limited.
- Tuggeranong Office Park Pty Limited.
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)—Report for 2009-10.
Australian Rail Track Corporation Ltd (ARTC)—Report for 2009-10.
Australian Reinsurance Pool Corporation (ARPAC)—Report for 2009-10.
Australian Reward Investment Alliance (ARIA)—Report for 2009-10, including financial statements for Commonwealth Superannuation Scheme, Public Sector Superannuation Scheme and Public Sector Superannuation Accumulation Plan.
Australian War Memorial—Report for 2009-10.
Commissioner for Superannuation (Com-Super)—Report for 2009-10.
Commonwealth Services Delivery Agency (Centrelink)—Report for 2009-10—Correction.
Department of Climate Change and Energy Efficiency—Report for 2009-10.
Department of Finance and Deregulation—Campaign advertising by Australian government departments and agencies—Report for 2009-10.
Department of the Treasury—Report for 2009-10.
Director of National Parks—Report for 2009-10.
Final budget outcome 2009-10—Report by the Treasurer (Mr Swan) and the Minister for Finance and Deregulation (Senator Wong).
Medicare Australia—Report for 2009-10—Correction.
Migration Act 1958—Section 486O—Assessment of detention arrangements—Personal identifiers 595/10 to 599/10—Commonwealth Ombudsman’s reports.
Government response to Ombudsman’s reports.
Military Superannuation and Benefits Board of Trustees—Report for 2009-10, including financial statements for the Military Superannuation and Benefits Fund.
National Film and Sound Archive—Report for 2009-10.
National Industrial Chemicals Notification and Assessment Scheme (NICNAS)—Report for 2009-10.
Rural Industries Research and Development Corporation (RIRDC)—Report for 2009-10.
Screen Australia—Report for 2009-10.
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare)—Report for 2009-10.
Tax Practitioners Board—Report for the period 1 March to 30 June 2010.
Tuggeranong Office Park Pty Limited—Special purpose financial report for the period ended 25 June 2010 [Final report].

Indexed Lists of Files
The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended.

Index lists of departmental and agency files for the period 1 January to 30 June 2010—Statements of compliance—
Australian Taxation Office.
Finance and Deregulation portfolio.