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the Senate and committee hearings are available at

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http://parlinfo.aph.gov.au

SITTING DAYS—2010

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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

Printed by authority of the Senate
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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
Hon. Julia Gillard MP

Deputy Prime Minister and Treasurer
Hon. Wayne Swan MP

Minister for Regional Australia, Regional Development and Local Government
Hon. Simon Crean MP

Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Senator Hon. Chris Evans

Minister for School Education, Early Childhood and Youth
Hon. Peter Garrett AM MP

Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy

Minister for Foreign Affairs
Hon. Kevin Rudd MP

Minister for Trade
Hon. Dr Craig Emerson MP

Minister for Defence and Deputy Leader of the House
Hon. Stephen Smith MP

Minister for Immigration and Citizenship
Hon. Chris Bowen MP

Minister for Infrastructure and Transport and Leader of the House
Hon. Anthony Albanese MP

Minister for Health and Ageing
Hon. Nicola Roxon MP

Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP

Minister for Sustainability, Environment, Water, Population and Communities
Hon. Tony Burke MP

Minister for Finance and Deregulation
Senator Hon. Penny Wong

Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr

Attorney-General and Vice President of the Executive Council
Hon. Robert McClelland MP

Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP

Minister for Climate Change and Energy Efficiency
Hon. Greg Combet AM, MP

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

Minister for the Arts                                      Hon. Simon Crean MP
Minister for Social Inclusion                           Hon. Tanya Plibersek MP
Minister for Privacy and Freedom of Information          Hon. Brendan O’Connor MP
Minister for Sport                                       Senator Hon. Mark Arbib
Special Minister of State for the Public Service and Integrity Hon. Gary Gray AO, MP
Assistant Treasurer and Minister for Financial Services and Superannuation Hon. Bill Shorten MP
Minister for Employment Participation and Childcare       Hon. Kate Ellis MP
Minister for Indigenous Employment and Economic Development Senator Hon. Mark Arbib
Minister for Veterans’ Affairs and Minister for Defence Science and Personnel Hon. Warren Snowdon MP
Minister for Defence Materiel                            Hon. Jason Clare MP
Minister for Indigenous Health                           Hon. Warren Snowdon MP
Minister for Mental Health and Ageing                    Hon. Mark Butler MP
Minister for the Status of Women                          Hon. Kate Ellis MP
Minister for Social Housing and Homelessness             Senator Hon. Mark Arbib
Special Minister of State                                 Hon. Gary Gray AO, MP
Minister for Small Business                               Senator Hon. Nick Sherry
Minister for Home Affairs and Minister for Justice        Hon. Brendan O’Connor MP
Minister for Human Services                               Hon. Tanya Plibersek MP
Cabinet Secretary                                         Hon. Mark Dreyfus QC, MP
Parliamentary Secretary to the Prime Minister            Senator Hon. Kate Lundy
Parliamentary Secretary to the Treasurer                 Hon. David Bradbury MP
Parliamentary Secretary for School Education and Workplace Relations Senator Hon. Jacinta Collins
Minister Assisting the Prime Minister on Digital Productivity Senator Hon. Stephen Conroy
Parliamentary Secretary for Trade                         Hon. Justine Elliot MP
Parliamentary Secretary for Pacific Island Affairs        Hon. Richard Marles MP
Parliamentary Secretary for Defence                       Senator Hon. David Feeney
Parliamentary Secretary for Immigration and Citizenship   Senator Hon. Kate Lundy
Parliamentary Secretary for Infrastructure and Transport and
Parliamentary Secretary for Health and Ageing             Hon. Catherine King MP
Parliamentary Secretary for Disabilities and Carers       Senator Hon. Jan McLucas
Parliamentary Secretary for Community Services            Hon. Julie Collins MP
Parliamentary Secretary for Sustainability and Urban Water Senator Hon. Don Farrell
Minister Assisting on Deregulation                        Senator Hon. Nick Sherry
Parliamentary Secretary for Agriculture, Fisheries and Forestry Hon. Dr Mike Kelly AM, MP
Minister Assisting the Minister for Tourism               Senator Hon. Nick Sherry
Parliamentary Secretary for Climate Change and Energy Efficiency 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]
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<td>Shadow Minister for Employment Participation</td>
<td>Hon. Sussan Ley MP</td>
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<td>Shadow Minister for Justice, Customs and Border Protection</td>
<td>Mr Michael Keenan MP</td>
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<tr>
<td>Shadow Assistant Treasurer and Shadow Minister for Financial Services</td>
<td>Senator Mathias Cormann</td>
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<td>Shadow Minister for Childcare and Early Childhood Learning</td>
<td>Hon. Sussan Ley MP</td>
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<td>Shadow Minister for Universities and Research</td>
<td>Senator Hon. Brett Mason</td>
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<td>Shadow Minister for Youth and Sport and Deputy Manager of Opposition</td>
<td>Mr Luke Hartsuyker MP</td>
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<td>Shadow Minister for Regional Development</td>
<td>Hon. Bob Baldwin MP</td>
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<td>Shadow Special Minister of State</td>
<td>Hon. Bronwyn Bishop MP</td>
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<td>Shadow Minister for Ageing and Shadow Minister for Mental Health</td>
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<td>Shadow Minister for Disabilities, Carers and the Voluntary Sector</td>
<td>Senator Mitch Fifield</td>
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<td>Shadow Minister for Housing</td>
<td>Senator Marise Payne</td>
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<tr>
<td>Chairman, Scrutiny of Government Waste Committee</td>
<td>Mr Jamie Briggs MP</td>
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<td>Shadow Cabinet Secretary</td>
<td>Hon. Philip Ruddock MP</td>
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<td>Shadow Parliamentary Secretary for Roads and Regional Transport</td>
<td>Mr Darren Chester MP</td>
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<td>Shadow Parliamentary Secretary to the Shadow Attorney-General</td>
<td>Senator Gary Humphries</td>
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<td>Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman</td>
<td>Hon. Tony Smith MP</td>
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EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT BILL 2010

First Reading

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (9.31 am)—I move:

That the following bill be introduced: a Bill for an Act relating to education for overseas students, and for related purposes.

Question agreed to.

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (9.31 am)—I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (9.32 am)—I table the explanatory memorandum relating to the bill and 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—*
and that, given the size and diversity of the international education sector now, a one size fits all approach to regulation will no longer suffice.

In general, the recommendations are about strengthening the registration process, supporting more effective monitoring and enforcement, empowering students with information and improved complaints handling, encouraging the ethical recruitment of students, as well as introducing a simpler, more robust consumer protection regime.

The Government released the final report of the ESOS review on 9 March and at that time indicated a staged approach to the Government’s response, starting immediately with a number of the recommendations that build on recent changes to the Act.

Consistent with this staged approach, the Government’s response to the remaining recommendations will be considered in a second tranche in the coming months.

The Education Services for Overseas Students Legislation Amendment Bill which I am introducing today is the first round of changes to the ESOS Act recommended by the review and will make adjustments to the ESOS Act as well as the Ombudsman Act 1976 and the Privacy Act 1988.

The dual focus of this Bill is risk management and more effective enforcement.

The Bill introduces provisions to further strengthen the registration process for approved providers. As part of proving their demonstrated capacity to provide education of a satisfactory standard, an amendment is proposed to make it clearer that providers will have to demonstrate access to the financial resources to meet the objectives of the ESOS Act; that they have a sustainable business model, and that they have the capability, governance structures and management to deliver education of a satisfactory standard. Recent college closures have highlighted that greater upfront scrutiny of these matters can help identify providers which are at greater risk of not meeting their legislated obligations.

This amendment will raise the bar of entry into the international education sector and is consistent with proposed changes to the Australian Quality Training Framework, announced by COAG in December 2009 and taking effect from July this year, to strengthen the gateway for all Registered Training Organisations.

Building on the risk managed approach developed for the re-registration process currently underway, this Bill will extend a risk management approach to all registrations both at the point of registration and throughout the registration period. The purpose is to better identify risk and ensure a consistent assessment of risk by all regulators and, in time, the national regulators being established for the Vocational Education and Training and Higher Education sectors. Together with the strengthened registration criteria, this amendment aims to reduce the number of high risk providers entering the international education sector, and set appropriate conditions on providers’ registration, including for ongoing monitoring to better manage risk.

This will enable better targeting and reduced duplication of compliance efforts and will shift the regulatory burden to those providers that present the greatest risk to the student experience and the reputation of the sector as a whole.

While registration criteria will apply to all providers, higher risk providers may have new Commonwealth imposed conditions placed on their registration, such as a cap on enrolments, annual financial statements or restrictions on the fees that can be collected in advance; as well as more frequent and detailed auditing. This, in turn, will create incentives for providers to reduce their risk by rewarding low risk providers with less onerous monitoring regimes.

As part of this measure, consistent with common practice, when registering a provider, the regulator will assess the provider’s risk profile and set a period of review and any conditions to ensure appropriate levels of scrutiny are applied to the provider’s operations. The Commonwealth will also be able to assess risk and apply risk based conditions at any time, rather than only as a result of compliance activity. As with re-registration, the details of the risk management approach, such as the broad indicators of risk and type of conditions that should apply, will be further developed in consultation with states and territories through Ministerial Council processes, and with the sector, prior to implementation.
The risk management approach will be supported by limiting a provider’s registration period, on the Commonwealth Register for Institutions and Courses for Overseas Students, to no more than five years. This will also help introduce consistency into the registration regime by allowing the ESOS Act to formally recognise and align with limited periods of registration for each provider set by the states under domestic quality assurance frameworks.

Amendments are introduced to strengthen the ability to take effective enforcement action by introducing financial penalties for a broader range of non-compliant behaviour and to enable regular publishing of targets and information on regulatory activities undertaken by the Commonwealth.

A perception raised during the Baird review consultations is that while the ESOS legislation is sound, it is not adequately enforced.

Financial penalties are a tangible immediate action against providers for compliance breaches, reducing the need to go through lengthy court processes or potentially compromising a provider’s ability to continue operating. There is existing scope for financial penalties to be extended for a range of breaches of the National Code by making amendments to regulations. However, the amendments introduced in this Bill identify specific offences within the ESOS Act itself, which should attract a financial penalty because they get to the heart of emerging issues confronting the international education sector, such as unethical recruitment activity and poor maintenance of student records.

Similarly, by publicly setting and publishing targets and outcomes of regulatory activity, the sector and the rest of the world will know that Australia is serious about enforcement and committed to quality education and training. This amendment will allow the Commonwealth Government to publish any actions taken under the enforcement and monitoring parts of the ESOS Act. Any appeals by providers against enforcement action taken will be no bar to the publication of this information. The publication will be corrected if the appeal is upheld.

Finally, the jurisdiction of the Commonwealth Ombudsman will be extended to include students of private registered providers. This is a key recommendation arising from the Baird review. Currently, while private providers must provide access to an external complaints body (as required under Standard 8 of the National Code), unlike students of public providers, students of private providers do not have recourse to a statutorily independent external body, such as an ombudsman, competent to hear and investigate their complaints in a consistent and quality assured manner.

By doing this, all international students, whether studying at a public university or a small private provider, will now have the same level of access to an external appeals body. This will increase confidence in complaints handling processes by both students and providers, lead to greater acceptance of decisions and reduce lengthy and costly appeals processes for all parties.

The Commonwealth Ombudsman is well positioned to promote greater understanding of the complaints process and provider obligations, as well as provide useful feedback to government on complaint trends to further inform policy.

In his review, Mr Baird recommended a number of other measures, including the development of a risk based approach to various costs associated with registration – for example, consumer protection and the collection of non-course fees.

The Government has committed to further consultation on the remaining recommendations, including the proposed new tuition protection service. These recommendations will be taken forward in the next phase of the Government’s response to the Baird review.

Timely passage of this Bill will ensure these measures can commence quickly to effectively respond to ongoing concerns and uncertainty in the international sector. The cooperation of the states and territories, along with the providers and many other stakeholders of the industry, will be required to implement these and any future recommended changes to the ESOS Act.

I look forward to bringing the second phase of the Government’s response to Baird recommendations forward in the Winter 2011 sittings.

Ordered that further consideration of the second reading of this bill be adjourned to
the first sitting day of the next period of sittings, in accordance with standing order 111.

HEALTH INSURANCE (EXTENDED MEDICARE SAFETY NET) AMENDMENT DETERMINATION 2010 (No. 2)

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (9.32 am)—I move:

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.

Question agreed to.

HEALTH INSURANCE (EXTENDED MEDICARE SAFETY NET—MIDWIVES) AMENDMENT DETERMINATION 2010

Senator LUNDY (Australian Capital Territory—Parliamentary Secretary for Immigration and Citizenship and Parliamentary Secretary to the Prime Minister) (9.33 am)—I move:

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.

Question agreed to.

MINISTERIAL STATEMENTS

Afghanistan

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

That the Senate take note of the statement.

Senator RONALDSON (Victoria) (9.33 am)—I rise today to speak on the debate on the statement regarding Afghanistan and start with the following quote:

The entire future rests upon our shoulders. It depends upon our action, our courage, and our intelligence. If you oppose our intervention in the war, now is the time to make your voice heard.

These words were not uttered by Senator Brown during this parliamentary debate over Australia’s military involvement in Afghanistan—but they could have been. Nor were they spoken by the other Greens members of this parliament, whose opposition to the war is equally unyielding—but they could have been. Those words were not expressed by Mr Andrew Wilkie, who, during his maiden speech in the other place, called the war ‘a great lie peddled by both the government and the opposition’—but they could have been.

The words I have just quoted were first spoken by Charles Lindbergh on 11 September 1941 at an America First rally in Des Moines, Iowa, USA. The America Firsters wanted the US to stay out of what they called ‘the European War’. At the very time Lindbergh was preaching his isolationist creed in the American mid-west, Australian troops were besieged in Tobruk, the Germans were driving deep into Russia, and Britain was just barely hanging on. The SS were giving Zyklon B gas its final test run against the mentally infirm before deploying it wholesale in the gas chambers of Auschwitz, and the countdown to the Japanese attack against Pearl Harbour, less than three months later, was already underway. The America First movement was a testament to the human capacity for self-delusion.

We see that same delusional state on the other side of this debate today. Now, before going any further, allow me to pre-empt the protests that are doubtless welling up in the throats of my colleagues from the Greens. I am not making a comparison between the Second World War itself and the current conflict in Afghanistan. That would be both silly and totally inaccurate. But I do see similarities between those foolish isolationists of the
1940s who thought America could duck Nazi aggression and these neo-isolationists seven decades later who advocate a rash, foolish pull-out from Afghanistan. They are both afflicted by the same fatal naivete. They both suffer from what Thomas Sowell of Stanford University's Hoover Institution calls ‘stage 1 thinking’, which he describes as ‘the seeking of immediate gratification without thought of any long-term consequences’.

If I may say so, the ‘stage 1 thinking’ syndrome is a very common affliction within the political Left. But here in this parliament we owe it not only to our troops in the field but to the Australian people to consider what would come after. We have an obligation to think about what would really happen if Senator Brown got his way. First, we must define what that way entails. It goes without saying that the Greens demand the immediate withdrawal of Australian troops from Afghanistan, but their ambition does not end there. Indeed, the record shows that my crossbench colleagues regard the entire NATO mission in Afghanistan as illegitimate. In fact, way back on 23 September 2001, Senator Brown issued a press release that described US military action against the Taliban in the wake of 9/11 as:

... a breach of the UN Charter and of the ANZUS Treaty.
So it is not just our troops that concern the Greens. They want the whole lot out.

That brings us to ask what would take place if we cut and ran from Afghanistan. That is the real question, yet it is a question that can be answered with one simple word—chaos. There would be absolute chaos and death and destruction on a massive scale. It would trigger a flood of Taliban and al-Qaeda terrorists, who would pour out of the Hindu Kush to exploit the vacuum left by departing NATO forces. And those terrorists would do what terrorists do best—maim the innocent, kill the defenceless and persecute the vulnerable. The inevitable result would be bloody civil war, a war where there is no guarantee that the government would prevail.

But then I hear Senator Brown protesting that the Afghan government is so terribly corrupt—and, yes, it is true. There is no denying that President Hamid Karzai presides over a flawed administration marred by graft, bribes and electoral fraud. But we live in the real world, not in a utopia, and in that very real world we are forced to deal with things as they are, not as we might wish them to be. While we would all like to see a more honest Afghan government, while we work hard towards that goal we must really ask ourselves, ‘What is the alternative?’ Senator Brown’s alternative means the resurrection of the al-Qaeda sanctuary where the 9/11 plot was hatched and harboured. It means the further destabilisation of an already shaky government in next-door Pakistan, which is struggling against its own radical Islamic insurgency. Anyone who worries about the prospect of Pakistan’s 100-warhead nuclear arsenal falling into jihadi hands should support the war effort in Afghanistan. And anyone who does not have such worries is a ‘stage 1 thinking’ fool.

But there is more here at stake than just high strategy and nuclear geopolitics. This debate hits home at a much more human level as well. It is an undeniable fact that Senator Brown’s alternative also means casting Afghan women into a new dark age of illiteracy, impoverishment and oppression. I find it sadly ironic that a political party espousing such impeccable feminist credentials is willing to sell 15 million Afghan women and girls down the river into Taliban servitude. I find it morally outrageous that Senator Brown and his Greens colleagues would sacrifice half the Afghan population on the altar of a naive isolationism. We all recall the August 2001 photos of women being beaten
by the Taliban religious police in the streets of Kabul—beaten for the crime of removing their burqa.

I would like to draw the attention of the Senate to another, much more recent, photograph. This photo appeared on the front cover of the 9 August 2010 edition of *Time* magazine, just a couple of months ago. I have it with me, and it is an absolutely horrific photograph. I will show it to my colleagues later. It shows a young Afghan girl with a hideous hole where her nose should be.

The ACTING DEPUTY PRESIDENT (Senator Hutchins)—Can I see it, Senator?

Senator RONALDSON—I am happy to show it to you, Mr Acting Deputy President, and I seek leave to table it.

Leave granted.

Senator RONALDSON—Thank you, Mr Acting Deputy President. The caption on *Time* reads: ‘What happens if we leave Afghanistan: Aisha, 18, had her nose and ears cut off last year on orders from the Taliban because she fled abusive in-laws.’ If that is not bad enough, the Taliban has been attacking girls schools throughout the country with poison gas. That photograph, in my view, epitomises the barbarity that we will force upon those women and young girls in Afghanistan if we take the move that Senator Brown wants us to adopt. It is absolutely intolerable, in my view, that we could put anyone at risk of a repetition of what is on the front page of the *Time* magazine. What Senator Brown and his Greens party colleagues are effectively advocating is open slater for jihadi barbarity. That, in my view, is just completely unacceptable. They are effectively declaring open season on Afghan women and anyone else who believes in modernity over medievalism. Currently, the Afghan government is far from perfect, and of course more must be done to protect Afghan women from domestic abuse. But, while Hamid Karzai builds schools for girls, the Taliban destroys them. It is as simple as that.

In closing, Senator Brown may want to run, but this is a threat from which we simply cannot hide. Events such as 9/11, Bali, the London subway and the Madrid rail attacks all show that if we do not take the fight to them they will bring it to us. In Afghanistan we are fighting enemies whose determination to drag the globe into medieval darkness is only matched by their ruthlessness in achieving that goal. They represent a veiled form of fascism that must be opposed and not appeased. In that regard, we would do well to remember Winston Churchill’s quote that ‘an appeaser is someone who feeds the crocodile in the hope of being eaten last’. Charles Lindbergh was on a fool’s errand on that September night back in 1941, and I believe that the Greens are on a similar flight of folly in this debate. I speak to express my determined support for Australia’s war effort in Afghanistan. I thank the chamber.

Senator FIERRAVANTI-WELLS (New South Wales) (9.44 am)—I also rise to speak on the motion on Afghanistan. Much has been said, and so at this stage of the debate I will keep my comments brief. Members of our Defence Force are a dedicated group of professionals who joined their respective services in the knowledge that one day the government may make a decision which could put them in harm’s way, particularly when all avenues of government effort, including diplomacy and dialogue, have failed to resolve a crisis situation. Accordingly, it behoves the Australian government to ensure that our defence forces are fully equipped, well trained and able to be sustained in order to meet potential threats to our democratic way of life and, indeed, the freedoms we now enjoy today. Let us not forget the many sacrifices that have been made by members
of our defence forces past and present; in all likelihood they will be called upon to do so again well into the future of our very complex and sometimes troubled world.

Afghanistan to date has had a long history of civil unrest, and our involvement in defeating the Taliban is, hopefully, a final chapter where the Afghan people will be able to go about their lives in peace and prosperity. Our involvement in Afghanistan received bipartisan support, and, although it had been a tough and protracted campaign, with many making the ultimate sacrifice for their country, we must be steadfast, stay the course and complete the mission. We should explain to the Australian people our intent and why we need to resolve the Afghan crisis.

This debate may be timely in terms of the protracted nature of the Afghan campaign. Based on military judgment, the Australian government may, as required, modify and redefine the Afghan strategy for mission success. However, I have concerns about the intent and the myopic ideology of the left through their manifestations in Labor, the Greens and their various hangers-on, including GetUp, the unions and some media commentators. I fear that beneath the surface of their intent lies a more sinister undertone.

My husband served for 35 years in the Royal Australian Navy. He remembers only too well how poorly servicemen were treated during the Vietnam era, mostly by the left wing of politics and their lackeys in the community. It was a disgraceful situation then, and now today those opposing should conscientiously keep the putrid aspects of their ideologies in check. Let us not return to those dark days when service men and women were subjected to ridicule and abuse simply because they were members of the Defence Force and were implementing Australian government policy.

I remind the Labor-Green alliance to ensure that our armed forces are fully supported in their endeavours, particularly when we have sent them into harm’s way. Our service men and women, and their families and loved ones, need to know that the government is supporting them in a very tough mission in full knowledge that what they are doing is right.

Senator BARNETT (Tasmania) (9.47 am)—I stand here today to support the government from the opposition’s position with respect to the importance of our involvement in the war in Afghanistan. Australia’s involvement in Afghanistan is a direct response to the worldwide threat of terrorism, which reared its ugly head most devastatingly on 11 September 2001. Most of us here—and I think most in Australia—remember where we were at that time. I was at home in Hobart and was shocked, saddened and incredibly upset, as were my family and colleagues at work. One of the responses we had as we saw that shocking incident in New York and subsequently in Washington, DC, where I worked in the mid-1980s, was to call my local pastor to come to the office to share, to comfort those around us and to try to make reason of this shocking incident.

On that day, al-Qaeda murdered more than 3,000 people—thousands of citizens of our ally, the United States, and people from many other countries, including Australia. Millions of people around the world began to live in fear that the same could happen to them. I remember speaking to friends and colleagues in the United States to check on their health and wellbeing and their whereabouts, and the sense of insecurity and concern was significant indeed. The terror did not end on September 11, and since 2001 more than 100 Australians have been killed in extremist attacks overseas, among them 88 Australians killed in the Bali bombing in
2002. Four Australians were killed in the second Bali bombings in 2005, and our embassy in Jakarta in Indonesia was bombed.

I had the honour of being in Jakarta in June this year with the Senate Standing Committee on Legal and Constitutional Affairs delegation. We were looking at the anti-terrorism laws in that country as well as in Singapore. We visited the bomb site at the Jakarta embassy, paid our respects and shared a special memory of those who were killed. In each case the terrorist groups involved had links to Afghanistan. A highlight—or, perhaps, even a lowlight—of my parliamentary career was being involved in attending the memorial service for those who died at the Bali bombings in 2002. It was one of the most moving and significant experiences of my parliamentary career and it brought home to me just how terrorism affects people’s lives all over the world, including here in Australia.

But the reach of terrorism goes beyond just these examples. It goes beyond state borders. It threatens beneath the radar and it does not play by the rules of war. With these things in mind and in response to this threat, there are two primary reasons why Australia is involved in the war in Afghanistan. Firstly, it is to make sure that Afghanistan never again becomes a safe haven for terrorists, a place where attacks on us and our allies begin. Secondly, it is to stand firm behind our alliance commitment to the United States, which was formally invoked following the attacks on New York and Washington in 2001. Having worked in Washington, DC myself some years ago, I very much appreciate Australia’s relationship with the US and support the importance of that alliance. I am steadfast in my support for it. They have stood by us in time of need, and it is only right and proper for us to do the same and to be committed to finishing the job in Afghanistan in this instance.

I have many good friends and colleagues still living in the USA. The bond of friendship and the relationship are deep. The Australia-US alliance should not be underrated, including our involvement with them during the Second World War. I had the privilege of being in Kokoda and walking the Kokoda Track in 2008 and learning about the sacrifice, endurance, mateship and courage demonstrated by Australian diggers together with the US veterans. It was fantastic, something I will never forget.

In response to the barbarism of the 11 September attacks, the US launched Operation Enduring Freedom in Afghanistan citing article 51 of the UN charter and invoking article 5 of the NATO treaty as legal justification. Australia invoked the ANZUS treaty and the International Security Assistance Force was soon after established by the United Nations Security Council, on 20 December 2001, by resolution 1386 and reaffirmed each year with NATO taking a lead role. As part of ISAF, Australia has participated in the war in Afghanistan as part of a global coalition. Our continued involvement has been the subject of ongoing review and the international legal basis for this war is indeed an important issue.

To remain involved in such a critical life-and-death battle, Australia as a nation must be clear in its own mind why it is involved in the war. The first objective of Australia’s national security is freedom: 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 with all of these attacks linked in some way back to the freedom of action that terrorist forces enjoyed in Afghanistan. We must remove safe havens for extreme Islamic terror groups capable of extending their influence into Australia’s region and thereby further impacting on our national interests.
One of the principles of Australia’s national security is to support the UN to promote a rules based international order. Australian forces are under ISAF command under a UN mandate. If our alliance with the United States remains the key strategic partnership and the central pillar of Australian 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. US hegemony within our region is fundamental to regional stability, given an increasingly engaged China that is focused on territorial strength particularly over ocean sovereignty and regional influence.

Moving to shrink our relationship with the US, as some have argued, including the Greens, would be counterproductive to our own security and to wider regional stability. 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. Having worked in Washington DC for some years, I very much appreciate Australia’s relationship with the US and support the importance of that alliance.

The welfare of Afghan citizens who have been barbarically brutalised and repressed under extreme Islamic law is also vitally important. Australia is committed to doing what it can towards the creation and maintenance of stability within the Middle East more generally, particularly in Pakistan, a nuclear state—and I will speak more about that shortly. I observe that the Greens’ position to withdraw would cause havoc and chaos and do untold damage to the people of Afghanistan, particularly to the women and children of Afghanistan. That was rightly noted and well espoused by Senator Ronaldson a few moments ago.

International coalition forces in Afghanistan now number around 140,000, comprising 120,000 ISAF troops from 47 nations and an additional 20,000 US troops under Operation Enduring Freedom. Australia’s military contribution to ISAF is deployed under Operation Slipper. Of the 1,550 ADF personnel deployed within Afghanistan, 1,241 are deployed in Oruzgan province and around 300 in Kabul, Kandahar and elsewhere in Afghanistan. These numbers vary depending on operational requirements and shifting seasonal conditions. A further 830 personnel provide support from locations within the broader Middle East area of operations, including our maritime commitment.

Compared to the US’s 80,000 troops, Britain’s 10,000 and even Canada’s 2,800, Australia’s military commitment is relatively modest, but still our 1,550 soldiers have the lion’s share of security responsibility in a province that has long been Taliban heartland. Twenty-one combat deaths, including 10 since June, and 152 combat injuries so far make this our most serious fight since Vietnam. Afghanistan has become a central front in the most important struggle for civilisation in our time. I understand outside of NATO our contribution is the largest.

The coalition supports the US objective that, in partnership with our allies, we seek the strategic denial of Afghanistan as a training ground and operating base for global terrorist organisations—and that is what it was. The overall progress of the war has been a long road already but not without some success. Al-Qaeda has been dealt a severe blow in Afghanistan and it is no longer a safe haven for training camps in the country, but there is still a long way to go, and that has been noted by General Petraeus.
and others. President Karzai earlier this year committed to improving governance, pursuing electoral reform, taking effective anticorruption and antinarcotics measures and creating social and economic opportunities for all Afghan people, including women and girls.

There are many inputs that are vital to success in war and the importance of high-quality, responsive military procurement and supply to our troops can never be underestimated. In recent times there have been concerns raised on the frontline about lack of support. It is timely to note and be reminded of the importance of ensuring our troops are properly provided for.

I just want to note that three Australian soldiers have been charged by the military Director of Public Prosecutions as a result of an operation conducted by special forces in February 2009. In that raid, six Afghan people were killed. These events certainly highlight the complexity of war in a harsh environment where it is not always readily apparent who the enemy is. We should be very slow to judge our forces in cases such as this. I would urge the government to use every available resource within its power to ensure that a proper defence and adequate resources and support are given to those who have been charged. I question why there is a need for that in the first place. But, without being an expert and without all the information available, I cannot add anything further at this time other than to say that I think our troops should be given as much support as possible. This is a war zone.

I want to comment on Australian development aid in Afghanistan, apart from our direct military involvement. There will need to be a transition to education, health and infrastructure support in the years ahead as we move from military support through to development aid. In my view, the delivery of development assistance is a vital element in helping Afghanistan to become a nation with the capacity in and of itself to stand up to the threat of terrorism. I note that Afghanistan is the fourth biggest recipient of aid from the Australian nation. That is something to be proud of.

Progress in Afghanistan’s development over the last nine years includes a dramatic increase in school enrolments, from around one million in 2001 to six million today, one-third of whom are girls. That is great news. There has been a significant increase in the availability of basic health services, which were available to less than 10 per cent of the population under the former Taliban regime but are now extended to around 85 per cent of the people. There has been the identification and management of over 39,000 community based infrastructure projects, such as wells, clinics and roads. That is good news. We have seen the rehabilitation of almost 10,000 kilometres of rural roads. The telecommunications industry has created about 100,000 jobs since 2001. Ten million Afghans today have access to telecommunications, compared to about 20,000 in 2001.

There have been two elections for the lower house of parliament since 2001. Around 27 per cent of the seats in the lower house and one-sixth of the seats in the upper house are reserved for female members. That is a good initiative, for sure. The lower house has significant powers, including the right to reject or approve draft laws, to hold votes of no confidence in government ministers and to reject cabinet nominees. So there is a move towards democracy.

The Taliban suppressed free speech. That needs to be noted and remembered. Afghan people now have access to over 400 print media publications and radio and television outlets. These give Afghans an outlet to discuss publicly their views.
Development assistance through AusAID has grown from $26.5 million in 2001-02 to $106 million in 2010-11. Australia’s development assistance focuses on improving the capacity to deliver core services, such as health and education, and supporting agriculture. Around 50 per cent of that aid to Afghanistan is delivered through Afghan government systems. It is a figure well in advance of that of many other donors, and that is good news. Australia’s main military and civilian effort is focused, as I indicated, on Oruzgan province. Oruzgan ranks as one of the least developed provinces in Afghanistan. The literacy rate for females is zero and only 10 per cent for males, compared to national figures of 12.6 and 43 per cent respectively. So it is having some impact.

Our aid program is only just beginning to increase, but already Australia has supported basic health and hygiene education, enabled community de-mining and mine risk education and improved food security through the distribution of wheat and other food items. Australia is working to build capacity within the provincial administration and encourage stronger links with the central government. That is certainly worth while and a positive development.

The Millennium Development Goals have bipartisan support in the Australian government, which is excellent. It should be noted that this aid should be granted consistent with our aim to meet the Millennium Development Goals. The Giving Australia report notes that Australians are the most generous in the world. That is something to be proud of. This was particularly noted vis-a-vis the disaster in Pakistan very recently. All of this should be seen as part of the bigger picture and in the broader context of international peace and security.

I want to talk about the merit of having key performance indicators and benchmarks and reporting progress. On this issue I would like to refer to the Canadian approach. The Canadian parliament recently produced a report entitled Canada’s engagement in Afghanistan: quarterly report to parliament for the period of 1 April to 30 June, 2010. Canada provides quarterly reports, with benchmarks, key performance indicators and progress to date in reaching the targets. That is a great way to go. I commend it to the government for consideration. We should have at least six-monthly reports on targets, benchmarks and KPIs so that we as a nation know exactly where we stand and can understand the progress in Afghanistan.

Terrorism should be seen in the context of the Middle East—and Israel and Iran in particular. The war in Afghanistan is part of the broader fight against terrorism throughout the world, and particularly as part of our Middle East Area of Operations, to which a further 800 troops are committed, in addition to the 1,550 committed to Afghanistan. The Middle East plays a unique role in the peace and stability of our fragile world, and at the heart of those issues is the nation of Israel. In recent times, the activities of, and comments made by, the nation of Iran have been prominent and have been destabilising the Middle East. Israel has a right to exist. That is something that needs to be noted and strongly supported. When nation states such as Iran do not acknowledge that and terrorist organisations, whether they be Hamas or otherwise, do not acknowledge that, it destabilises the region. I was pleased to be part of the Australia Israel Leadership Forum last year and will be again this year. It plans to meet in Israel in December. I commend the leadership of that forum and the instigators of it. They do a great job.

I indicated earlier that I had been to Indonesia in June this year. I am very concerned about the possibility of terrorist activity in Indonesia. I just ask the question: is there an
adequate commitment—a comprehensive political commitment with political will and resources across the board—to deal with terrorist activity close to our shores? I am not convinced that there is. I call on all those decision-makers in Indonesia to redouble their efforts to stamp out terrorism wherever possible. We have seen the activities of Je-maah Islamiah—we had the Bali bombings of course; and I note the Indonesians have acted in response to that. But Abu Bakar Bashir still holds views which are prominent in Indonesia. So there is still more to do. I am totally committed to our support for Afghanistan and for making a difference. I do see the merit of having a parliamentary inquiry into this matter. (Time expired)

Senator PRATT (Western Australia) (10.08 am)—I rise today to take note of this ministerial statement on Australia’s commitment in Afghanistan. I recognise that this is a very significant debate. It is not an easy debate. The war in Afghanistan, and Australia’s participation in it, is an issue that weighs on my conscience—as it should; and as I know it weighs on the consciences of all members of this parliament. So, as a member of this parliament, I welcome this valuable opportunity to discuss this issue. We have a collective responsibility to ensure that Australians are only placed in harm’s way for the most worthy of causes. The deaths of 21 Australian Defence Force personnel and the taking of the lives of more than 100 Australians who have been killed in terrorist attacks overseas all underscore the significance of this responsibility.

Our responsibility is also underscored by the plight of the Afghan population, a population that has become vulnerable to the exploitation and manipulation of extremists because of the grinding poverty, oppression and human rights abuses the Afghan people face everyday. This is especially the case for women and children. Is it any wonder that Afghanistan provided the breeding ground for terrorists when it ranks 181st out of 182 countries in the UN’s human development index? Only 30 per cent of people there can access safe drinking water, and Afghanistan is the most food-insecure place on earth.

The 2010 report from the Canadian government to the Canadian parliament on that country’s engagement in Afghanistan highlights:

Thirty years of conflict, political instability and economic hardship have decimated Afghanistan’s infrastructure and institutions, and diminished the confidence of the Afghan people in their government.

The report goes on to say:

Rebuilding this confidence is largely dependent on increasing the capacity of the Afghan government to deliver basic, essential services such as education, health care, roads, job creation, irrigation, clean water and electricity.

I commend the Canadian parliament for its reporting process. I think this is something the Australian government should be looking at in order to give greater transparency to our own participation in Afghanistan.

You can see from this that our military efforts in Afghanistan are part of some much broader goals. One of those goals is to improve conditions for women and children, and to advance human rights more broadly. Afghanistan’s long-term stability is important for us. The population must be protected and Afghanistan’s civil society and institutions must be strengthened so that the country’s government can properly serve its people. While military engagement is part and parcel of achieving the security conditions needed for sustainable civil institutions and services, I have to say that it does not always engender trust and it can even serve to undermine these broader goals for Afghan civil society. So, in my opinion, we must be mindful of this, as we strive to get the balance right between our military engagement and
reconstruction and support for building civil society and services. This is something Australia already recognise, because we do have a significant aid program which, in contrast to many other countries active in Afghanistan, can be seen to be broad and comprehensive. But we must do more to get this balance right and to insist that other nations participating in Afghanistan also work to get this balance right. Success in Afghanistan does not simply depend on our military engagement but also, and more importantly, on the way our aid program builds and supports civil society.

The Australian Council for International Development has expressed concern that, as military engagement has intensified in Afghanistan, aid programs in the region have become militarised. I share these concerns. As the peak organisation of non-government aid agencies in Australia, ACFID asserts that increased militarisation has meant that the role of many aid agencies has become increasingly marginalised and fragile. ACFID has suggested that Australia’s aid and defence operations should be disaggregated to mitigate this problem. It is important to make clear the distinctions between the provision of military operations and the provision of civilian aid and reconstruction efforts because, as ACFID suggests, the direct relationship between military operations and the provision of aid leads to a perception of the militarisation of that aid. This in turn reduces the effectiveness of that aid and the trust of the Afghan people.

ACFID has also expressed concern that the delivering of aid to those places in which there is increased military activity at the expense of those regions that are considered ‘more secure’ effectively destabilises and ‘penalises’ more secure regions. I believe that this is an effect that deserves further investigation, because we need to be sure that we have, and we continue to have, the balance right between military engagement and reconstruction and civil aid. Nevertheless, I do believe that Australia’s aid program is making important differences to the lives of Afghan people. We know that for many years women and girls have been excluded from education by the Taliban. Australia’s aid commitment has contributed to the provision of primary education programs that promote the education of girls in remote communities. Our contribution through the World Food Program encourages the attendance of girls at school through the provision of take-home rations. These are real on-the-ground programs that are providing for the basic needs of young women and girls so that they have, for the first time, the chance to get an education—an opportunity that we here in Australia take for granted.

We also know that Afghanistan’s maternal and infant morality rates are amongst the highest in the world. Australia’s aid program is assisting to bring down these rates, which are unacceptable. We are doing this by providing antenatal, postnatal and children’s health programs. These are just a few examples of the positive effects that Australia’s civilian aid program is having in Afghanistan; there are many, many more. We are going to ensure that these important contributions continue, and in order to ensure that they have their intended effects we must continue to evaluate our role and these contributions.

In conclusion I would like to say I do understand that, in order to achieve the goal of building a stronger civil society in Afghanistan, security is of paramount importance. Afghanistan cannot become a successful state in an environment where Afghan people, and NGOs and others on the ground, face extreme risks every day. The role of the Australian defence forces in training and supporting Afghan security forces is vital. But we must always ensure that this role
supports the building of a stronger, more sustainable civil society in Afghanistan, with social services that truly meet the needs of the Afghan people. It is only through building a peaceful and stable Afghanistan that the globe, and Australia, will also become a more peaceful place. An Afghanistan where people have basic human rights, food security, water sanitation, education: these are the things that will support peace in Afghanistan and across the globe.

Senator CAMERON (New South Wales) (10.17 am)—I am pleased to have the opportunity to participate in the debate on Australia’s involvement in the Afghan war. At the outset I would like to recognise the commitment of the Australian Defence Force and particularly the ultimate sacrifice made by 21 of our military personnel. I would like to personally express my sympathy to the families, friends and comrades of our soldiers who have lost their lives in Afghanistan.

Given the current circumstances in Afghanistan, I support the government’s policy on Afghanistan. In saying this, I have been a long-term peace activist in the trade union movement. I am not a pacifist, and support the need to defend our nation during times of war. Notwithstanding this, I am inclined to be anti-war, not pro-war. I have never served in the military. Nevertheless, I have a direct family experience of the horrible consequences for mainly working-class soldiers serving in the front line.

I was born in Bellshill, Lanarkshire, Scotland. This is a community just outside Glasgow that was part of the Scottish production line for front-line troops for the British Army. Like many other working-class Scots, my grandfather and father served in the British Army. My father was a sergeant major in the Cameronians, the Scottish Rifles, and saw active service in Burma and India. He was part of the British expeditionary forces under General Wavell who were known as the Chindits and he fought in the Burmese jungle behind Japanese lines in extremely tough conditions. My father was physically and psychologically affected by his wartime service. Apart from ongoing bouts of malaria, he, like many Scottish working-class soldiers, used alcohol as a crutch in those days when there was little or no recognition of the psychological effects of war. My father was a tough man. But, no matter how tough you are, the horror of war spares no one. My family suffered the aftermath of my father’s wartime service. He died a relatively young man. My experience, which was consistent with the experience of many working-class Scottish and Australian families, confirms my opposition to and hate for war.

I am not in a position to know the psychological and physiological scars that will affect our returned soldiers from Afghanistan. There will be undoubtedly ongoing challenges for our returned servicemen and their families as a result of their service in Afghanistan. It is absolutely essential that high-quality and professional support for returned servicemen and their families is available if and when required. I am deeply concerned to think that we could be involved in the war in Afghanistan for another decade. It is worth remembering that the first contingent of the Special Forces Task Group left Perth on 22 October 2001.

I have an abhorrence for the behaviour of the Taliban. I have two grown-up daughters who have been extremely fortunate to have been brought up in Australia. They have not been faced with the horrendous challenges and discrimination faced by young girls and women in Afghanistan during the era of the Taliban. It is almost incomprehensible to me that any group within society could abuse young girls and women in the manner that the Taliban have.
I have often thought that if, by accident of birth, I had been born in Afghanistan and had two young daughters, I would have been prepared to do almost anything to achieve a better life for my children. Is it any wonder that many Afghans flee the country as a result of the activities of the Taliban or of the threat that the Taliban might one day control Afghanistan to the detriment of the community and, in particular, women? There is a great deal of hypocrisy from some who stand up and make speeches about the need to bring democracy and peace to Afghanistan while, at the same time, vilifying and marginalising those who flee Afghanistan because they genuinely fear for their lives and the welfare of their children.

Labor is committed to building a stable, equitable and peaceful future in Afghanistan as part of an international team consistent with relevant United Nations mandates. I support the need for a comprehensive approach to the situation in Pakistan as well as Afghanistan. I support the development of aid and civilian assistance in Afghanistan and Pakistan, which both desperately need this aid. I support the training of the local Afghan National Police force and army forces, consistent with strategic objectives and international alliance commitments and obligations. Sustaining non-military assistance to Afghanistan to enhance, particularly, the education, skills and training of the Afghan people is essential. And we must work towards the capacity for the Afghan government to manage its own affairs. I support continued development assistance for Afghanistan.

I recognise that a lasting settlement in Afghanistan will require a political settlement, because war will not settle this. Ongoing commitments to decades of war are not the way forward in Afghanistan. There will have to be a political settlement, and it must be led by a government of Afghanistan. And, eventually, the military control in Afghanistan must be in the hands of a government of Afghanistan.

There is much merit in the analysis that the US war in Iraq has been responsible for a resurgent Taliban in Afghanistan. The strategic mistake made by the Bush administration, and compounded by those who supported the war in Iraq, has meant that it has become much more difficult to settle the war in Afghanistan. It meant that resources that should have been used to consolidate military gains in Afghanistan were diverted in a fruitless quest to find non-existent weapons of mass destruction in Iraq. This simply complicated an existing complex situation in Afghanistan.

We should always remember not only the cost to soldiers in Afghanistan but the cost to civilians of war. Afghanistan is no different to past wars. While there is no official figure for the overall numbers of civilians killed by the war since 2001, estimates put it in the range of 14,000 to 34,000 persons. Much to my surprise, systematic collection of civilian fatality data only began in 2007. Talk about the fog of war!

Apart from the cost in military and civilian lives in the Afghanistan War, there is also a huge financial cost to Australia and the US administration. I note that, since our military involvement commenced in October 2001, the estimated cost to the budget has been over $6 billion. This does not take into account the cost of repatriating and medically assisting returned soldiers. This will be a long-term legacy as our troops return with physical and psychological damage that needs expert and lasting medical support.

The eminent Nobel-prize-winning economist Joseph Stiglitz has estimated that the total cost of the war in Iraq and in Afghanistan to the US government has been $3 trillion—not billion, but trillion. Stiglitz has
estimated that the cost of direct US military operations, not including long-term costs such as taking care of the wounded, already exceeds the cost of the 12-year war in Vietnam and is more than double the cost of the Korean War. It is already 10 times the cost of the Gulf War, almost a third more than the cost of the Vietnam War, and twice that of the First World War. In 2008 the projected cost to the US for the Iraq War was $12 billion a month, and when Afghanistan is added to the total it is $16 billion a month. This is a huge investment from a country still reeling from the global financial crisis. Is it any wonder that there is increased opposition, not only to the war and the implications of the war but to the financial obligations that this war places on the US administration? There is no doubt that economic issues cannot be divorced from the capacity of the US government to continue its engagement in Iraq and Afghanistan in the long term.

I think this is one of the reasons that President Obama is seeking to have clear goals in the conduct of the Afghanistan War. One of these goals is to deny safe haven to al-Qaeda and to deny the Taliban the ability to overthrow the Afghan government. It is my view that Australia’s engagement in Afghanistan will be influenced by the success or otherwise of the six operational objectives that will be limited in scope and scale to what is necessary to obtain the US goal. These objectives are: reversing the Taliban’s momentum; denying the Taliban access to, and control of, key population and production lines and lines of communication; disrupting the Taliban outside the secure area and preventing al-Qaeda from gaining sanctuary in Afghanistan; degrading the Taliban to levels manageable by the Afghan national security force; increasing the size of the Afghan national security force and leaving the potential for local security forces so the US can position that responsibility for security to the Afghan government. This is seen as permitting the US to begin to decrease troop presence by July 2011. I find it quite disturbing that there have been calls for us to increase our troop engagement, involvement and numbers in Afghanistan, when it is clear that the US are looking to decrease their involvement in the Afghan war.

The US are also looking to selectively rebuild the capacity of the Afghan government with a military focus on the ministries of defence and the interior. President Obama has also raised the need for improved governance in Afghanistan, including on whether President Karzai has made progress in establishing merit based appointments in ministries, provinces and districts that are critical to the US mission. The US government are also seeking to demonstrate that they can assist the Afghans in promoting effective sub-national governance based on the campaign that the US are undertaking. Specifically, the US and Afghans need to generate sufficient civilian capacity to partner with the US in what is described as the ‘hold, build and transfer’ phases of the war, and they are estimating when these resources can begin to take effect.

These goals are complicated by the lack of proper governance in Afghanistan. The corruption in Afghanistan is very much complicating our approach and our capacity to achieve our goals in Afghanistan. These goals are further complicated by the situation in Pakistan. The US are looking to make sure they can shift what they call ‘the strategic calculus’ in Pakistan and end their active and passive support for extremists. They are also looking to ensure that Pakistan has dealt with al-Qaeda and other extremists, including the Afghan Taliban and the Haqqani network. Given these complications in this region of the world, I oppose any open-ended commitment to the Afghan war.
In conclusion I would like to touch on the words of Franklin D Roosevelt, one of the iconic political figures of the last century, who influenced political thinking around the world. In relation to war, Roosevelt said the following:

I have seen war. I have seen war on land and sea. I have seen blood running from the wounded ... I have seen the dead in the mud. I have seen cities destroyed ... I have seen children starving. I have seen the agony of mothers and wives. I hate war. I also hate war and will be glad to see Australia disengage from this war as soon as practically possible.

Senator LUDLAM (Western Australia) (10.32 am)—I rise to add some comments to the debate on the Afghanistan conflict, and it is perhaps appropriate that I follow Senator Cameron, whose contribution I think was a valuable one. We are having this debate today whereas in my view it should have been had nine years ago when this country first committed troops to Afghanistan. We are here to clean up the consequences of the former government’s reckless and indefinite commitment to an unwinnable war of doubtful motivation in Afghanistan. This reminds us—and this is what I will mainly confine my remarks to today—of the need for the parliament, as the body in which the will of the people is invested, to decide upon the deployment of the nation’s defence forces.

Our involvement in the war in Afghanistan stands alongside the previous government’s support for the ill-conceived and disastrously executed occupation of Iraq as evidence of the need for a democratic process to be used when undertaking the grave decision to go to war. Senators will no doubt be aware that I currently have legislation in this place—and it is shortly to be introduced into the House of Representatives—that would do just such a thing: require a vote in both houses of parliament before the Australian defence forces were committed to war or warlike situations or hostile environments. That bill was submitted to a committee. The Senate Standing Committee on Foreign Affairs, Defence and Trade neglected to even hold a hearing because, I was informed, the major parties believed nothing new would be brought to the debate. So the Australian Greens held a hearing. We brought in a very high degree of expertise—a former Defence Secretary, former military personnel who have been involved in deployments, people who have been involved at very senior levels in our diplomatic corps, representatives of the peace movement and a very broadly representative group of people who think about these matters a lot.

The most serious flaw then in the committee’s majority report was the assumption that, having all dimensions of security and diplomatic intelligence at its disposal, the executive arm of government alone should be entrusted with sending Australians into war. If even the comprehensive debacle of the invasion of Iraq is insufficient to shake this unfounded faith then it is very difficult to imagine what it would take to do so. I want to draw the very clear distinction at this point for MPs who have spoken in this place and on the other side of the building that the right to send Australians troops into harm’s way rests properly with the executive and presumably with the military being in control of all the facts. First of all, the occupation of Iraq completely contradicts this notion. It is hard to imagine a situation in which that notion could be more thoroughly proven wrong.

The committee’s report and the arguments we have heard imply that a parliamentary debate would involve the disclosure of classified military and strategic information, which would tie our hands behind their backs. If there is one thing I can leave senators with out of this debate it is that that completely misses the point. The decision to
deploy is not a military decision; it is a political one. Once we are there our forces on the ground are obviously invested with the need to make tactical and strategic decisions day to day and they do not need parliament looking over their shoulder at that point. But the decision to deploy in the first place is not a military one; it is a political decision. Our bill rests on that premise.

In 2003 the Australian Prime Minister, John Howard, told the nation that we were at war. The decision had already been made by, we understand, no more than about 17 people. There was no debate, there was no discussion and there was no binding vote. The War Powers Bill to amend the Defence Act and put this power into the hands of parliament has been in this House since long before the previous government committed us to the conflicts in Afghanistan and Iraq. It was first introduced into parliament in 1975 by Australian Democrats Senator Colin Mason. That is how long we have had a bill before this parliament—it has effectively been languishing but it has been brought forward at different times—that would remove that power exclusively from the hands of the executive.

I can understand why a defence minister would stand up and say, ‘We believe that that power should reside with the executive,’ or why any minister of the Crown or the Prime Minister should want that power to remain with the executive. That is how power is. But it really defies belief that we could have senators in here who would stand up, whether they are pro- or antiwar or whatever their views are on this deployment, and say that they do not believe that that power should reside in this chamber. We legislate over the construction of a car park, but we do not believe that it is within the wit of the Australian legislature to make these decisions. I reject that idea completely. We believe that this power should rest in the hands of the parliament.

We welcome the recent debate in the House and acknowledge that it would not have occurred without the agreement between Senator Bob Brown and the Prime Minister that, in part, allowed this government to form government in the first place. Probably, if that had not occurred, we still would not be having this debate. But let us hear from the Prime Minister and the Leader of the Opposition. The Prime Minister said last week:

I believe this debate is an important one for our people and our parliament.

... ... ...

Our highest duty is to make wise decisions about war.

So it would appear that the Prime Minister believes it is the duty of parliament to make the decisions about war—either that or we are left with the conclusion that the debate is to be had but that it is to be empty and that the views of Australia’s democratically elected representatives will not be allowed to prevail. The Leader of the Opposition said:

It is right that the parliament should now debate our commitment, first, because something as grave as a serious military campaign should be justified to the parliament …

Of course, he is quite right: something as grave as a military campaign should be justified to the parliament. So I hope that now the Leader of the Opposition would agree that this justification ideally would take place before we commit our forces to an invasion rather than nine years after the fact.

The danger of concentrating the power to send Australian forces to war in too few hands was vividly illustrated by the war in Iraq. Falsified and distorted intelligence was presented as the justification for the invasion of Iraq, and it was not subject to scrutiny from parliament. The majority of Australians
opposed that war. Hundreds of thousands of them took to the streets, including me and many of my colleagues, to demonstrate our strong opposition to the war. We were joined by millions of others around the world. They were summarily ignored by the Prime Minister. Would they have been ignored—would we have been ignored—by the parliament? I have seen former Prime Minister John Howard back in the public debate over the last couple of days over the launch of his book, with absolutely no intention to learn a thing—not a word of contrition and not a thought that perhaps this war, which cost at least in the low hundreds of thousands of lives and was based on lies, might have been a mistake. The determination to learn nothing is breathtaking.

Afghanistan now provides us with an equally stark and tragic example. The original decision by the previous government to go into Afghanistan, to the extent it was justified, was justified principally as retaliation for the attacks on United States soil on 11 September 2001. The attacks were carried out primarily by Saudi and Egyptian nationals. They were planned and coordinated mostly in Germany and the United States. According to reports by al-Jazeera and other media agencies, the Taliban at the time offered to turn al-Qaeda chief Osama bin Laden over to the United States if they were provided with evidence of his involvement in the attacks. The United States authorities declined that opportunity, preferring instead to invade Afghanistan as the first recourse and not the last.

British Prime Minister Tony Blair also spoke of the monstrous nature of the Taliban, particularly in regard to its treatment of women, and the need to put an end to the regime. After more than nine years of occupation, the Taliban remain very powerful in large sections of Afghanistan. Rival factions including the Northern Alliance have also been just as brutal and antidemocratic, and the Western-backed Karzai government has a poor record on civil rights and particularly on women’s rights.

Afghanistan today, as it was, is riven by warring factions. The Taliban, war lords, drug barons and the Karzai government fight a daily and very bloody battle for power. To further illustrate the tragedy of Afghanistan, that government is notorious for corruption. The US commander in Afghanistan, General Petraeus, has described the Karzai administration as a ‘criminal syndicate’, and the last two Afghan elections were rife with allegations of electoral fraud. So who exactly are we supporting here? The ongoing presence of foreign armed forces in Afghanistan acts as a provocation for recruitment to the Taliban and other insurgent forces—which is why President Karzai is now also known by the more realistic title ‘the Mayor of Kabul’. With Karzai’s vote-rigging and the notoriety of his brother as a drug lord gangster, it is little wonder that his government is under siege while we train his army. Only a legitimate Afghan government which draws legitimacy from the mandate of the people could successfully put an end to the fighting in Afghanistan.

The defeat of the Taliban has been presented as virtually synonymous with the defeat of al-Qaeda. Today, of course, much of al-Qaeda’s organised capacity has been displaced to Pakistan. Senior United States officials confirm that al-Qaeda is now barely present in Afghanistan, estimating that there are perhaps fewer than 100 al-Qaeda operatives remaining in Afghanistan. The campaign against the Taliban is an entirely different proposition and continues to be extremely arduous. Whatever we think of the Taliban, no-one has yet convincingly argued—not in this debate as far as I am aware—that they represent a threat to Aus-
tralia, to Australian interests or indeed to the United States.

Let us consider the question of rebuilding Afghanistan, of which we have heard quite a bit over the last week or so of this debate. Let us reconsider our priorities. It is estimated that one littoral combat ship costs $613 million. According to World Bank figures, that sum would be enough to educate 6.8 million children in Afghanistan for nine years—or we could buy one warship. Which investment would do more to strengthen Afghanistan and Afghan civil society? The Women’s International League for Peace and Freedom have estimated that $287 billion dollars has been spent on the war in Afghanistan. Senator Cameron provided us with some of the forward estimates, and they are breathtaking. This translates to a $300,000 cash payment to everyone in Afghanistan for the price of the deployment and the war—or, incidentally, a cheque for $13,400 for every Australian. One billion dollars, which is less than 0.35 per cent of the money spent on the war in Afghanistan, could pay for 2½ billion meals for hungry people; 31½ million child immunisations against the six main childhood diseases of diphtheria, whooping cough, measles, polio, tetanus and tuberculosis; more than 700,000 family homes; more than 270,000 schools furnished with desks, chairs and tables; or 53 million children supplied with schoolbooks for a whole year. This is for $1 billion, around a third of one per cent of the money that we have spent bombing that country.

So what exactly are the occupation forces investing in? What are we doing to assist the Afghan people in rebuilding Afghan civil society in a way that we can endure? I have never quite understood how it is that, in a country with the history of Afghanistan, where we are simply training the army and the police forces while neglecting this entirely corrupt government that we appear to be propping up, we think that when we finally withdraw anything will happen other than that the security forces, who have been extremely well trained, will simply devolve to the situation that prevailed before we arrived. That is the critical thing to remember. Somehow conflating the training of a strong military with the creation of a viable democracy is breathtakingly naive.

Supporters of the continuing occupation argue that the withdrawal of foreign armed forces will see the country devoured by the Taliban. But what exactly is it that has been achieved in nine years of violent military occupation: an Afghan army that cannot or will not fight, an Afghan police that cannot or will not uphold the law and a parliamentary system that has not had the support of the majority of the Afghan people? Exactly what kind of nation-building exercise has taken almost a decade to produce a state that would allegedly collapse without the presence of vast foreign armed forces to prop up its unpopular and corrupt government?

In recent months, we have seen the contents of the Wikileaks website publication of an archive of more than 91,000 United States military internal logs of the war in Afghanistan, covering the period between January 2004 and December 2009. It was confirmed that there is frequent and barely acknowledged civilian loss of life in Afghanistan—people killed by badly trained and often panic-striking United States soldiers, people seeking revenge with the use of smart bombs and drones and people killed by accident and through negligence. Civilians—among them women and children—are significantly represented in the figures of the dead and injured. A very large number are killed by US military computer operators in Nevada flying drones who never have to witness directly the consequences of their work.
We know that there are extrajudicial killings being carried out by US and Australian special forces. While this is a violation of international human rights law, there are absolutely no accountability mechanisms. Are the victims of these killings combatants? Who is determining the legality, let alone the morality, of these acts? We know also from the release of these documents that the Taliban have begun using surface-to-air missiles. Their predecessors were given these by the United States in the 1980s, principally to fight the Soviet invaders. Today, the most logical source of these weapons is the Pakistan armed forces—our erstwhile allies—who receive $1.6 billion in military aid from the United States.

This is so symptomatic of the flawed logic that underlies this perpetual war. The Karzai government is in talks with ostensibly moderate Taliban elements and other insurgent groups, with the hope of reaching some kind of peace agreement. Much of the insurgent element in Afghanistan is implacably opposed to foreign-occupying soldiers remaining on Afghanistan soil. The entire history of Afghanistan, from before Alexander the Great to the fall of the Soviet Union, demonstrates that this should come as absolutely no surprise to us.

Those in this parliament who insist that we must keep soldiers in Afghanistan while denying themselves the right to even vote on the issue because of the importance of this country’s strategic relationship with the United States need to consider President Obama’s statement, quoted in Bob Woodward’s new book: ‘I am not doing 10 years. I am not spending a trillion dollars.’ The Prime Minister says she will do 10 years and she will write an open and blank cheque to this occupation. Is it worth asking whether Australian forces will remain in Afghanistan once the United States has departed? The case for continuing the occupation of Afghanistan was never compelling and now it has fallen apart completely. It was never justified to parliament.

So I come back again to the fact that our open and democratic system includes an ongoing forum for discussion where leaders must provide reasoning and at least minimal accountability for their decisions—and that is, of course, this building, the Australian parliament. The decision to send Australian men and women into harm’s way should not, and never, happen behind closed doors. This is not a question of military tactics or military intelligence. These are political decisions, and each and every member of this parliament should be required to stand up and give an account of themselves before they send Australian men and women into harm’s way. It is a call that should be made in the open by elected members and by the public that they are meant to represent so that we can be held accountable for the life-and-death decisions that are then made on the ground.

The war powers bill which puts this power into the hands of parliament is not by any means a radical proposition. In the UK, the very source of our own Westminster tradition, Foreign Secretary William Hague of the Conservative Party has been a strong advocate of similar legislation. The debate in the UK around the transfer of the prerogative power to declare war, ratify treaties and approve judges from the executive to the parliament is well advanced, having now also drawn support from former Labour Prime Minister, Gordon Brown. Our ally the United States, for centuries, has held a similar provision that subjects the decision to go to war to a broader forum. Section 8 of the United States Constitution says, ‘Congress shall have the power to declare war.’

We must bring Australia into line with other democracies like Denmark, Finland,
Germany, Ireland, Slovakia, South Korea, Spain, Sweden, Switzerland and Turkey, where troop deployment is set down in constitutional or legislative provisions. What is it about the Australian legislature which leads us to believe that we do not have the maturity and that these decisions should be left to the executive? It is shameful for a member or a senator to stand up in this place and say they do not believe they have the will or the wit to commit these decisions by their own vote. Arguments against using our democratic structures on the grave issue of troop deployment include that it would be impractical, restrictive or inefficient. These arguments ignore the fact that parliaments make complex decisions—rapidly when necessary—and that the bill has been carefully drafted for circumstances where recourse to parliament may not be possible. Autocracies or dictatorships may well use decision-making processes that are more rapid and efficient, but surely no-one in this parliament would argue that those forms of government are acceptable or, indeed, legitimate.

One of the government’s ministers has described the war in Afghanistan as ‘unwinnable’. We have heard the highly conditioned comments by a surprising number—to me—of members of parliament on both sides of the house about the grave misgivings that surround this war. The Leader of the Opposition said, ‘Something as grave as a serious military campaign should be justified to the parliament.’ Yes, they are both correct; their statements are inextricably connected. Parliament is answerable to the people and only parliament should make decisions like these. Never again should the executive be able to unilaterally commit this country to an unwinnable war.

I will pay my respects at this point to former Australian Democrats senators—most recently, Senator Andrew Bartlett, who had carriage of this bill. It was the first piece of legislation that I picked up when I started my term in the middle of 2008. I cannot think of a more important matter for this parliament to discuss. This is not a fringe idea. It is mainstream in many of the countries that we would consider our peers around the world. But, indeed, in Australia the debate is more mature than perhaps the debate so far in parliament would suggest. Lieutenant General Peter Francis Leahy, former chief of the Australian Army, supports the war powers prerogative being devolved to parliament rather than to the executive. Brigadier Adrian D’Hage—a platoon commander in Vietnam, who was awarded the Military Cross and who commanded an infantry battalion and has been Director of Joint Operations and head of Defence Public Relations—supports this bill, as does Paul Barratt, a former Secretary of the Department of Defence. It is about time that we had a more mature debate in this parliament, particularly while we have Australian troops in the field. They should be brought home without delay.
The situation in Afghanistan highlights this challenge. More than 100 Australians have been killed in terrorist attacks in recent years, including in the Bali bombings, attacks on our embassy in Jakarta in 2004 and the 2009 attacks on international hotels, also in Jakarta. These attacks were planned and perpetrated by terrorists with links to Afghanistan. These attacks brought new horror to Australia and to our region. We should reflect on how we felt when we heard the news that 202 people were killed in the first Bali attack, when we saw the faces of the 88 Australians who died on the front pages of our newspapers. Together with other countries, Australia also felt the horror of the attacks on the United States on 11 September. It was following that world-changing event that the Australian government agreed, under the ANZUS Treaty, article 4, to commit military forces to coalition operations in Afghanistan.

It is sometimes said that we fail to acknowledge the importance of our alliance with the United States as a reason for our involvement in Afghanistan. Not by me. Our commitment in Afghanistan falls under the ANZUS Treaty and has always reflected our alliance obligations with the United States of America. Our deployment was approved by the Australian parliament on 17 December 2001. Today, the Australian Defence Force is providing a significant contribution to the NATO-led International Security Assistance Force operation in Afghanistan. It is also important to remember that there is no dispute about the legality or international basis of the mission. ISAF operations are conducted under a United Nations mandate, at the request of the government of Afghanistan. And that UN mandate has been renewed annually.

Australian personnel currently provide military support to mentoring, security and reconstruction activities in Afghanistan. However, our commitment and the work we are doing there has evolved over time in response to changing operational circumstances and changes in ISAF strategy. Australia’s military contribution to the conflict in Afghanistan commenced in October 2001, when the first contingent of special forces troops deployed to southern Afghanistan as part of Operation Slipper. This commitment to military operations in Afghanistan lasted until the end of 2002, when the focus of US operations moved towards supporting reconstruction activities as a result of the establishment of an interim Afghan government under Hamid Karzai.

At that time, ADF special forces elements in Afghanistan were withdrawn. It was not until 2005, that the then government agreed that Australia would re-enter the Afghanistan conflict. In July that year Australia deployed a force of approximately 150 special forces for 12 months. This deployment came at the request of the United States and Afghanistan governments, as the government in Afghanistan had come under pressure from the Taliban and some elements of al-Qaeda. A year later Australia’s first reconstruction task force deployed to Oruzgan province in southern Afghanistan.

The reconstruction task force worked in partnership with Dutch military forces and civilian personnel within the provincial reconstruction team. The task force supported ISAF’s security and reconstruction efforts, and worked on community based projects to assist the government and people of Afghanistan. Today, Australia’s military contribution is around 1,550 personnel. Our efforts in Afghanistan fall primarily within the area of Regional Command (South). This is a dangerous part of the country. Twenty-one Australian troops have been killed in action in Afghanistan, and 156 Australians have been wounded. ISAF is working to counter insurgent influence over the population, pro-
tect the population in threatened and key areas, create time and space for governance to improve, and create conditions for development. And Australian troops are working with them to achieve these goals.

Some commentators have argued that Australia’s contribution should be larger than that currently provided. I believe that our current commitment is appropriate. Australia is the largest non-NATO contributor to the ISAF mission and the 11th-largest contributor overall. Well, why are we in Afghanistan? Why do we continue to believe that the conflict is worth the heavy price we have paid in Australian lives? We are there to protect our own security—because our own security depends on security in Afghanistan. We are there to contribute to the stabilisation of Oruzgan province, because there will be no long-term security in Afghanistan without self-determination, justice or governance.

Our primary role in Afghanistan today is to train the 4th Brigade of the Afghan National Army so that the Afghan people can protect themselves and their country from those who would destroy every safeguard of civil life. Our objective is to be able to safely transfer responsibility to the ANA and for them to prevent Afghanistan again becoming a training ground, staging point, and operating base for global terrorism.

As defence minister I delivered four ministerial statements on progress in Afghanistan. Since my last statement, the Dutch have ceased operations in Oruzgan and responsibility for the province has been transferred to Combined Team Uruzgan, a multinational framework including the United States, Australia, Singapore, Slovakia and New Zealand. Our mentoring and training role is progressing steadily. By the end of 2010, the Mentoring Task Force will be providing operational mentoring and liaison teams to train the entire ANA 4th Brigade, including all five kandaks and the brigade headquarters.

But our efforts in Afghanistan also extend beyond the training mission. Australia’s Special Operations Task Group continues to disrupt insurgent networks by targeting key Taliban leaders and improvised explosive device facilitators in Oruzgan and surrounding areas. We have other troops providing key enabling support in Afghanistan, including the Rotary Wing Group, our Intelligence Surveillance and Reconnaissance Task Group, strategic airlift, an artillery detachment working with UK forces, and support elements. And we should not forget that Australia also has around 150 embedded officers inside Headquarters ISAF and Headquarters Regional Command South. These personnel fill key roles within these organisations and make a highly valued contribution. The ADF currently provides 10—soon to be increased to 20—embedded staff in Kabul to develop artillery training for the ANA. The school is a key ISAF initiative and Australia will be designated as the lead nation. The ADF also continues to directly support other Australian government agencies operating as part of the Uruzgan Provincial Reconstruction Team through the provision of life support, including protected accommodation and force protection.

The job we are doing in Afghanistan is not yet complete. Abandoning it half-finished would be abandoning the Afghan people after giving them the promise of a secure and a stable future but with no way to achieve it. This is not my idea of working for, to quote a man who led Labor through both war and peace, the ‘betterment of mankind not only here but anywhere we may give a helping hand.’ We must continue to engage with the world. It was this fundamental Labor value that drove the efforts of Doc Evatt at the founding conference of the United Nations, to shape that organisation into one where the
civil, political, economic and social rights of people around the world were seen as fundamental to a fair and a just world order.

To my Labor colleagues I say: Labor governments in Australia have had a proud tradition of engagement with the United Nations and international coalitions and a proud tradition of working to better the lives of those within and without our borders. And, in my view, it is in this tradition that Australia are playing our part in the international effort to build a better future for the people of Afghanistan.

We know how difficult and dangerous this task is. Nearly every speaker in this debate has said that 21 Australian soldiers have lost their lives in Afghanistan. From 2002 to 2009, 11 Australian Defence Force personnel deployed to Afghanistan were killed in action: Sergeant Andrew Russell, Trooper David Pearce, Sergeant Matthew Locke, Private Luke Worsley, Lance Corporal Jason Marks, Signaller Sean McCarthy, Lieutenant Michael Fussell, Private Gregory Sher, Corporal Matthew Hopkins, Sergeant Brett Till and Private Benjamin Renaudo.

The last few months, of course, have been particularly difficult. Since early June, 10 soldiers have died in the course of duty in Afghanistan: Sapper Jacob Moerland and Sapper Darren Smith, who died as a result of an IED strike on 7 June in Mirabad Valley; Privates Timothy Aplin, Scott Palmer and Benjamin Chuck, who were tragically killed in a helicopter crash in northern Kandahar on 21 June; Private Nathan Bewes, who died from an IED strike in the Chora Valley on 9 July; Trooper Jason Brown, who died in the course of duty from small-arms fire while on operations in northern Kandahar on 14 August; Privates Tomas Dale and Grant Kirby, who died from an IED strike while on operations in Baluchi Valley on 20 August; and Lance Corporal Jared MacKinney who died from small-arms fire while on operations in Deh Rawud on 24 August.

We must remember all these fine young men, and in reflecting on those losses we must acknowledge that the men and women of the ADF carry out their work with courage and professionalism in conditions of real hardship and very real danger. As Minister for Defence, I discussed our operations on a very regular basis with the Chief of the Defence Force, Air Chief Marshal Angus Houston, and the Secretary to the Department of Defence, Dr Ian Watt. It would be no surprise to anyone that I engaged closely with defence as to why we were suffering increased casualties. Defence confirmed that violence across the country was increasing, which was to be expected as ISAF and Afghan forces entered areas strongly contested by insurgents. The fight is being taken into areas where the coalition and the Afghan National Army have not been before, contesting areas that have been dominated by the Taliban.

This is also the traditional fighting season, which normally sees a rise in operational tempo. The Taliban are fighting back, and we are seeing a lot more violence and a lot more activity. With the surge of additional US and NATO forces almost complete, increased coalition forces as well as Afghan National Security Forces are being committed to the fight. We can expect that in this period ADF operations in Afghanistan will continue at a high tempo and continue to be challenging. We must never resile from our commitment to protect our troops in every way we can at this dangerous time. Force protection must remain our highest priority. There is no-one in this parliament who hopes more than I do that there are no more casualties in Afghanistan.

The time it will take to train the ANA 4th brigade is becoming clearer. Defence has
undertaken a professional and thorough assessment with input from our ISAF partners on that time frame. CDF has advised that, on the basis of our progress to date, defence estimates that within two to four years we will be able to transition the main security responsibility to the Afghan National Army in Oruzgan province. While that remains a decision to be made in the future, I expect we will then be able to move from a training mission to an overwatch role, as occurred in Iraq.

This transition must be based on conditions on the ground, and—let me be frank—the task will not be easy. Afghanistan faces a complex insurgency consisting of multiple factions motivated by historic grievances and ideologies at both the local and the national level. Key problems facing Afghanistan include lack of security, poor physical and social infrastructure, illiteracy and corruption. These problems are particularly bad in southern Afghanistan. To combat them, ISAF’s revised counterinsurgency strategy focuses on an integrated civilian-military approach to delivering improved security, governance and development with an emphasis on protecting the local Afghan population. The revised strategy has the support of the 47 nations that currently comprise ISAF.

As defence minister, I met regularly with Australian troops deployed to Afghanistan who were enduring long separations from their families. They have endured hardship and faced real, daily, deadly danger. I saw the work that they were doing there, and I have seen the difference they are making. I do not take the risks they run or the burden they bear lightly, and I never will. I have said before and I repeat today that I do not want to see the men and women of the ADF stay in Afghanistan one day longer than necessary; nor do I want their efforts and their sacrifices to be wasted. Our task in Afghanistan is not an easy one; nor is it one we can shirk. We cannot ignore the strategic reality: less security in Afghanistan means less security globally and for Australians. To allow terrorist organisations unimpeded operations in Afghanistan would be to put Australian lives at risk, and to turn our back on an international effort shared by 46 other countries and operating under a United Nations mandate would be to ignore our responsibilities to our allies, our partners, the international community, the Afghan people and to the people here at home.

I will never forget the hardships and dangers faced by the men and women of the Australian Defence Force and the sacrifices they make. Nor will I ever forget those soldiers who have been killed in Afghanistan, those wounded in action or those who have fought or are still fighting in Afghanistan. Our involvement in Afghanistan is a cause worth those efforts and worth those sacrifices. It is a task our country, along with many others, has taken on. It is a task we should complete.

Senator BERNARDI (South Australia) (11.15 am)—I am in no doubt that the commitment of Australian troops to combat missions overseas is always a difficult one for any government to take. And while it is a terrible equation to consider, we must balance the potential individual and personal costs for our serving men and women against our national interests in the collective good.

Having met and spent some time with some of our serving personnel, Australian troops who have served in Iraq and in Afghanistan, I am in no doubt that they are absolutely committed to the cause. They also recognise the importance of what they are doing, which is, and we should make no mistake about this, suppressing the threat of terrorism and helping to build a stable and safe
society. That is why they deserve our support.

It is important that our troops know that we do support them, so I want to send my best wishes to all Australian troops wherever they are deployed. I say to them: you are serving this country with honour, with courage and with dedication and I wish you safety and success in your endeavours. My family and I, indeed all Australians, the entire nation, owes them a debt of gratitude, just as we do their predecessors and we will to their successors in our ongoing battle for freedom.

But one cannot acknowledge the commitment of our troops without addressing the true cost of sending them into combat zones. I am not talking about the dollars and cents that I have heard the Greens refer to, but about the true costs to individuals and to families. This is an aspect of war that makes us all reflect upon the potential implications of the loss of life. It hurts us all, and I know that so many Australians mourn when we hear of the loss of life of one of our serving personnel. In Afghanistan we have had 21 combat deaths. There have been 152 combat wounded. I have met with some of those injured, and their commitment to our cause remains undiminished. But I can only imagine how the families and loved ones of these troops must feel and I place on the record that I am in awe of those who are prepared to sacrifice so much for so many in defending our national interests and that of all Western societies.

None of us would be human if we did not reflect upon the circumstances of this war, and the mission of our troops. One aim of our mission is to ensure that a stable government can be established in Afghanistan. It concerns me that as our own troops risk their lives it has been reported that a member of the government of Afghanistan has been openly calling for the persecution and the deaths of Christians in Afghanistan. I refer to Abdul Sattar Khawasi, the deputy of the lower house. It concerns me, and many Australians, when we read about the widespread allegations of corruption and other issues which can make you wonder about the commitment of the Afghan government. Are they as committed to a free and stable democracy as our troops and the allied forces who are putting their lives at risk every single day? I do not know the answer to that question. But despite these concerns, even a flawed government is better than the Islamo-fascist society that prevailed under the Taliban. And make no mistake: Islamo-fascism is the greatest threat to Western values and democracy we have faced.

We should be under no illusions as to its threat and its potential implications. It faces every Western democracy, not just America, not just Australia, not just the United Kingdom. And the threat is one of fundamentalist Islam. Fundamentalist Islam is a totalitarian ideology that strips away individuality and subsumes the individual in a system that is completely incompatible with Western values. Fundamentalist Islam is a system of barbarity where people have three choices: conversion to Islam, live as a second-class citizen or be put to the sword. Fundamentalist Islam is a way of life that forces women to wear the cloak of nothingness, the burka. It is a way of life where homosexuals are persecuted, adulterers can be stoned to death and the innocent are slaughtered in the name of Allah.

Now if people choose to live under such a repressive and regressive cultural regime because they believe in it, that is one thing. But when the Islamo-fascists are intent on exporting hate and terror and their totalitarian ideology throughout the world, we have a responsibility to protect our national interests. Let me say that again: when Islamo-
fascists are intent on exporting their totalitarian ideology throughout the world, we have a responsibility to protect our national interests. That is one reason why our troops are fighting in Afghanistan.

There can be no doubt that the Taliban regime was a training operation for pure evil. It is part of a movement that is responsible either directly, or indirectly through inspiring others, for acts of terror that have killed thousands of innocent people, including the September 11 terrorist attacks in New York, in which 10 Australians died, the Bali bombings, which killed 88 Australians, and various other acts of terror in which eight Australians have been killed.

Fundamentalist Islam aims to export its culture of hate to the four corners of the globe, and I regret to say that Australia is not immune to this. Indeed, there are examples of it in our own country. Just recently, the fundamentalist Islamic group Hizb ut-Tahrir held an international conference in Sydney. This is a group whose spokesman, Uthman Badar, has said that ‘democracy is a bankrupt and irrational idea’ and ‘all indicators are pointing to the decline and inevitable collapse of Western ideology’. Make no mistake: that is their mission. These are the people who regard Israel as ‘an illegitimate state; an occupation’, claiming that it ‘has to be removed’. That sort of talk is happening in our country. It is happening right here. It is not something that is confined to the borders of the Middle East. It is not something that is confined to Afghanistan. While some may regard this as just talk at this stage, we must remember that violent movements all begin as just talk. The counterterrorism white paper stated:

The continuing resonance of the violent jihadist message within sections of Muslim communities in the Western world (including Australia) will lead to the creation and activity of new violent cells.

And as the Leader of the Opposition said in his speech on Afghanistan:

Ultimately at stake is the West’s ability to assert itself against deadly threats before they have materialised into another September the 11th-style atrocity or something even worse.

After nine years of fighting it can sometimes be difficult to clearly recall the reasons why our troops are in Afghanistan, but we should never lose sight of what our troops are fighting for. It is for the safety of all Australians and of billions of people around the world. We have to make sure that an ideology that is committed to the violent overthrow of Western democracies in the name of the so-called religion of peace can never be allowed to develop again. To abandon our cause is to abandon the hopes of billions of people around the world who aspire to live in peace, harmony and prosperity. Regrettably, sometimes there is a terrible price to pay for our freedoms and our causes, and hearts break all over the country whenever an Australian soldier is killed or is wounded. But the price of not engaging against such a dangerous enemy is far greater.

In expressing my support for our troops and the importance of the mission that they are undertaking for all of us, I wish them good grace and godspeed. I want them to know that Australians respect their continuing contribution to protecting our democracy and defending our freedom.

Senator Farrell (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (11.25 am)—In recent months, the tragic deaths and injuries suffered by 10 Australian Defence Force members led me to reacquaint myself with the heartbreaking history of Afghanistan. It is a history of conflict, economic struggle, corruption, division, progress, unity, interference, intervention and self-interest, all subject to ever-shifting tides of national and in-
ternational loyalties, allegiances and alliances.

Afghanistan has been mired in conflict since civil war was declared in 1978. Since then, Afghanistan has been torn apart by power struggles between monarchical and parliamentary leaders and by the Soviets in conflict with the Islamist Mujaheddin resistance, which then had the support of the United States, the United Kingdom, Saudi Arabia, Pakistan, Egypt and other Muslim nations. Of course, now there is the Taliban, fighting a bitter war for supremacy, for the abolition of democracy and for the subjugation of the Afghan spirit to its own warped and extreme account of Islam, one of the great world religions and one which we all know is predicated on peace and understanding.

To this unholy mix we add the diabolical ingredient of terrorism. In this far-flung and inhospitable corner of the world, international terrorism has set up training institutions, production lines and warehouses and it is from here that it exports mindless hatred and indiscriminate death to the world at large.

It is in this context that Australia maintains a commitment of approximately 1,500 ADF personnel to serve in Afghanistan as part of the NATO led International Security Assistance Force. Known as Operation Slipper, this Australian commitment is an important and visible component of the Australian government’s commitment to working with the international community to help prevent acts of terrorism around the world. In Afghanistan, the ADF deployment makes significant contributions to mentoring and reconstruction, international security, helicopter uplift capability, unmanned aerial surveillance, liaison, logistics, assets and artillery. In addition there are Australian Federal Police and Australian Secret Intelligence Service personnel in Afghanistan.

After the Vietnam War, the ADF was largely a non-operational force for many years. Now the ADF is distinctly operational and, as well as in Afghanistan, the ADF has deployments in East Timor, Iraq and the Solomon Islands and in a couple of peacekeeping missions in the Middle East and Africa.

As is to be expected when Australia puts the men and women of the ADF into harm’s way, opinions as to the appropriateness of Australia’s involvement are many and varied, expressed with varying degrees of vehemence and volume. Of course, this is how it should be. The right of ordinary Australians to hold and express opinions in confidence and freedom has been fought for and paid for over the years by successive generations of Australian servicemen and women. We forget this at our peril. We also forget that, sometimes, there is a sacred obligation to exercise this right to speak out when our conscience demands it of us. Australia would be diminished considerably if governments of either persuasion could commit the ADF to military adventurism in our name without being held to account by the people. However, in contrast to the war in Iraq, it is of note that there is only some—and certainly not overwhelming—public opposition to Australia’s contribution to these overseas deployments, especially Afghanistan.

I am the father of three girls of whom I am very proud. As an ordinary father, I am mindful of the terrible pain endured by the families and friends of the 21 Australian soldiers—just recently mentioned by Senator Faulkner—who have lost their lives in our name in Afghanistan. I can scarcely imagine the heartache of losing a husband, father, brother or close friend to the conflict in Afghanistan or indeed any conflict. These
losses are not merely headlines or radio and television news reports to be forgotten in a day or two; these losses are real. They are small children who will never be tossed, laughing, into the air by their fathers, they are empty seats around the Christmas table, they are photographs in the front room of ordinary suburban houses around the country to be wept over on birthdays and anniversaries, they are empty seats at school plays, sports nights, graduations, weddings, christenings, anniversaries.

These are real sacrifices, enduring and painful, made by those who have lost their lives in Afghanistan and by their families. And let us not overlook those who have returned to us alive but with their lives permanently compromised by physical or psychological injury. Their sacrifice—and that of their families—is no less real and no less painful. In some cases, it might be said that their sacrifice is more painful because it is to be endured every waking moment.

When people wonder, as they will do and are entitled to do, why Australia maintains its presence in Afghanistan and by their families. And let us not overlook those who have returned to us alive but with their lives permanently compromised by physical or psychological injury. Their sacrifice—and that of their families—is no less real and no less painful. In some cases, it might be said that their sacrifice is more painful because it is to be endured every waking moment.

Senator SCULLION (Northern Territory) (11.32 am)—There are many reasons that Australians believe that we live in the ‘lucky country’, though I think we take for granted most of those reasons. One of the obvious reasons is the fact that we can go to football stadiums or concerts with tens of thousands of other people and we feel completely safe in this country. We do not even give it a second thought that somehow there is going to be somebody with explosives strapped to their chest who is going to blow us all up. We can go with some mates to a busy cafe on the side of the road and we do not think twice about being at risk from a car bomb threat. I guess one of the great things that makes us such a lucky country is that we have the freedom to live our lives without fear.

Australians have a deep and abiding respect for the men and women of our defence forces, and this is why the decision to place them in harm’s way is never taken lightly. So what was our motive in making the decision to contribute troops to the Afghanistan conflict? The principal motive—and I think it is a very healthy motive—was national self-interest. I think that is an interest that every nation, if they are fair dinkum, needs to put right at the forefront.

The world was shocked on September 11, 2001 with the bombing of the World Trade Centre and then the Pentagon. I can remember where I was, and I suspect that, for most Australians, it will be one of those moments where they can think back and they can remember where they were when they heard the news. I was on the way to Canberra. It was evening and I was in the lounge in Darwin Airport. I can recall seeing on the televi-
sion screen one of the planes hitting the side of the tower, and it was all a bit hard to con-
ceive that this was actually happening. No-
body really knew what had gone on. Before our plane took off, there was some discus-
sion about another plane that had hit and people wondered whether it was vision from a camera on the other side. It was all a bit inconceivable. But, as it all rolled out the
next day, to the horror of the world, we real-
ised that this was not an accident; that this had been a group of people who had organ-
ised themselves to the extent that they would deliberately attack innocent civilians to somehow broaden their agenda in bringing Islamic fundamentalism into the spotlight. They certainly did that.

It had such an effect, because of the dev-
astation. Of the 2,996 deaths, there were 19 hijackers who died, but there were 2,977 victims—246 on the four planes, on which there were absolutely no survivors. These people just wanted to go and see their mum and dad, do a bit of business or see their children in the expectation of freedom, but, sadly, that day that freedom was taken away. There were 2,606 in New York City who were at work in the towers, were on the ground or were firemen or policemen trying to help out the injured at the time who lost their lives, and 125 at the Pentagon lost their lives. It is very important to note that all the deaths in these attacks were civilians, apart from the 55 military personnel who were killed at the Pentagon—and, sadly, for us as Australians, amongst them were 15 Austra-
lians.

As part of our motive, Australians then accepted that international organised terror-
ism could only be challenged with an inter-
national response. The decision to support the International Coalition Against Terrorism in Afghanistan was made in October 2001. It had strong bipartisan support across this par-
lament. I note that in the prelude to this de-
bate there was some assertion that a govern-
ment and not parliament had made the deci-
sion. Perhaps that is technically correct but, if anybody reads the Hansard of this parlia-
ment from that time, it would indicate that there was bipartisan support, certainly from the previous opposition leader, Kim Beazley, which continues today under opposition leader Tony Abbott. At that time, there was considerable evidence to suggest that further terrorist attacks were on the way and, tragi-
cally, this evidence was correct.

Sadly, on 12 October 2002, there were the Bali bombings at the Sari Club where 202 people were killed, including 88 Australians, and 330 people were wounded. There was the notion of freedom: someone simply going out to a pub or a tourist operator just try-
ing to make money to feed his family and send his kids to school. Those people were not involved in any particular conflict. We had the hotel bombing in Jakarta where 12 were killed and 150 were wounded—amongst those were two Australians. Then we had the Australian Embassy bombing in Jakarta, clearly targeting Australians. Very sadly, 11 were killed and 150 were wounded. We were very lucky that no Australians were killed at that time. At the London bombings, 50 were killed and 700 were injured. One Australian was killed then. On 1 October 2005, there was another attack in Bali at which four Australians were killed. A total of 26 were killed and a further 100 were in-
jured. There was a hotel attack in Pakistan, but no Australians were killed. On 17 July 2009, at hotel bombings in Jakarta, seven people were killed and 50 were injured. Again, tragically, three Australians were killed.

The majority of security experts around the world made a connection between those attacks and terrorists, at an organisational or operational level, who gained their skills in death, slaughter and misery in Afghanistan.
During the nineties it was a relatively safe haven in Afghanistan, where people could train, organise and launch attacks with relatively little interference, and that obviously led to a very high level of attacks. Invoking the ANZUS treaty and pledging military and other assistance was considered the right course of action for Australia to take. We had an obligation to join our allies in protecting Australians and other civilians against further attacks. We certainly understood that terrorist organisations could no longer be allowed a safe haven to continue to organise, train and launch their attacks, predominantly on civilians across the world.

Sadly, there is another impact that is perhaps not spoken about as much: the perverse impact that Islamic fundamentalism had on the Muslim population across the world. I particularly speak for the Muslim population in Australia and say that people were very confused. Australia is home to more than 300,000 Muslims and, to state the obvious, Islamic fundamentalism under the banner of al-Qaeda does not represent the views of the vast majority of Muslim Australians. To me personally it is such a perverse interpretation of Islam that a god would want innocent children and civilians to be murdered for some greater good. It is something that I simply cannot fathom. Al-Qaeda and other terrorist organisations that link their destructive activities to Islam have done a great disservice to the religion. It is a source of ongoing prejudice against Muslims in Australia. We all need to remind ourselves that the notion of Islam is one of peace. Muslims around Australia are predominantly a very peaceful bunch of people and have absolutely no support for Islamic fundamentalism. I was privileged as a younger man to have lived amongst thousands of Indonesians who at that time went to great lengths to assure me that their beliefs were not associated with the acts of terror claimed to be in the name of their god.

The Australian deployment to Afghanistan has made such a difference. They are doing an absolutely remarkable job there and at home to ensure that there is no safe haven for terrorists. When people think about Australian involvement in Afghanistan, they immediately think about our military operations, as they should. The conduct of men and women in our Defence Force overseas, particularly in Afghanistan—a very difficult theatre of operation—has been second to none. They are much admired. Through my parliamentary work and through my association with the Australian Defence Force program, I have met men and women from other defence forces around the world. They are always extremely complimentary and respectful of the work of the men and women from our Defence Force. They have a special capacity to be able to engage with people in peacekeeping activities or in warfare activities in Afghanistan. They have a capacity to be able to interact with local people and have a broad range of expertise and professionalism.

Whilst we only think of our military operations, we are also involved in a host of diplomacy and developmental operations in Afghanistan. Our operations are as much about protecting rights and improving the living conditions of Afghan civilians as they are about protecting Australia’s national interest. Our specific tasks include the 4th Brigade training and mentoring the Afghan National Army in Oruzgan province in order that they can assume responsibility for the province’s security. This is about building capacity. If we are to ensure that there is never a safe haven again in Afghanistan, we need to ensure that, when security reaches a certain level, they have the capacity to take over and sustain, as they should, their own national interest, peace and prosperity—
having normal lives and freedoms as we enjoy in this country.

We also contribute to building the capacity of Afghan National Police by assisting with civil policing functions in Oruzgan. If they are ever going to have a democracy, they have to have the capacity to not only run elections, as we have seen in the very difficult circumstances in Afghanistan, but also run their nation and the security of their nation. We are helping to improve the Afghan government’s capacity to deliver core services and generate income-earning opportunities for its people—the normal things that we take for granted that have not been available to their government or their people for a very long time. Most importantly, we are also conducting operations that will disrupt insurgent operations and supply routes by utilising the Special Operations Task Group.

A contingent of Australian Defence Force personnel are working in Afghanistan as part of the Netherlands-led provincial reconstruction team. Australia’s contribution, which is the Reconstruction Task Force, is a mix of engineers, security and support personnel. These personnel are working on reconstruction and community based projects as part of our commitment to helping Afghanistan achieve a stable and secure future. It is so important that that future is sustainable, and that is why, as areas are cleared and become secure, we need to focus also on providing opportunities to those Afghan people. Many members of the task force are drawn from the Darwin area, from the 1st Combat Engineer Regiment—who as many would know, were famous for their work after the tsunami in Aceh. The 1st Combat Engineer Regiment provides combat engineers, tradesmen, carpenters, plumbers, electricians and plant operators, who are fundamental to providing that infrastructure that is so necessary for an active economy and a democracy.

These men and women are also providing skills training for the local population to ensure that the benefits of the deployment continue well after our personnel have returned home. This is one of those areas where Australians just do so well, because of our capacity to engage and to pass on information to local people and that is driven very much by the enjoyment that Defence Force men and women get from that process. They have often said to me that a fundamental part of what they brought back was the knowledge that they had left a gift of skills, upskilling and infrastructure in that country.

Command logistics support elements have come from Darwin based 1st Brigade, and of course almost every element of 1st Brigade is being used in one way or another in Afghanistan. I commend these Territorians for their work. I also commend the fantastic contributions being made by personnel from not only the Australian Defence Force but also the Australian Federal Police and other Commonwealth agencies who are assisting to ensure that Afghanistan does not continue to be a safe haven for terrorists.

A sustained effort in Afghanistan is absolutely crucial to keeping countries around the world safe from terrorism attacks and to helping restore stability to the entire region. Al-Qaeda and its affiliates based in Afghanistan and Pakistan continue to pose a direct threat to countries all over the world. As I said earlier, almost all terrorism attacks can be linked back to this region, so the need to continue to disrupt the training, the finances and the movement of terrorist operatives to the region is absolutely paramount. Afghanistan is one of the least developed countries in the world. Sadly, thousands have died throughout the course of this conflict. There is an international obligation, clearly recognised and assisted by this country, to help rebuild the country so that its civilians can live in safety. The Australian contribution
makes a real difference to the lives of Afghani people. The tragedy of the mounting casualties in Afghanistan, the deaths and injury of Afghani civilians, Australian soldiers and others reminds me of the sacrifice involved to ensure that people can live without fear of attack here or overseas.

I want to say to everyone who is associated with the families of those people who made the ultimate sacrifice that those sacrifices are not in vain. We have seen an enormous change to the state of security and the confidence of the people in rebuilding their nation. In the future that nation will no longer play a role as a safe haven for terrorism. There are also encouraging signs that Hamid Karzai's high council for peace may have some success, with reports as recently as last week of an increased number of Taliban leaders at a very high level wanting to undertake dialogue. This would not be possible without the work, at every level, of our fantastic Defence Force men and women. To you all: thank you for your effort and your sacrifice. We as a nation must stay the course to build a strong, free nation of Afghanistan to prevent a safe haven for terrorists and to protect our nations and Australians, wherever they may find themselves around the world.

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (11.49 am)—Nine years have passed since al-Qaeda launched its murderous 11 September attack on the United States, killing 3,000 people, including 10 Australians. It is also nine years since coalition military forces, including Australian special forces, began operations against the Taliban regime which openly harboured al-Qaeda and allowed it to recruit, train and plot terrorist attacks like that of 11 September 2001. So it is an appropriate time for the parliament to discuss the rationale behind Australia's military commitment to the coalition forces in Afghanistan.

Joining with my colleagues in the government, especially the Prime Minister, the Minister for Foreign Affairs and the Minister for Defence, I welcome the opportunity to outline in the parliament the arguments—the overwhelming arguments—for why Australia must stay the course to prevent Afghanistan from again becoming a safe haven for terrorists and to build the capacity for the Afghan national security forces to take responsibility for managing Afghanistan’s security and protecting its people. We are also supporting activities which increase the capacity of the government to govern and to deliver essential services to the people, promoting development and helping to build civil institutions.

Our commitment to the International Security Assistance Force in Afghanistan is in our national interest. As the Prime Minister and others have said, it is also part of our enduring commitment to our alliance with the United States. For generations now, the commitment to the US alliance has been fundamental to Australia’s overall national security. The alliance relationship is very strong, mature and based on shared commitments of democratic values and deep mutual respect between the peoples of Australia and the United States. It is something that I think the vast majority of Australians should, and do, place great value in. It has been reaffirmed by Labor in government in the 2009 defence white paper and in the government’s National Security Statement to the Australian Parliament.

Australia’s key ally and close friend was viciously attacked by terrorists supported by the Taliban regime in September 2001. Ten Australians were murdered in the attack. On 17 September 2001, the Australian parliament passed a unanimous resolution of the
House of Representatives formally invoking articles IV and V of the ANZUS treaty and the commitment of Australian forces in support of United States led action against those responsible for these terrorist attacks.

Australia’s contribution in Afghanistan is also an expression of the common interest we share not just with the United States but with the other 45 countries of NATO and the International Security Assistance Force in countering international terrorism. The UN Security Council Resolution 1386 of December 2001 authorised the establishment of an international security force in Afghanistan and called upon ‘member states to contribute personnel, equipment and other resources to the International Security Assistance Force’. It also authorised member states participating in the International Security Assistance Force to ‘take all necessary measures to fulfil its mandate’. I note that this resolution has been renewed a number of times, including most recently earlier this month. So in my view the argument in favour of Australian forces joining the international effort in Afghanistan was overwhelming according to any sober assessment.

Unfortunately, not all assessments have been altogether sober. I note that just last week, the Australian—which I find myself referring to quite a lot these days—published a claim by Mr Kevin Bracken, the secretary of the Victorian branch of the Maritime Union of Australia and President of the Victorian Trades Hall, that the ‘official story’ of the September 11 attack ‘doesn’t stand up to scientific scrutiny’. The article states that Mr Bracken claims that ‘the United States government, the military and the security services were involved in the attacks’. Mr Bracken’s commentary is hardly supportive of the efforts that Australian forces are making in very dangerous circumstances working with our US allies and our international partners to counter terrorism.

Mr Bracken has a powerful friend for his cause. This is of course Mahmoud Ahmadinejad, the President of Iran, who recently made similar claims at a speech to the United Nations. While I can understand the motivations for the propagation of such fiction by the leader of a regime which is regularly accused of sponsoring international terrorism, I struggle to see why Mr Bracken should associate himself with such bizarre lies.

I note that there are others in the community, indeed some of my parliamentary colleagues, who raise questions in relation to the continued role of Australian forces in Afghanistan in a more considered manner. And I do think it important that the government explains the importance of our continued military involvement—after all, the decision to send ADF and AFP personnel into difficult conflict situations can never be made lightly. However, I would say to those who are opposed to our continued military commitment that the case for remaining a strong contributor to the coalition forces in Afghanistan is just as clear now as ever before. Coalition forces have had significant success against al-Qaeda. They have disrupted its operations and neutralised some of its leadership. But Al-Qaeda remains a persistent terrorist network with global links to violent extremist and terrorist organisations.

Terrorists have killed some 100 Australians since 11 September 2001. Ninety-two were killed in the two Bali bombings. Many were also horribly injured. In these bombings and the attack on our embassy in Jakarta, the terrorist groups involved had links to Afghanistan. I think it is likely to be the case that deployment of coalition military forces to combat the insurgency has significantly disrupted and dismantled al-Qaeda’s capability in Afghanistan.

But Afghanistan remains vulnerable. If the international community were to withdraw
from Afghanistan, then the current insurgency might succeed in destabilising the Afghan regime. There would be a heightened risk that Afghanistan would again fall to Taliban control and al-Qaeda could then re-gain a safe haven for its operations, re-establish its terrorist ‘boot camps’ and regain a place from which to transact its criminal operations. More importantly, terrorists worldwide would be emboldened and would seek to expand their plans to kill innocent people. So a significant rationale for staying the course in Afghanistan is to help protect innocent people, including Australians, from the threat of terrorism. In addition, the costs to the Afghan people of a reinvigorated Taliban would be enormous.

The international force in Afghanistan was originally focused on a stabilisation mission. However, insurgent violence started to increase in 2005 and the security situation started to deteriorate. Military efforts then focused more on counterinsurgency. In December 2009, President Obama announced a revised strategy for Afghanistan and a surge of 30,000 US troops. NATO has contributed more, and so has Australia. From these and other nations we now have a combined coalition force in the field of some 120,000 troops from 47 nations—including: some 80,000 Americans; nearly 10,000 British; 4,500 from Germany; 4,000 from France; 3,500 from Italy; 2,500 from both Canada and Poland; and approximately 1,500 from Turkey; Spain and Australia. The coalition also has an experienced commander in General Petraeus. He has the resources needed to deliver the new strategy.

In addition to direct counterinsurgency operations, the new strategy is focused on preparing the government of Afghanistan for managing its own security. This strategy involves protecting the civilian population, conducting operations together with the Afghan National Security Forces to reduce the capability and will of the insurgency. This means training, mentoring and equipping the Afghan National Security Forces to enable them to provide their own security and to facilitate improvements in governance and socioeconomic development by working with the Afghan authorities and the United Nations to strengthen institutions and deliver basic services.

There is progress being made already. The Afghan National Security Forces are being mentored and trained. The Afghan National Army reached its objective level of 134,000 and the Afghan National Police met its target of 109,000 members by October. The Afghan National Army is becoming increasingly capable and supporting coalition operations more effectively. The majority of the Afghan National Army is now fully partnered with ISAF forces for field operations. Afghan forces have already assumed leadership of security arrangements in Kabul.

The situation remains difficult. There will be hard days ahead. But there are signs of progress and Australia needs to stand with its allies, especially the United States, in this important phase of the fight. Australia cannot allow its commitment to Afghanistan to wane. Australian troops and personnel are making a difference. Our mentoring task force is on track in its core mission of training the 4th Brigade of the Afghan National Army within the next two so that it is able to manage security in the province. Our AFP contingent has trained almost 700 Afghan National Police. Our special operations task force is assisting the broader ISAF mission of disrupting and dismantling insurgent groups. In Uruzgan province Australian foreign aid has increased to $20 million but our aid workers require significant force protection in order to do their job, which is currently provided by the ADF and our US allies.
The very serious decision to go to war is a decision of the government of the day. It is probably the most fundamental executive decision a government can make, so it should ultimately be a matter for the executive—the cabinet—not the parliament. Having said that, decisions by the government of the day are always tested, or able to be tested, on the floor of the House of Representatives, which of course determines who forms government. Parliaments are rightly able to consider and debate important matters of state, as parliament has done on Afghanistan these last two weeks. But it is for elected governments to exercise responsibility for—and be held to account for—the decisions they make, including going to war.

It is in Australia’s national interests to continue to combat the insurgency in Afghanistan by standing firmly with our ally the United States, by standing firmly behind our troops and supporting them in their brave endeavours and by standing beside the Afghan people and supporting them in their continued efforts to build a nation that is free from the evil and destructive influence of the Taliban and al-Qaeda.

Senator COONAN (New South Wales) (12.02 pm)—I am very pleased to be able to make a contribution to the debate in support of Australia’s bipartisan commitment to Afghanistan. As this commitment is coming up to its ninth anniversary, it is, however, incumbent upon us to revisit our original objectives, evaluate progress and chart a clear course for the future. Of course, no mere words can lessen the immense loss to our nation, its grieving families and its communities of the 21 young lives lost—gallant Australians who have paid the ultimate price in the service of Australian interests. We owe it to them to at very least have a sensible, informed and thoughtful debate about Australia’s future mission in Afghanistan.

But we also owe it to an increasingly sceptical public, whose initial support for Australia’s involvement in Afghanistan may be waning, to explain what we can hope to achieve by the allied effort, in what time frame and at what cost. It may be that many, if not all, Australians’ understanding of why we are there goes not much further than the task of training the Afghan army in Oruzgan province, ensuring Afghanistan does not provide a safe haven for terrorists and honouring our commitment to our most important ally, the United States of America. It is understandable that, as some allies announce staged withdrawals from what must seem like an unwinnable war in support of a corrupt regime, some 60 per cent of Australians in a recent survey wanted to bring our troops home. It is fair to say that Australia’s interests and objectives have evolved over the course of the conflict. So the majority of us in this place who have resolved to support the continuing Australian troop commitment in Afghanistan must face the tough questions and make a convincing case for Australia’s continuing role in this war. Put simply: what is the rationale for us remaining?

As many commentators have noted, although the overthrow of the Taliban was the basis for destroying al-Qaeda and thereby securing our safety, it is well recognised that the real threat to safety is not to be found in Afghanistan but rather in Pakistan, Yemen or Somalia. But this uncomfortable truth is in my opinion no reason to abandon Afghanistan, especially now that there is real progress towards bringing the Taliban to the peace table. The prospect of the Karzai government now discussing a political settlement with the Taliban is a development that could redefine the basis for our presence in Afghanistan. However, a political settlement that includes the Taliban brings a new set of risks and challenges in the hoped-for transition to a stable government.
The US-led troop surge that is now underway may be providing the necessary peace and stability on the ground to encourage a process of negotiation, but the hurdles to achieving what might be regarded as an effective and acceptable political settlement are formidable. More particularly, hitching our wagon in support of entrenching what is widely regarded as a corrupt Karzai regime is deeply repugnant to Western liberal values. Even so, I must say that, on a scale of awfulness, the allegations of corruption, fraud, bribery and drug running levelled at the Karzai government are a lesser evil than a restored fundamentalist Taliban brutalising women, opposing education for girls and ruthlessly suppressing the freedoms and development of half the population.

While the possibility of a political compact to end the need for massive troop numbers and continued loss of military and civilian lives must be given every chance to work, a full-scale Taliban resurgence must be resisted. Of course, it is important to engage with moderate or less hardline Taliban if they can be identified, but even so the extremes of sharia law and Pashtun customs will need to be guarded against. For me, at the end of the day, safeguarding the freedoms of Afghan women and girls is one of the justifications for our continued commitment. Of course, the Afghan people more broadly must be part of this proposition. There can be no moral justification for abandoning a people who have been abandoned repeatedly in the past.

It is important to consider what additional strategic steps we might take to ensure that freedom for Afghan women and girls is not bargained away or compromised in any deal or reconciliation between the Karzai government and the Taliban. This is especially so because local Afghan women have, with great courage and conviction, been able to insert gender-sensitive or gender-responsive legislation into the new constitution to ensure women’s education and employment, as well as participation in government and protection from violence and family bartering. Names like Lieutenant Colonel Malalai Kakar, head of Kandahar’s department of crimes against women, and Sitara Achakzai, a member of Kandahar’s provincial council, come to mind. They have both been assassinated by the Taliban in the last 18 months, probably for as little—in our eyes—as the equivalent of $2,500. There are many others starting to emerge as true Afghan reformers who are fighting for reform for their gender and correctly setting new benchmarks for women’s participation as major stakeholders in the political and military outcomes in their country. The rebuilding of Afghanistan cannot take place without the advancement of its women.

These achievements have taken place—and it is worth reminding the Senate of this—against a background in Afghanistan where women conventionally were traded for animals, female literacy was around 13 per cent and legally sanctioned marital rape was common. We cannot just abandon these courageous women and girls to a future under a resurgent Taliban, risking a reversal of the progress they have fought and indeed died for over the last nine years. Laura Bush, former first lady of the United States and an honorary adviser to the US-Afghan Women’s Council, said recently:

Offences against women erode security for all Afghans, and a culture that tolerates injustice against one group of its people ultimately fails to respect all its citizens.

Mrs Bush went on to say:

Afghanistan’s leaders must defend women’s rights with action and policy, not just lofty rhetoric. True reconciliation cannot be realised by sacrificing the rights of Afghan women. To do so would reverse Afghanistan’s progress and return its people to the perilous circumstances that marked the Taliban’s rule.
There are clear choices for those entrusted with ensuring Afghanistan’s peace and prosperity. Will Afghanistan be a nation that empowers women, or one that oppresses them? I think these are important and indeed vital questions that need resolution in the affirmative.

As parliamentarians, we have a responsibility to think outside the proverbial box and to find new pathways to engage with those who can influence a better transition to democracy in Afghanistan. At the time of announcing the appointment of Richard Holbrooke as US Special Envoy to Afghanistan and Pakistan, President Obama said:

There is no answer in Afghanistan that does not confront the al-Qaeda and Taliban bases along the border, and there will be no lasting peace unless we expand spheres of opportunity for the people of Afghanistan and Pakistan.

What we can do—to quote President Obama’s words—to ‘expand spheres of opportunity for the people of Afghanistan and Pakistan’ is what I wish to address in my remaining remarks. Tensions in the region include the need to resolve the instability in Afghanistan and the deterioration in relations not only between Afghanistan and Pakistan but also between Pakistan and India. I suggest that one way we can ‘think outside the box’ is to work to establish a ‘second-track dialogue’ process outside and in addition to formal diplomatic channels of engagement. Women parliamentarians and women more broadly share a common interest in securing safe and stable communities in which to live. Like parents everywhere, we all want opportunities for our families and the communities we represent, and those are very much denied people in those regions when internal and external conflicts are driven by violence, radicalism and historical tensions between communities or across borders. In my view, we should be exploring the opportunities to contribute to peace building by convening a forum of influential women leaders from Afghanistan, Pakistan, India and perhaps Bangladesh, together with participants from Australia and the United States. The objective would be to draw on the experience and fresh perspectives of a diverse range of women leaders in a dialogue to develop practical, unifying initiatives and activities to greatly reduce conflict in the region, engaging these women in a conflict resolution agenda within countries and between neighbouring countries.

What outcomes might be achieved from such an investment in a women’s second-track peace-building initiative? From the start, it will re-energise and add momentum to women’s networks and their organisations in the region and give a greater public profile to both the issues and the players; it would create and sustain action agendas on issues within the regions to be followed up by women to work with governments in seeking to resolve destabilising tensions; and it would add a new framework of people-to-people contacts, creating a substantive process outside usual government activity to address national security issues within the region and seek resolution of them. And, in my view, it responds in an imaginative way to President Obama’s call to identify ‘spheres of opportunity’ to build lasting peace.

I want to add a thought about possible ways to keep and add value to this type of second-track diplomacy. Australia has an established, accepted and respected role through its AusAID programs in the region and in introducing different methods of governance. The women’s peace-building dialogue that I am suggesting could be reinforced with subsequent grants for specific dialogue between participants and relevant others. Scholarships or grants could be provided for further contacts between participants to help establish their standing in their communities and reinforce their capacities to
reduce tensions. Further, aid could be targeted to keeping up the momentum of a peace-building dialogue with annual revisitaton of issues addressed in workshop type sessions to check on progress and to continue relationships between attendees, and expanding that to perhaps even include Iran and Uzbekistan and other areas of conflict. At the least, it could address the need for political mobilisation of important players in the Afghan community as a way of ensuring that any political settlement in Afghanistan is not achieved at the expense of women and girls.

About 18 months ago I met a delegation of parliamentarians from Afghanistan who had come to Australia. Two of their female parliamentarians took me aside and begged Australia not to give up on Afghanistan. If this debate is anything to go by, the people of Afghanistan will know Australia will not be giving up on them. I trust the government might at least consider the suggestion of my second-track dialogue proposal of including the women of the region as an additional contribution that Australia could make from a leadership position to have a positive influence on the settlement of this terrible conflict.

In conclusion, I refer to a metaphor by Dylan Thomas, used in a very different context but I think it is apt. This conflict should not be ‘rage, rage against the dying of the light’. Let us instead agree that we need to find lasting solutions.

Senator XENOPHON (South Australia) (12.17 pm)—At the outset I pay tribute to the thousands of men and women of the Australian defence forces who have served in Afghanistan. I pay special tribute to the 21 Australian soldiers who have lost their lives in the service of our nation in Afghanistan and acknowledge the unimaginable grief and burden borne by their loved ones. And to the almost 160 soldiers who have been injured there, they are not forgotten and they deserve every continuing support from us. We should also acknowledge all the dead and injured in Afghanistan, the troops of our allies and the many citizens of Afghanistan.

I start my contribution to this debate by talking about the need for debate itself. There are lots of reasons that have been given over the years for our involvement in this conflict. We were there to track down terrorists, specifically Osama bin Laden and al-Qaeda, although it seems that bin Laden is in all likelihood now in north-west Pakistan. We are also there to overthrow the Taliban who, in the words of former US President George W Bush and former UK Prime Minister Tony Blair, gave comfort to terrorists. We are there to support the spread of democracy.

It is this last point that I want to talk about first in the context of this debate. If we are fighting for democracy, should we not have more faith in democracy and specifically parliamentary democracy here in Australia? Australia has been fighting this war in Afghanistan for more than nine years. That is longer than World War I, that is longer than World War II, that is longer than our involvement in Vietnam; yet it has taken nine years for this war to be debated in the Australian parliament—that although I do wish to acknowledge the four comprehensive and considered ministerial statements Senator John Faulkner made on Afghanistan during his time as Minister for Defence.

I appreciate the conflict has received bipartisan support from the major parties, but bipartisan support is not the same as unanimous support, as I believe the Australian Greens, the lower house Independents, including Andrew Wilkie, and other fine people like Liberal MP Mal Washer would attest to. Surely, if we believe in what our soldiers are fighting for, we should also believe in the necessity for a proper debate in Australia’s
parliament about military engagement before anyone goes to war.

Last week Prime Minister Gillard said that our troops could be in Afghanistan for another 10 years, possibly longer. That is just not acceptable. The time for debating whether or not we should have got involved in Afghanistan is passed. The fact is we are there. As a nation we made a commitment and now we have the moral responsibility to sort out this mess. What do we want to accomplish? What are our goals? What are our responsibilities? As a nation we should have our own aims, our own defined outcomes, and not rely on other countries to set those benchmarks for us.

Former Chief of the Defence Force General Peter Gration was right when he said Australian troops in Afghanistan need an exit strategy based on clear and measurable objectives. And if we do not set deadlines for our goals then we may never achieve them. The shorter the time period the more effort we will put into meeting those deadlines and the less time we will waste—and the fewer lives will be at stake. There is no reason why we cannot begin to draw up an exit strategy now that sees a considered, staged withdrawal of our troops with a final date within the next 24 months. This is an achievable deadline. Deadlines are a strange thing. They involve politicians making decisions. Australians must demand a deadline that this government and this parliament are responsible for. Ten years is not a deadline.

There is no doubt that we need to manage our troop withdrawal carefully. If we do not, we are in danger of leaving behind a dangerously unstable situation and risking what gains we have made already. In this context, we should take the following three guiding principles into account: firstly, we have to decide how we can play our part in taking steps towards achieving social and economic security in Oruzgan province; secondly, we need to determine what aid we can provide in the future and the mechanisms by which that aid is delivered; and, thirdly, we have to take into account our relationship and treaty obligations with the US and how we work with them to maintain and consolidate the efforts of our troops to date as well as our international obligations.

Currently, the main task for Australian troops is training the 4th Brigade of the Afghan National Army to keep the peace and protect themselves and their fellow citizens. The Afghan National Army needs to have the capability to manage Oruzgan province before Australia can withdraw from that area. The Afghan soldiers are willing but people I have spoken to who have served in Afghanistan say that the Afghan soldiers are underpaid and underresourced. Their barracks are of poor quality. They do not have uniforms or enough weaponry. They are performing a thankless task for not much in return and they know that they and their families will be the first to be targeted if the Taliban ever takes power again.

If a staged withdrawal of our troops is dependent on the Afghan National Army being able to protect the province then we should be taking further action to make sure they have the resources and equipment they need. We cannot continue to muddle through and hope it will all work out sometime in the future.

After a recent visit to Afghanistan, the Sydney Morning Herald’s international editor Peter Hartcher wrote a well-considered and moving piece on how hard it is for coalition forces to run counterterrorism operations in Afghanistan, because you simply cannot always work out who is Taliban and who is an ally. Peter Hartcher went on to write about the tentative successes of a counterinsurgency that Australia is helping to fight. The
Taliban was driven out of a number of villages. That was a big success as a result of the direct support of Australian troops and Australian advice to the locals to take on the Taliban. It was a good news story.

Peter Hartcher quoted Australian commander in Afghanistan Major-General John Cantwell as saying:

Our mission is not to defeat the insurgency in Oruzgan. That’s not our mission. It’s not our mission to hunt down and kill or capture every Taliban or insurgent in this province. Our mission is very clear—train the Afghans to manage security around the key population areas of Oruzgan. That’s a limited scope ... Our mission is to train those guys. And we need, I think, to make that clearer to the public and in some case to our own soldiers. 

Major-General Cantwell is right. We need to be clear about what our aims are, both to the troops we are asking to carry them out and also to the Australian public. The need for the Afghan National Army to defend and protect their citizens on their terms cannot be underestimated.

Our aid program to Afghanistan also needs to be reassessed in view of withdrawing our troops. As we scale our aid programs up—as we must—we need to ensure there is a sufficient security presence to enable these aid programs to be delivered and to protect our aid workers. Non-government aid organisations have resources, skills and experience that troops do not have—and nor should we expect that of our troops.

Because aid workers are not soldiers, locals, for many reasons, are more likely to accept the help they offer. And we must restructure our aid so that it is linked to specific projects so we can eliminate the breath-taking and endemic corruption and rorting that exists throughout the Afghan government.

Bob Woodward’s report in his recent book that US General David Petraeus told President Obama that the Karzai regime is a criminal syndicate rather than a functioning government must be heeded. The fact that President Karzai’s brother Ahmed Wali has been implicated in the opium trade—opium that ends up as heroin in the veins of so many young Australians—should disgust all of us. We know that 90 percent of the world’s heroin comes from Afghanistan, and we know that Afghan government officials are making money from the drugs that destroy so many lives here and in the rest of the world.

The cruel irony of the exponential growth in opium crops in Afghanistan, and with it the flooding of cheap heroin into the West, should not escape us. It is linked to a failure of leadership on the part of the United States to tackle the breathtaking corruption of the warlords that the Karzai government is dependent upon and is in fact part of.

Even more recently, former United Nations deputy special representative to Afghanistan Peter Galbraith spoke out about the huge cash payments President Karzai has been accepting from Iran, one of the countries of the ‘axis of evil’ that President George W Bush referred to so often. Peter Galbraith is one of the few who has spoken out about the widespread corruption in Afghanistan. Last year, he blew the whistle on vote rigging in the presidential election, and lost his job with the UN. He says:

A counter-insurgency strategy requires an Afghan partner to work, and when the Afghan partner is so obviously corrupt from top to bottom, there’s no chance the strategy will work.

We need to be sure that all of the Australian aid is being used for rebuilding lives, for giving real hope to a nation that has been wrecked by conflict for decades. The report just a few days ago that suitcases and plastic bags stuffed with cash from corrupt dealings...
are being spirited out of Kabul airport on a weekly basis should appal all of us.

Lastly, as part of any withdrawal strategy, we need to acknowledge our relationship with the United States. There is a lot of criticism around saying that we are too close and too dependent on America. Rightly or wrongly, there is no denying that Australia benefits from US intelligence, resources and the protection this strategic alliance offers us. But as a close ally, we need to have the courage to tell the truth to our friend—to tell them that, for the last nine years they have not had a coherent strategy in Afghanistan; to tell them that it is wrong to enter a conflict without a clear exit strategy from the very beginning; to tell them that not backing up a military campaign with massive and effective humanitarian aid would lead to disaster, both in Afghanistan and abroad.

And we need to tell them that it is not good enough to replace the brutal fundamentalism of the Taliban with a regime that is so fundamentally corrupt that it risks corroding so much of the good that we have done. The consequences of not telling the truth have led to this quagmire. Australia needs to take assertive action to ensure this nightmare ends. It is time to draw a line in the sand. It is time to begin the countdown to an exit date from Afghanistan.

Senator MASON (Queensland) (12.29 pm)—I have listened with great interest to this parliamentary debate on Australia’s involvement in Afghanistan. I have listened with great interest to this debate for the past nine years, since 7 October 2001, when Operation Enduring Freedom was launched by the United States and its allies, including Australia, so that freedom so bravely won by the people of Afghanistan from communist oppression—the freedom so cruelly lost over the following decade to civil war and then Taliban misrule—may indeed return and perhaps this time endure.

I have listened to this debate and heard arguments that we should abandon our mission in Afghanistan. Some of these arguments are passionate, others are cold and rational; some seem sincere while others, callous. All of them are wrong: wrong in principle and wrong in practice; wrong in general and wrong in particular; wrong politically and wrong morally.

Some say that force never solves anything. Tell that to the liberated slaves throughout the 19th century. Some say that there is nothing worse than war. Tell that to the ghosts of the Holocaust and other victims of Nazi tyranny. Some say that all we need is more dialogue and greater understanding. Tell that to the tens of millions who perished over the seven decades of the loathsome communist experiment, and to the tens of millions of those liberated from under its shadow 20 years ago.

Others, more pragmatic, will tell you, ‘We cannot solve all the world’s problems and so why bother with Afghanistan?’ but not Darfur or the Congo or North Korea. To that I say this: just because you cannot do everything it does not mean that you should do nothing. Think of wars on poverty, disease or, indeed, carbon dioxide emissions. Is it not strange how no-one is arguing that because we cannot completely solve these problems we should do nothing? It is funny how this tendentious reasoning only seems to be applied to wars on tyranny and terror. The same pragmatists will say that we should not meddle in other people’s internal conflicts. They say that, and will then go on to paraphrase Otto von Bismarck, that the whole of Afghanistan is not worth the bones of a single Australian SAS soldier. To that I say this: at the dawn of the new century, and amidst our smaller and interconnected world, there is no
conflict so isolated that it will not sooner or later come knocking at your door.

One would have thought that we learned that lesson on 11 September 2001. One would have thought that we had learned the lessons about appeasement, isolationism and sticking our heads in the sand much earlier than that—perhaps even as early as 1 September 1939. We value the courage of our armed men and women. We are eternally in debt to them for their sacrifice and their service. We grieve with them and their loved ones for every loss that they suffer. We also know and understand that they are fighting the good fight today in the time of our choosing and on our terms so that we do not all have to fight a bigger fight of the enemy’s choosing and on the enemy’s terms tomorrow. We bring war to them today so that they cannot bring it to us tomorrow—and, just as importantly, so that they cannot bring it once again to the long-suffering people of Afghanistan.

There is hardly a cause more just than trying to prevent the return of the Taliban regime. A cause more just I cannot think of. This was the regime that treated half of its population, Afghan women, like useless trash—uneducated, unemployed, isolated, battered, hopeless and helpless; the regime that stoned to death apostates, adulterers and homosexuals, and which denied all basic human and political rights to its people; the regime that imposed theocracy and mediaeval poverty on its 28 million subjects; the regime that lived off the proceeds of the heroin trade and gave sanctuary to al-Qaeda; and the regime so obsessively repressive that it mandated beards for all men, banned music, kite flying and sport, and turned stadiums from centres of entertainment into venues of public execution.

And yet, despite that, some are saying that we should give up and leave the people of Afghanistan to their own devices and let them sort out their own affairs whichever way the cards may fall. This view astonishes me. Afghanistan should be the cause celebre of the Left: protecting women and minority rights, fighting oppression and ethnic cleansing, battling an oppressive theocracy, promoting democracy and human rights. It should be the cause celebre of the Left, and yet, according to the twisted moral compass of the Left, all these noble causes and moral considerations are trumped by one thing and one thing only: reflexive anti-Americanism and anti-Westernism.

The reasoning seems to work something like this: (a) pick a conflict—any conflict; (b) see if one of the participants is the United States or Israel; and, (c) if the answer to question (b) is yes then take the other side. It has been thus in every conflict around the world from the Russian Revolution to the armed struggles of today. There has never been a leader or a movement so odious as to be beyond the pale for the Left as long as it was deemed sufficiently anti-American and anti-Western, because that is what counts to the Left. Whole generations idolised Lenin, Stalin and the Soviet Union, then Mao, Castro, Che Guevara and Ho Chi Minh. Noam Chomsky supported the Khmer Rouge and Michel Foucault is intoxicated by the Ayatollah Khomeini and the Iranian revolution. Now western pilgrims travel and pay homage to Hugo Chavez.

Some even support our enemies openly. Others are strongly offended at any suggestion that they support the enemy; it is just that they simply cannot bring themselves to support our side. It hurts too much. While these two positions may differ in the degree of moral culpability that they attract, their practical consequences are all but the same. It is 70 years since George Orwell famously said:
Pacifism is objectively pro-Fascist. This is elementary common sense. If you hamper the war effort of one side you automatically help that of the other. Nor is there any real way of remaining outside such a war as the present one. In practice, ‘he that is not with me is against me’.

It matters not in this context if we speak of the Second World War or the conflict in Afghanistan. No matter what your excuses, no matter what your rationales, no matter how noble and pure your views, no matter whether you call yourself a pacifist or a humanitarian and no matter whether you do not believe in violence or in meddling in other people’s affairs—by calling for the end of military involvement in Afghanistan you are aiding and abetting one of the more monstrous political and religious movements in entire human history.

Mark Steyn wrote just a few years ago:

Everyone’s for a free Tibet, but no one’s for freeing Tibet. So Tibet will stay unfree—as unfree now as it was when the very first Free Tibet campaigner slapped the very first ‘FREE TIBET’ sticker onto the back of his—

... ... ...

If Rumsfeld were to say ‘Free Tibet? ... what a swell idea! The Third Infantry Division goes in on Thursday,' the bumper-sticker crowd would be aghast. They’d have to bend down and peel off the ‘FREE TIBET’ stickers and replace them with ‘WAR IS NOT THE ANSWER’.

And so it is here.

I say this to all of those pining for the withdrawal from Afghanistan, while cloaking their stance in a lofty humanitarian rhetoric of peace, love and human rights: you are only for freedom if it does not involve getting off your armchair. You are only against oppression if it does not involve any real sacrifice. You are only for women’s rights—or gay rights, or minority rights, or human rights or democracy—as long as it does not interfere with your political agenda of opposing what you see as America’s political hegemony. Being concerned—or pretending to be concerned—is not a substitute for action. Just as no ‘Free Tibet’ sticker has ever freed one Tibetan, no amount of candle-lit vigils has managed to save one Darfuran life from genocide—not one. And no amount of posturing that you really care about the fate of Afghan women, men and children will do one tiniest bit to ensure that the 28 million people in that country continue to lead better lives and enjoy hope for the future, if at the same time you are trying to force the withdrawal of NATO and allied armed forces.

The day always comes when you have to make a choice: are you for freedom or are you against it? Are you against tyranny and oppression or for it, whether it be out of spite, misguided idealism or merely indifference? Think carefully about your answer before you say it, and when you do say it, do not say it to me. Have the courage to go and say it to the hidden face of a woman who will be imprisoned at home, to a man who will be slaughtered because he worships the wrong god or belongs to a wrong tribe, or to a child who you are condemning to a life with no future and no hope. History will judge you, and she is a very harsh judge.

Senator McEWEN (South Australia)
(12.40 pm)—I welcome the opportunity to contribute to this debate today about our nation’s involvement in Afghanistan, and I think it is timely that the debate is being held in this week when we have members of the Australian Defence Force Parliamentary Program here to hear it. I would like to start by acknowledging the support and admiration for our Defence Force personnel which is often and genuinely expressed by members and senators from all parties in this parliament. It is a sentiment that is overwhelmingly expressed by the people of Australia as well whenever they have the opportunity to say it. One only has to look at the increased
attendances at Anzac Day ceremonies around Australia and overseas to know that support for our troops is unquestioned.

Today’s debate is not about support for our troops, but whether or not we should support the government’s presence in Afghanistan. It is important that all Australians know why the government has deployed our troops to Afghanistan, and it is important that Australians are kept informed on a regular basis about what we are doing there. We should be clear about what we hope to achieve and honest about what progress is being made to meet our objectives. Committing Australian troops to places like Afghanistan means not only that we place our troops in the face of danger but also that Australia will be seen by the rest of the world to have taken a position either in support of or against other countries or groups within countries. It exposes us to international scrutiny and may expose us to reactions from nations or groups hostile to our engagement. Governments grapple with those potentialities. They always have and always will, and deployment of troops to any conflict will always be contentious, not just because defence personnel will be killed or injured, but because Australians might become more vulnerable to retaliation and civilian populations will also be at an increased risk of violence and death in any conflict in which we participate. We need to be honest about those facts.

Like many Australians, I know a number of our young and not-so-young people who are or who have been in the ADF and have been deployed to Afghanistan and to the places our troops have been sent to. I know plenty of men who fought in World War II—there are not so many of them left now—in Korea and in Vietnam. Like all senators, I have tried to assist constituent veterans who are permanently damaged by their experiences of war and conflict. I read with horror the effect of war on civilians and particularly on women and children. The price of engagement is very high.

So, should we be there? My view is that we should. I agree with the Prime Minister and with the majority of people who have spoken in this chamber during this debate that Australia has made a commitment and we must see that commitment through. Australia is deployed in Afghanistan as part of an international effort. We joined with international forces under a United Nations mandate to deploy to Afghanistan to remove the Taliban from power and to counter the terrorist organisations that were cultivated there. Along with 46 other nations, Australia formed together to create the International Security Assistance Force, or ISAF. Of course, that came after the dreadful events of 11 September 2001, when the terrorist organisation al-Qaeda, based in Afghanistan, was responsible for the deaths of more than 3,000 people, including 10 Australians and including my friend Andrew Knox.

Successive terrorist acts around the world inspired the international community to stand up and attempt to defeat the Taliban so that no further incidences like September 11 would be repeated.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

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

Workplace Relations

Senator CAMERON (New South Wales)  (12.45 pm)—I rise on a matter of public interest concerning sham contracting and the exploitation of foreign workers. Since coming to this place in 2008 I have spent a good deal of my time in budget estimates asking questions about what various agencies are doing to investigate and provide remedies for
the growing numbers of workers who are being required to work as contractors when they are in fact employees. My questioning and probing has been met, until recently, with what I can only describe as a wall of indifference.

Nowhere has this indifference been more apparent than at the Australian Building and Construction Commission. In September and November 2008, the ABCC conducted what it described as an audit. Thirty-nine industry subcontractors were given a few weeks notice that they would have their employment arrangements audited to check whether or not they were engaged in sham contracting arrangements. Not surprisingly, the ABCC failed to find any evidence of sham contracting in the industry and, in an instant, made themselves a laughing-stock in the industry. Anyone with the faintest knowledge of the building and construction industry knows that sham contracting is rife. On 18 March this year, I attended a briefing in this building with representatives of the CFMEU and construction industry contractors working on projects in both the ACT and New South Wales. The contractors, legitimate employers, made it clear that they were on the verge of being driven out of business by rampant sham contracting. They described it as ‘no ABN, no start’, a policy that has become entrenched in the industry and is driving legitimate operators out of the industry.

These employers face a choice: adopt sham contracting practices themselves or face the very real prospect of being priced off jobs by the shonky operators. When I put to the former ABCC Commissioner, Mr John Lloyd, that it seemed strange that I could find ample evidence of sham contracting in the corridors and committees of Parliament House but the ABCC could find none on construction sites in New South Wales, the response was that the ABCC only acts on complaints—presumably not on the complaints of the construction industry unions, who have been complaining long and loud about sham contracting in the industry. Nearly 120,000 people with ABNs described themselves as ‘labourers’. Over the last decade nearly 600,000 ABNs have been issued to labourers and tradespeople who are clearly employees, backpackers and tourists in Australia on subclass 417 working holiday visas, and foreign workers in Australia on subclass 457 visas.

Sham contracting not only deprives workers of their rightful entitlements; it also deprives the community of tax revenue estimated to be in the order of hundreds of millions of dollars annually. This practice is a scourge. It should be eliminated from not only the construction industry but all industries. In a recent case launched by the Fair Work Ombudsman, a business known as the Pretzel Bakehouse, which is in suburban Adelaide, is alleged to have employed 15-year-old children provided by a firm known as Contracting Solutions Australia Pty Ltd under hiring agreements styled on what is known as the Odco labour hire system. The labour company’s director, Mr Michael Wright, is alleged to have told one of these children—a 15-year-old girl—that she would work at the pretzel outlet as an independent contractor. In the face of this, I cannot help but ask what sort of sociopath would want to engage a 15-year-old kid as an independent contractor rather than under a standard contract of employment with the relevant award underpinning her wages and conditions.

This rampant sham contracting and ruthless desire to cut costs at all costs is a sickness that in my view is a threat to the social and economic fabric of this country. In relation to sham contracting in the construction industry, I welcome the statement of the new Australian Building and Construction Commissioner, Mr Leigh Johns, made at his ap-
pearance at the recent supplementary estimates hearing. Mr Johns acknowledged:

The existence of sham contracting in any industry adversely affects decent employers, employees and government revenue.

He went on to say:

Decent employers in the building and construction industry are at a competitive disadvantage to those who engage workers on sham arrangements. They then face with an invidious choice: to either engage in the same indecency or go out of business.

Commissioner Johns told the estimates hearing that he plans to ‘convene a roundtable of relevant agencies and stakeholders to devise an all-of-government response to eliminating sham contracting in the building and construction industry.’ This is a welcome move and one that I support, but I feel that strong government action to stamp out sham contracting should not be confined to the building and construction industry.

The Liquor, Hospitality and Miscellaneous Workers Union has for years been raising concerns about the prevalence of sham contracting in the contract-cleaning industry. The LHMU described the competitive pressures at work as the industry ‘devouring itself from within’ with cleaning companies cutting corners and illegitimately subcontracting to make a profit. As a result, many cleaning companies are failing to meet statutory obligations to their staff, who are risking serious injuries and being paid poverty-level wages. In a paper published by the Centre for Applied Social Research at RMIT, the authors established that sham contracting perpetuates and exacerbates the worst of practices in the contract-cleaning industry. The paper concludes:

The chain of subcontracting at ever reduced prices trails away into a shadowy realm of small firms and individuals where illegal practices can be pursued without much risk of detection or protest.

Just this week, I received correspondence from the Australasian Meat Industry Employees Union raising concerns that unskilled foreign workers in Australia on subclass 417 working holiday visas are being engaged as contractors in the poultry-processing industry in the Hunter Valley. The AMIEU raised concerns about the poultry plant operated by Baiada Poultry Pty Ltd at Beresfield. Soon after purchasing the plant from Bartter Enterprises in 2009, Baiada increased production and, rather than seeking to engage local labour to meet increased production demands, the company engaged labour hire companies to supplement the workforce with foreign workers on 417 visas. While the union has met with some success in regularising the employment status of these workers, there remain many who are engaged under sham contracts. They are paid cash in hand at as little as $12 an hour, there are no payslips, no time and wage records and no paper trail and no tax is deducted. The union has evidence that some of the workers at the Baiada plant are recruited in China through a website hosted in Taiwan.

The website contains offers of work in Australia, including fruit picking and processing, farm labouring and beef and poultry processing in locations including the Hunter Valley, Gatton in Queensland, Shepparton in Victoria and Carnarvon in Western Australia. According to the AMIEU, based on discussions with these workers, the operators of the website or their agents provide assistance in obtaining visas, assist with travel arrangements and provide travel and accommodation in Australia, all for a very high price estimated to be in the order of $30,000. Accommodation usually consists of a rented house occupied by up to 20 people, with mattresses on the floor of every room and rudimentary privacy afforded by a sheet strung from the ceiling. For this, these workers pay around $50 a week in rent, which is
deducted from their pay by the labour contractor. These workers are required to work any hours as directed without payment of overtime, and the AMIEU has had reports of workers being told to work on at the end of a 12-hour shift and if they refuse that they will be cut loose.

I emphasise that the AMIEU is taking a highly responsible approach to this problem. It is in contact with the office of Fair Work Ombudsman and other relevant authorities and it is trying to work through the issue with the company and labour hire contractors. The union has also emphasised that it is very keen to avoid these issues being turned into one around which xenophobic fears might be stirred. This is the correct approach and I intend to emulate it.

This brings me to the death of Myung Yoel Hwang, a South Korean construction worker who died in Sydney early last month. Mr Hwang was one of the invisible army of foreign workers who are working in Australian industry. He was underpaid, underinsured and working illegally on construction sites in Sydney. Mr Hwang was a tiler and was a small part of the black economy that is becoming characteristic of the industries in which sham contracting and exploitation of foreign workers is prevalent. He was paid in cash with no superannuation or workers compensation cover—all off the books. Officially, Mr Hwang did not exist. When he became ill his illegal status and fear of deportation led him not to seek medical help. He died alone, unknown and invisible. But my hope is that he will not have died in vain and that in Australia this can never happen again. Mr Hwang’s death should serve as a prompt for action to stamp out the exploitation of foreign workers in sham contracting. It will be a national disgrace if action is not taken.

I am heartened that there now appears to be a growing determination in government to take action. The Australian Taxation Office, through its Tax Agent magazine in June, has notified tax agents that it is targeting sham contracting. As I said, the ABCC has indicated it is now willing to take action, and that is welcome. But effective action will require a response from the whole of government. I endorse the call from the union movement and elsewhere for there to be a coordinated effort, including the ABCC, the Fair Work Ombudsman, the Department of Education, Employment and Workplace Relations, the Department of Immigration and Citizenship, the Australian Taxation Office, Centrelink, Safe Work Australia, the union movement, employer organisations and other relevant agencies, to stamp out these insidious practices that undermine the economic base and the fabric of our society.

Failure to look after foreign workers in this country, failure to look after children in this country should not be accepted by this parliament or this government. It is absolutely essential that people who are in the most vulnerable of positions can rely on the Australian government and the Australian parliament to look after them. To simply have the dollar, the profit, the big buck driving the whole agenda of the building and construction industry, the retail industry and the fruit-picking and rural industries is unacceptable. We need to look after human beings who are being exploited.

Senator Williams interjecting—

Senator CAMERON—Senator Williams, if you are supporting exploitation, get up and say you supporting exploitation, because it is not acceptable for the National Party to come here and yell when we are talking about workers being killed, exploited and ripped off. The National Party and the coalition have a responsibility to act responsibly. I
know that is an alien thing for you, but you must accept that workers in this country, regardless of their origin, are required to have some protection. We know that the coalition were the Work Choice warriors. We know that you supported Work Choices, but workers are dying and you should not come here and yell at me when I am raising these issues in a proper manner in this parliament.

Independent Youth Allowance

Senator NASH (New South Wales) (1.00 pm)—I rise today to make a contribution to the matter of public interest discussion, and I think it most certainly is a matter of public interest that I am raising. It is that of the issue of student access to independent youth allowance. Over the last year or so, we have had many discussions in this chamber about independent youth allowance—‘unfortunately’, I say, because this is something we should have been able to stop talking about in this chamber some time ago.

What has been the case is that the government has made some changes to the eligibility criteria for independent youth allowance. Most of my colleagues in this place would be very well aware of this, particularly those coming from regional areas, where this has a particular impact. What the government has done is put legislation in place that treats regional students unfairly. It has completely taken away fairness and equity for regional students. Let me explain. In the past students could access independent youth allowance by working at least 15 hours a week over two years after leaving school, or doing what we call the ‘gap year’, earning a certain amount over the 12 months and then being able to access the allowance after 18 months. Also, they could have worked an average of 30 hours a week over the 18 months. But it is the gap year issue, in particular—as it is colloquially referred to, and I will keep referring to it as that, as people do understand it as the gap year that students take—that has been changed for so many of our regional students.

What the government has done is use a map—the Australian Standard Geographical Classification map for remoteness areas—to determine which regional students are able to access independent youth allowance and which students are not. There are entire regions called ‘inner regional areas’ in which students are not able to qualify for independent youth allowance. The eligibility criteria simply do not apply to that. If students live in the inner regional areas, their only way of accessing independent youth allowance is by working an average of 30 hours a week over 18 months in a two-year period. This means those students must take two years off before they go to university if they are to have any chance at all of accessing the independent youth allowance. I say ‘any chance at all’ because, as we well know, those colleagues of mine who live out in regional areas and those who actually understand regional areas—like Senator Brett Mason, even though he does not live there—know that the difficulty of getting 30 hours work a week out in the regions is enormous. So the government has put in place a situation that has resulted in some regional students being treated differently from others. Students who live in the outer regional, remote and very remote areas can indeed access independent youth allowance using the gap year, but students who live in the inner regional areas cannot—and I hope this is a speech you are paying attention to, Mr Acting Deputy President Ludlam, given that the Greens have professed support for regional students quite often in the past. It is very important that you do listen to this, because it will make sense when I get to the end of my speech.

What we have seen is a map with lines that preclude some regional students from accessing independent youth allowance—
and there are thousands of students who can no longer access independent youth allowance, and that is just appalling. What has happened with these lines on the map is that we have situations where students living on one side of the road can access it while students living on the other side cannot. That is simply wrong. The answer I was given the other day in estimates from the minister, Senator Evans, and the department was: 'That happens when you have maps that do these things; you do get lines on a map and some miss out.' That is not good enough.

My very good colleague in the other place, the member for Gippsland, Darren Chester, has been talking about a town in his electorate called Yarram, which is about 2½ hours drive from Melbourne. The main part of the town is regarded as inner regional. The line on the map wraps around the back of that town. He has students who attend the same schools and live in the same street who are being treated differently by this Labor government simply because of a line on a map. Seven minutes down the road is the town of Port Albert, and it is completely outer regional—they can all access it.

This sounds a bit confusing for people, but I am painting the picture for you of the absolute inequity that exists for regional students. If a student resides in a regional area, they should be able to access independent youth allowance. It is as simple as that. It should not come down to where they live. It should not come down to where their house is. It should not come to which side of a line they fall on. They should be able to access it. This is a matter of equity and, interestingly, during the estimates process last week, the minister and the department admitted that it was purely that the government did not want to spend the money that would be needed to include the students living in the inner regional area being able to access independent youth allowance.

This is a government that can waste billions of dollars on pink batts, a government that can completely stuff up and waste millions and billions of dollars on school halls—and, again, my very good colleague sitting over here, Senator Mason, well knows the disaster that has been. So this Gillard Labor government can waste billions of dollars on that complete mismanagement and yet they cannot find the funding to ensure that regional students are treated fairly—to ensure that regional students have access to tertiary education. That is simply not right, and this Prime Minister should hang her head in shame. She was the minister at the time who made these changes. She is now the Prime Minister and she has the ability to change this legislation. And it is a simple change: to change the wording to include inner regional so it is under the same eligibility criteria as the other three zones. It is that simple, and the Prime Minister has the power to do it.

The issue is that so many students in our regional areas have no choice but to relocate to attend tertiary education—to go on to university or to go on to further education. They simply have no choice. There is not a university down the road, as there is for so many of our metropolitan students. They simply do not have that choice or that option. And not having that choice or option comes with a price tag of around $15,000 to $20,000 a year. Those students have to find that money through no fault of their own. They have no choice but to relocate. The government argues that the separate youth allowance provisions look after the financial needs of these regional students. That is simply rubbish. So many of these parents living out in these regional areas have come to me and said that they simply cannot afford it.

Under the youth allowance provisions, once you start going up through the brackets the amount of youth allowance decreases, and when you have parents who have one,
two or three children who want to go away to
university it is absolutely impossible, in so
many cases, for them to actually send their
children away. What really brought it home
to me was when the Senate Standing Com-
mittee on Rural and Regional Affairs and
Transport, which I chaired at the time, did an
inquiry into access for regional students to
secondary and tertiary education. I had par-
ents come to me, and one lady in particular
who said to me, ‘We have three children.
They all want to go on to university. We
simply can’t afford it.’ They said to me, ‘We are
going to have to choose which one of our
children we are going to send to university.’ I
think, in this day and age, that is appalling.
Every student should have the right to go on
to tertiary education and not be precluded
because of stupid decisions by this Labor
government to treat regional students un-
fairly. It is not fair; it is not right; and it is not
on.

I will now take those of us in the chamber
here and those listening—and those in the
other chamber, in particular the Prime Minis-
ter—to some comments that the Prime Minis-
ter made when we were discussing these
changes a year or so ago now and some com-
ments she made even prior to that. When we
were talking about youth allowance she
made a comment on 16 November 2009 talk-
ing about the changes to youth allowance.
She said:

This is a new system to better support students
who need that support the most, including country
students.

She ripped the hearts out of thousands of
regional students. This is absolute rubbish. If
she was truly committed to that comment
then she would come out today and she
would say, ‘There has been an unfortunate, if
you like, result with these changes and we do
need to make sure we treat regional students
fairly.’ Let us go back to November 2007,
when she said on the ABC Insiders program:
We want to make sure kids right across the
country, irrespective of what family they’re born into,
whether they’re in the centre of the city, in a re-
gional centre or outback Australia, that they all
get the support they need for their education.

Again, what a load of rubbish; what a lot of
hollow words that was when we see what the
minister actually did from that point in
time—and that was to make it so much more
difficult for so many of our regional students
to be able to go on to tertiary education. The
Prime Minister also said on 13 March 2008
in a speech she gave:

And I am announcing a new long-term goal for
our post-secondary education system: guaranteed
access to higher education or skills training for
every young Australian with the talent and will-
ingness to give it a go.

To me, that includes regional students—and I
think it is about time this Prime Minister put
her money where her words were and stood
up and fixed this issue to make sure regional
students can have fair and equitable access to
tertiary education. If her response is, ‘That is
fine; it is all taken into account by youth al-
lowance,’ she simply has no understanding
whatsoever of the impact of these changes on
our rural and regional students. It is not fair.
It is not right, and it is so easily fixable. The
funding could come from the Education In-
vestment Fund, which the coalition put for-
ward as part of our policy during the election
campaign—because we actually realised and
understood how important it was for all re-
gional students to have access to independent
youth allowance as a pathway for them to be
able to go on to tertiary education. To do
anything less than to provide that fair and
equitable access for regional students to my
mind is an abrogation of the Prime Minis-
ter’s duty to the young people across this
country.
I will be introducing in the chamber tomorrow a private senator’s bill which will require the equal treatment for students in inner regional zones with those in outer regional, remote and very remote areas—that is, that they all be able to undertake the gap year to qualify for independent youth allowance. It is a very simple bill: it is one line that gets inserted into the current legislation, and the Prime Minister could do this very simply. She needs to realise that the inequity that exists is no longer tenable. Around 55 per cent of metropolitan students go on to tertiary education. That is compared to only 33 per cent in the regional areas, and the evidence for that came out through our inquiry. We know that the disparity in those numbers, which is unacceptable, is caused by the financial difficulty and the financial burden that sits with these students and their families simply because they have no choice but to relocate.

I would hope that my good colleagues in this chamber on the crossbenches—the Greens, the Independent and the Family First senator—would see their way clear to support this bill. It is so important for thousands of regional students right across the country that this bill be passed. We should not even be in the position of having to bring a private senator’s bill into this chamber to put a focus on this issue. It is simply appalling that the government do not realise the impact on our regional students, and on their families, that precludes them from going on to tertiary education. This is supposed to be the land of equal opportunity. The Labor government and the Prime Minister, Julia Gillard, have the opportunity now to stand up and say: ‘It is the land of equal opportunity. We are going to give regional students equal access to all of those opportunities. We are going to fix the legislation.’

**Child Protection**

**Senator BILYK** (Tasmania) (1.15 pm)—I rise today to speak on a matter of public interest, and that is the very important issue of child abuse and neglect and caring for our children. We all know that child welfare is an issue we all need to be concerned with and that there are many ways in which we can play a role in protecting children. Madam Acting Deputy President Kroger, I know that as my fellow co-convenor of Parliamentarians Against Child Abuse and Neglect, or PACAN, you too share a very great interest in this topic. It is not a nice topic—we have had some conversations about that—but we both realise and acknowledge that this is an issue that overrides party politics. The ultimate outcome would be to end all abuse and neglect, but in the meantime we need to bring this issue to the fore so that people have a conversation about it. In that way we help to make people more knowledgeable about it. So I do thank you for your participation in the Parliamentarians Against Child Abuse and Neglect group.

The first thing I would like to talk about today is Bravehearts Inc. This organisation was founded by Hetty Johnston in 1997. The purpose of the Bravehearts organisation is to provide therapy, support and advocacy services to survivors of child sexual assault and to increase prevention by raising awareness in the community through education. On 7 September it was the Bravehearts 14th annual White Balloon Day, which is held to raise awareness of child sexual abuse and to raise money to fund activities that help raise that awareness. White Balloon Day was created in response to a devastating revelation by a seven-year-old that a family member was sexually abusing them. We all know that abuse is horrific at any time, but to me it is made even worse when the perpetrator is someone the victim should have been able to trust. Sadly, it is common in child sexual
abuse cases for the victim to know their abuser. In this case it was revealed that this seven-year-old was not the first victim of the perpetrator, who had in fact been abusing children for 40 years.

White Balloon Day is proudly sponsored by the federal government’s National Framework for Protecting Australia’s Children under the parenting appropriation. It is held during National Child Protection Week, which is run by the National Association for the Prevention of Child Abuse and Neglect, known as NAPCAN. National Child Protection Week was held between 5 and 12 September this year. In the lead-up to that week, NAPCAN announced the results of a survey they conducted in 2009. More than 22,000 people participated in the online survey, which is the largest of its type conducted in Australia.

The results of the survey were both interesting and somewhat alarming. Ninety-two per cent of participants stated that they believed that child abuse and neglect is a serious problem in Australia, but only 47 per cent thought more recognition of the problem was needed. When asked who was mainly responsible for ensuring the child’s welfare, 98 per cent nominated parents, 54 per cent nominated other relatives, 51 per cent nominated schools and 48 per cent nominated child protection authorities. Alarmingly, some respondents stated that business, the media and neighbours were not at all responsible for children’s wellbeing and safety: 31 per cent thought business was not at all responsible, 17 per cent thought the media was not at all responsible and 11 per cent thought neighbours were not at all responsible.

If confronted with a clear-cut case of child abuse or neglect, less than 50 per cent of participants in the survey stated that they would take formal action to protect the child. In the case of sexual abuse, only 34 per cent of respondents would definitely call the police. People reported a variety of reasons that would stop them from reporting their concerns to authorities: 48 per cent said they were worried they might be wrong, 44 per cent said they were worried about what would happen to them, 42 per cent did not think it was any of their business, 38 per cent did not know what to do, 33 per cent did not want to cause problems for the child, 30 per cent did not want to upset the parents and 22 per cent did not want to admit that things like that happened.

It is clear from the survey responses that those concerns are widely held. Most people would appreciate the anxiety that people feel about reporting suspected child sexual abuse. However, it is important to put the child first and concerns about being wrong or being verbally abused for interfering last. Failure to speak up will result in the abuse continuing, and further emotional and physical harm is most likely to occur. I believe that as a society we need to ensure that people are aware of the signs of abuse so they can take action if necessary.

The survey also found that bullying was of great concern to respondents when they were asked about the issue in relation to young children—that is, children in the nought to 12 years age group. Seventy-four per cent of respondents worried about bullying in younger children, compared to only 36 per cent for the 13 to 17 years age category. People were also less worried about how the older children dealt with matters such as fitting in at school and parents fighting or separating than they were when asked the same questions about the younger group of children. It is probably not surprising to most people that respondents were more likely to worry about the older child when it came to issues such as depression, drugs, alcohol and sexuality.
Respondents were asked to state what factors they considered contributed to abuse and neglect by rating various categories between 1, not at all; and 5, a lot. The top four categories that were given a rating of 5 were: parents’ abuse of drugs and alcohol, 73 per cent; domestic violence between parents, 58 per cent; parents who were abused and neglected themselves, 51 per cent; and mental illness, 37 per cent. Only seven per cent of people rated ‘not enough local activities for children’ as a 5 on the scale—that is, a lot—while 11 per cent rated ‘not enough affordable child care’ as a 5.

The perceptions of survey participants roughly correspond with data from the Australian Institute of Health and Welfare’s *Child protection Australia 2008-09*. The study was completed in 2010. It identified that, on average, emotional abuse accounted for 38 per cent of abuse, neglect for 31 per cent, physical abuse for 22 per cent and sexual abuse for nine per cent of all abuse.

It is relevant to note that, despite the figures of both the type of abuse occurring and the perceptions about that abuse, sexual abuse represents a significant proportion of calls from children to the Kids Helpline. In 2008, 37 per cent of calls to the helpline related to sexual abuse. Physical abuse accounted for 46 per cent and emotional abuse for 13 per cent, while neglect accounted for four per cent of calls.

As part of the survey, respondents were also asked to rate the most effective intervention strategies, with a rating of 1 meaning not effective and 5 meaning very effective. Support for parents with substance abuse and mental illness were considered to be very effective strategies, rated as a 5 on this scale, by 66 and 65 per cent of respondents respectively. The two strategies that received the fewest 5 ratings by the respondents were: removing children permanently from families, 13 per cent; and changing the law to ban any physical punishment of children, 17 per cent. Generally, respondents felt that strategies aimed at families where children were at risk of being abused or where abuse was already occurring were more effective than a more broad approach to the population as a whole.

I would like to thank both NAPCAN and Bravehearts for the effort they put into bringing these issues to the fore. I would also like to thank NAPCAN for organising the survey, and those experts who developed it. And I would like to thank the people who took the time to complete the survey. It is the beginning of our getting, as a society, as a community, more information on people’s attitudes and helping to try and change those attitudes in regard to this horrific issue. To those people who did complete the survey, I would just like to say: although the effort might seem small, the answers that you provided will allow welfare experts to gain a better understanding of society’s views on this issue and, as I said, what needs to be done to help improve the situation.

I believe, as I know you do, Acting Deputy President Kroger, that we all have a role to play in protecting children. We all need to remember that one day it might be one of our children or grandchildren, or another young child we know or love, who is actually the one who is suffering the abuse. So I do believe it is important that everyone plays their part in preventing that from happening.

In regard to this issue, I would just like to mention to the chamber that in a couple of weeks I am hosting a display of art, upstairs in the open area. That display is of extracts from the Eric Cunningham Dax collection of artwork that people who have been abused have done to try and help ease their trauma. That will be a most interesting display, and I would urge everybody to have a look at it.
I have stated on many previous occasions in this place, and I reiterated earlier, that this is not a nice subject. It is not a nice topic, but it is a topic that I think we really need to be pushing both within this chamber and outside it. We all have a responsibility to make sure these discussions are held and that abuse is not swept under the carpet but is brought to the fore, and that we do all we can, no matter what political party we belong to, to alleviate the fairly horrific numbers of children suffering abuse. It is an issue that affects people for the whole of their lives in a number of different ways, and I would urge everybody to play their role in trying to change that. I will certainly continue to do my utmost to make sure that the issue gets the awareness that it needs. I would once again ask senators and members, and members of the broader community, to think about the issue about what they could and would do if faced with an issue or were aware of an issue of abuse and to talk to people about it.

Northern Australia

Senator IAN MACDONALD (Queensland) (1.28 pm)—The importance of Northern Australia to our country is certainly a matter of great public interest, though perhaps a matter that is not quite as well understood by most Australians as it should be. Few Australians would know that almost 50 per cent of Australia’s export earnings come from north of the Tropic of Capricorn, from a part of Australia that houses a little under five per cent of our population but contributes enormous wealth to our country—particularly in the minerals export area but also from some fairly significant agricultural and other industries. For instance, our beef industry in Northern Australia is world class, and exports to the world as well as feeding Australia. Some of our more significant tourist destinations are across the top of Australia, from the Barrier Reef to Kakadu and the Kimberleys.

The wealth from sugar is little appreciated these days but, as the price of sugar keeps increasing on the world markets, the wealth coming into Australia from that crop, as it has for over 100 years now, increases in Northern Australia. It particularly increases in Northern Queensland, in the areas from Mackay up to Cairns. Every day courageous, pioneering farmers are looking at new opportunities for food production in the north of our country. Rice has been tried in the north before and failed for various reasons, but I am delighted to hear that in the Ord River area just recently another successful enterprise is working on increased rice production, having learnt about and researched growing rice in an area that would not always be seen as a natural rice-growing area.

Another new crop being looked at is chia, again in the Ord, a crop that could revolutionise cropping but also the way we eat and our health. That is also being done in Northern Australia. As, according to the experts, the south of our country gets drier—and the north is predicted to have at least the same rainfall and water ability—the importance of Northern Australia for the food security of our country and indeed the world becomes greater and greater.

Northern Australia also houses a large percentage of Australia’s Indigenous people, particularly a large percentage of those who are living more traditionally. That means that in Northern Australia we have to be extra sensitive in how we develop and provide social and hard infrastructure in those areas.

I am delighted to note that at the last election, of the nine federal electorates—and there are only nine in that part of Australia, which comprises the half on the top of the Tropic of Capricorn—seven are now held by the Liberal-National Party. The Labor
Party—which, before the election, held most of those electorates—lost very substantially in the north, and the couple of seats they have retained they have only retained against huge swings in those areas. For example, in Capricornia, one of the few seats still held by the Labor Party in the north, the swing against a sitting incumbent member was in the order of eight per cent.

Certainly part of the reason for our success was the very substantial, exciting, energetic candidates who ran for us in those areas, but another part of the reason was the fact that the Labor Party completely misunderstood or did not care about the issues that support Northern Australians and indeed Australia. I am particularly referring to the Labor Party's stupidity with all of its versions of the emissions trading scheme—it is hard to talk about one in particular because there were so many under the previous, failed, Minister for Climate Change. And it was not only that; we then had the carbon tax issue and the resource rent profits tax.

Labor Party people do not understand the importance of these industries to the rest of Australia. Clearly they never understood the importance of these industries to people they claim to represent—that is, people working in the mines, the people who very often are forced to join the CFMEU and the AWU in mining areas. Whilst these people are ostensibly supporters of the union movement and the Labor Party, clearly, if you look at the figures, you will understand that these unionists are sick and tired of the stupidity of their union bosses and particularly the way the unions, almost without reason, supported the Australian Labor Party at the last election. They do it because they have always done it, but the members of the unions are starting to vote with their feet their disgust at the way the unions are not representing them and certainly not representing Australia.

That resulted in huge swings to the coalition in those areas very dependent on mining. For example: in Durack, the new seat in the top of Western Australia which contains much of our wealth from mineral activities in this country, our incumbent candidate in a new electorate, Barry Haase, had a magnificent six per cent swing towards him; in Solomon, up in the Northern Territory, an area which really understands mining, border protection and Indigenous issues, there was a swing of two per cent towards the former Deputy Mayor of Palmerston, a fabulous new member, Natasha Griggs; and, in Leichhardt, Warren Entsch returned to the parliament with a massive 8½ per cent swing towards him, and in a seat which contains a large number of Indigenous voters and people who understand the mess that our country has got into under the economic stewardship of the Australian Labor Party.

In the electorate of Herbert, a seat that was notionally Labor following the last redistribution, the new member there—a very active member, a guy who will well fill the shoes of the former member, Peter Lindsay—had a very significant 2½ per cent swing towards him. In Dawson, the electorate based in Mackay and running into Townsville—in fact, the electorate in which I now live—George Christensen had a magnificent five per cent swing towards him. And, in the Central Queensland seat of Flynn, Ken O'Dowd had an almost six per cent swing towards him against an incumbent Labor Party candidate.

Those new members in that area will actually represent the interests of Northern Australia and in doing so will represent the interests of all Australians, who more than they perhaps realise are dependent upon Northern Australia for their food and the standard of living they enjoy through the wealth created from the activities conducted in the north.
In passing, I mention how perplexed I was at the way the Australian Electoral Commission redrew the boundaries of northern seats, particularly those in Queensland. For example, there is a substantial part of the electorate of Flynn that is based on Gracemere, a suburb of Rockhampton located about 10 to 20 kilometres from the GPO in Rockhampton, yet the member for the seat of Capricornia, in which Rockhampton is situated, does not now represent that suburb. Instead, Gracemere is now effectively represented by the members for Gladstone and Emerald and so on down the coast. Gracemere will be well represented—Ken O’Dowd is a fabulous member, and he will look after Gracemere—but one wonders what might have possessed the electoral commissioners to redraw a boundary like that.

To make matters worse—and for southerners this may not mean much but I am talking about a distance of 300, 400 or 500 kilometres—the electorate of Capricornia, which is based on Rockhampton, now takes in the Pioneer Valley behind Mackay, which is the principal city in the electorate of Dawson. Within 10 to 20 kilometres of the centre of Mackay, that farming area which is so much part of the community of the Mackay area is now represented—and badly in this instance—by a member based in the city of Rockhampton, which is some 300 or 400 kilometres away. That is absolutely crazy.

As you push up the coast, you find that the electorate of Dawson, which should have included the Pioneer Valley, does not include the Pioneer Valley but does include three suburbs of Townsville. They are now represented very well by George Christensen, but he is based some 400 kilometres away in Mackay. And so it goes on. One might be excused for thinking that perhaps the electoral commissioners had a brain explosion when they were looking at those electorates—it just does not make sense. I call upon the electoral commissioners to have a serious look at the stupidity of some of the electoral boundaries in that area.

In conclusion, I briefly refer to another very important fact about Northern Australia. It is the part of Australia that is closest to our nearest neighbours. If there ever is a threat to our country in the future, and hopefully there never will be, it is likely to come from somewhere to the north of Australia. For that reason, it seems to me, the people of Northern Australia have a greater understanding of border protection and defence matters than our fellow Australians south of the Tropic of Capricorn. That is why, following the election, I was delighted that the Liberal-National Party leader, Mr Abbott, not only gave me responsibility for northern and remote Australia, which I had had previously, but also extended my responsibilities by making me shadow parliamentary secretary for the defence force and defence support.

In the north we have Australia’s largest and best equipped—some might say best run—army base at Lavarack in Townsville as well as the Garbutt airbase, which is also in Townsville. In Cairns there is HMAS Cairns supporting the patrol boats in the north. In Darwin, there is Robertson Barracks, Larrakeyah and various Air Force and Navy establishments. Across the north, there is this preponderance of military bases and activities that are so important to Australia’s defence preparedness and so important in the training of our troops, wherever in the world they might be called upon to fight. These Army establishments also have a very significant impact on the local economies of the areas in which they are situated. So, across the board, defence has become a very significant part of the fabric of life in Northern Australia.

I predict without much fear of being proved wrong by events that, as Australia
progresses, the part that Northern Australia plays in Australia’s success will become even more evident. The opportunities for wealth from mining, the opportunities for food security and the opportunities to have water at hand regularly—day in, day out and year in, year out—will be increasingly seen as a significant attraction of living, working and experiencing life in Northern Australia.

The ACTING DEPUTY PRESIDENT (Senator Kroger)—There being no further speakers, the discussion is concluded.

BUSINESS
Rearrangement

Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (1.43 pm)—by leave—I move:

That government business order of the day relating to the ministerial statement on Afghanistan be called on immediately.

Question agreed to.

MINISTERIAL STATEMENTS
Afghanistan

Debate resumed.

Senator McEWEN (South Australia) (1.44 pm)—I will continue my remarks from where I left off before the debate on Australia’s involvement in Afghanistan was interrupted. As Prime Minister Gillard said last week, there are two vital reasons for our ongoing involvement in Afghanistan. The first is to make sure that Afghanistan is never again a safe haven for terrorists and the second is to stand by our incredibly valuable alliance with the United States. As the Prime Minister also said, like other counterinsurgency operations, Afghanistan is proving to be a protracted and intensive process. Success in Afghanistan will be dependent on ensuring that the local population is protected and separated from the insurgence, that economic and social reconstruction occurs, that indigenous security capacity is strengthened, that insurgence networks are disrupted and the prospects for a long-term political solution are enhanced.

Australia’s commitment to assisting Afghanistan to become a more stable, independent and successful nation is demonstrated not just by our military operations but also by our commitments to development assistance. Our military personnel are mainly based in the province of Oruzgan. Oruzgan is a province of immense development needs. It is one of the least developed provinces in Afghanistan, with a literacy rate of zero per cent for women, and just 10 per cent for men. The national literacy rate in Afghanistan is 12.6 per cent for women, and 43 per cent for men. It is a country in need of a lot of help.

As we know, poverty and lack of opportunity provide the ideal breeding ground for terrorism, and we in Australia are focused on addressing those factors. Since 2001, Australia has committed over $740 million in development assistance to the whole of Afghanistan. We are committed to ensuring that once the coalition forces leave the country, the government of Afghanistan will be able to take full responsibility for its own nation. In January this year, we contributed further funds to the nation to assist Afghanistan’s road to stability. Those funds included: $50 million over three years for the Afghan Reconstruction Trust Fund, $25 million for the Peace and Reintegration Trust Fund, $20 million for mine clearance activity, $4 million for capacity building in the agriculture sector, and $1 million for the Afghan Independent Human Rights Commission in the Oruzgan province.

As I said, Afghanistan is facing immense developmental challenges, particularly in the area where our troops are based. Our development assistance to the Oruzgan province alone is expected to reach almost $20 million.
in 2010-11. The development assistance that we have provided so far is already having an impact in the region, including: providing 1,780 primary school students with basic health and hygiene education; clearing over 132,000 square metres of land contaminated by mines, and educating 100 local people in how to do that important task; and improving food security through the distribution of wheat, including take-home rations for female students. Australia is working to rebuild capacity within the administration of the province while encouraging stronger links with the central government. Key elements, including supporting the reach of the central government programs into Oruzgan, delivering basic services, and supporting the legitimacy of the Afghan government, are the focus of the development assistance in the province.

Australia’s efforts in Afghanistan remain difficult and dangerous, but we do not want to see a repeat of any terrorist attacks such as the 9/11 attacks, the Bali bombings or the London bombings. In each of those events, Australians were murdered or injured. We have a responsibility to Afghanistan, to our allies and partners, and ultimately to Australians to remain committed to the task. We have an obligation as a wealthy, stable country to do what we can to assist impoverished nations like Afghanistan to become stable and economically self-sufficient. That is the only way, in the long term, to defeat terrorism.

I welcomed the opportunity to speak in this debate today and it would be remiss of me not to conclude by joining with other senators in acknowledging the 21 people who have lost their lives in the war in Afghanistan so far. My condolences go to their families and their friends. I would also like to acknowledge the willingness of the Prime Minister to allow both chambers of the parliament to engage in this important debate and I look forward to contributing on an ongoing basis to the parliamentary debate about why Australia’s defence forces are deployed where they are and what we are doing with our deployment and the success or otherwise of that deployment. The Australian people deserve that information, they deserve to have their elected representatives engage in this debate.

Senator HUMPHRIES (Australian Capital Territory) (1.50 pm)—The gravity of the debate about our ongoing commitment to Afghanistan is given added significance by its life or death context for those who wear the Australian defence uniform. At present there are 1,550 Australians serving in Afghanistan, an important contribution to the mission of the International Security Assistance Force. The Australian government and parliament should, and I am sure do, hold each of those lives very precious. Our mission in Afghanistan has already cost 21 precious lives. That loss is keenly felt by everybody in this place, of that I have no doubt.

But to say that the loss of 21 lives means that Australia should withdraw from this mission, that the price is too high, as the Greens have certainly asserted, is to measure only one part of this equation. It is important for us, as elected representatives, to clearly lay out before the Australian people the reasons why we are involved in Afghanistan and, more critically perhaps, why we need to continue to be involved in Afghanistan. We owe it to the families of those who have lost loved ones and to those who are currently deployed to do that.

At the outset I note the coalition’s ongoing and unwavering support for this mission and for our troops in this conflict who have performed admirably in dangerous and challenging circumstances. It is worth remembering that as well as the 21 lost lives, 156 have been wounded in our name. There is no
greater sacrifice that a nation can ask of its people, and their bravery will be remembered.

In that context, I would like to address some key issues in this debate: the threat of terrorism, the Australian commitment to Afghanistan and why our commitment is in the national interest, and, finally, the challenges we face in the future.

Since the attacks on the United States in September 2001, Australia and the rest of the world have lived in the shadow of a larger, more ominous terrorism than we had previously seen, perpetrated by the network of extremists who have hijacked Islam for their own ideological and murderous ends. Nine years on, this is not a threat we can take lightly. Countless thousands have been murdered in attacks across the globe, with New York, Madrid, London, Casablanca, Istanbul and Bali amongst them. According to the Worldwide Incidents Tracking System, 17,833 separate terrorist attacks globally are thought to have been perpetrated by Islamic extremists since September 2001. The US National Counterterrorism Center’s 2009 report indicates that, in that year alone, 50,000 people were killed or wounded in terrorist attacks, of which, interestingly, half were themselves Muslim. This very real and present threat has resulted in the deaths of 111 Australians and an attack upon our embassy in Indonesia.

But, of course, this begs the question: what is the link between those deaths and Afghanistan? The ideologically extreme Taliban, which took power in Afghanistan, ran what can only be described as a theocratic dictatorship, founded on the most extreme interpretations of Islam, funded by opium and the narcotics trade and ruthlessly enforced by stonings, beheadings and the most horrific human rights abuses. The savage fundamentalism at work here can be seen symbolically in the destruction of the Buddhist statues at Bamiyan in 2001, an act of blind ideological purity if ever there were one. It was from this safe haven in Afghanistan that Osama bin Laden and al-Qaeda were able to train terrorists as well as orchestrate and execute attacks upon foreign nationals, culminating in the attacks of September 11. Indeed, the lawless nature of Afghanistan proved a magnet for other extremist organisations such as Jemaah Islamiah, Lashkar-e-Taiba, the Islamic Movement of Uzbekistan and other al-Qaeda affiliates. Whilst these groups were not indigenous to Afghanistan, the safe haven created by the Taliban allowed them to develop the capacity to commit crimes against targets in their respective countries.

The deaths of 88 Australians in 2002, and four more in 2005, in Bali at the hands of those trained in Afghanistan demonstrates, I think, very graphically that we have a real and immediate—a seminal—interest in addressing the activities of terrorists in Afghanistan itself. It is undoubtedly in Australia’s national interest to be involved in that country to prevent it from serving as a safe haven for terrorists into the future.

Australia’s commitment to Afghanistan began in 2001, when the Prime Minister at the time, Mr Howard, invoked article IV of the ANZUS treaty. I believe this was the right action to take in support of our most important ally and friend. It is fanciful to imagine that Australia can protect its national interests, especially when they are under threat at the global level in the form of international terrorism, without extensive and close cooperation with and, support for, other nations sharing a similar need to protect their parallel national interests. The rapid collapse of Taliban and al-Qaeda power in Afghanistan pursuant to a UN mandate demonstrated the tenuous hold that the Taliban had on power and political legitimacy within that
country. The swift strike against those organisations crippled both groups in Afghanistan and created breathing space in Kabul and other coalition held towns and villages to begin the process of rebuilding. Indeed, it provided the necessary stability for the recreation of the Afghan state, supported by the international community in the 2001 Bonn agreement, which drafted a new Afghan constitution, adopted in 2004.

I want to quote part of the preamble to that constitution to see what is at stake in that country. The constitution states that its aim is to:

- Strengthen national unity, safeguard independence, national sovereignty and territorial integrity of the country;
- Establish an order based on the peoples’ will and democracy;
- Form a civil society void of oppression, atrocity, discrimination as well as violence, based on rule of law, social justice, protecting integrity and human rights, and attaining peoples’ freedoms and fundamental rights;
- Strengthen political, social, economic as well as defense institutions;
- Attain a prosperous life and sound living environment for all inhabitants of this land;

I ask those who have in effect defended the Taliban regime by virtue of their support for Australia withdrawing from that country to consider the aspirations of the Afghan people in those words. I do not pretend that Afghanistan has attained those goals at this point and I have to say I do not necessarily suggest that we can be certain that it will one day attain those goals. Afghanistan’s democratic institutions are fragile and many of the steps it is taking in the direction of these things might not be completed. Indeed, steps backwards are quite possible in these circumstances. But I think that should be expected. We ought to acknowledge the size of the challenge that country faces, in concert with other nations, to achieve the sorts of goals that it has set itself through its constitution.

Some senators have criticised the deficiencies in the Afghan national institutions; they are right to do so, but not as the basis for suggesting that we abandon this attempt for a better society in that country. What is there is not perfect, but it is a step in the right direction, one Australia should defend until it becomes clear that such action is futile. An Afghanistan that is secure enough to pursue these goals—to ensure domestic stability, to secure the rights of women and girls and to assume a place as a responsible actor on the global stage—is absolutely, unquestionably in Australia’s national interest.

The Howard government committed a Reconstruction Task Force in Oruzgan province in coordination with the Dutch Provincial Reconstruction Team. Since 2008 that mission has focused on a mentoring task force to train the Afghan National Army’s 4th Brigade. That task has continued with the Dutch withdrawal from Oruzgan in August this year. In addition, our Special Forces Task Group continues to operate in the province and neighbouring province of Kandahar to eliminate or capture Taliban elements in coordination with our allies. This important activity provides the necessary environment in which the ANA’s 4th Brigade can be adequately trained and governance and infrastructure in the province can be improved. The calibre and capability of Australian Special Forces is recognised by our alliance partners and, indeed, our foes, and I pay tribute to their ongoing dedication and professionalism.

Australia’s contribution to the rebuilding of a civil society in Afghanistan can be said to be, in one sense, modest. But, like every stone in a bridge, it is a vital contribution to stability and growth in the whole edifice. The goal of training the ANA 4th Brigade to the
extent to which they are able to secure and stabilise Oruzgan is important to the broader goal of an Afghanistan that never again serves as a haven for Islamic extremism. It is a challenging goal and the risks are by no means few, but this goal is clearly in our national interest. Australia and its ISAF partners have made significant achievements in this regard. According to a report in 2010 issued by an independent non-government organisation in Afghanistan, since 2006 there has been an increase in the availability and diversity of crops and seeds, reducing the reliability on opium as a cash crop; an increase in health services and health posts from 130 to 300, including a midwifery school; an increase in health facilities from nine to 17; an increase in schools from 34 to 159, including 29 schools for girls—remembering that there were no such things in the past; an increase in media outlets from three to 8; an increase in mobile phone coverage; and an increase in security forces for the Afghan National Police and the Afghan National Army.

These developments in civil society and governance in Oruzgan reinforce the broader strategic Australian and ISAF goal. The solution in Oruzgan and across Afghanistan was never going to be a purely military one. It is, of course, impossible to simply kill one’s way to victory. Winning hearts and minds in the villages in a counterinsurgency operation is as important as the ability to defeat the Taliban in the field and convince them to give up their arms and embrace the constitution.

What if we were to withdraw tomorrow? If we were to follow the advice of those who say that this is not our problem and not in our national interest to continue risking blood and treasure, we risk a very real possibility of Afghanistan once more being a safe haven for terrorism. It would also pose risks, I think, to Pakistan’s domestic security, which of course has implications for the rest of South Asia. It would very likely increase the flow of asylum seekers to Australia’s shores. It would, I think, have an impact on Australia’s relations with the US and our other alliance partners. Australia has never been a fair-weather friend, and now is not the time to start. Nor would it appear wise or in our strategic interests to give succour to extremists in the Yemen, Somalia, North Africa, Chechnya, Pakistan or, indeed, to those within our own society who might contemplate the value of extremism.

I believe that taking ourselves out of Afghanistan would also betray the commitment and the sacrifice of those who have already made an important contribution to our mission. General Cantwell, the Australian commander in Afghanistan, says the hard work of the ADF in Oruzgan is beginning to yield results. He said recently, ‘We have finally got the thing in our grasp or near our hands to start to exploit the advantages we have won with so much hard effort.’

I want to make reference to the position of the Greens in this debate. I want to say at the outset that I welcome the Greens’ decision to push for this debate to be brought on. I think that it is timely and necessary. It is important for Australians, particularly those in uniform, to hear their elected members’ justification for Australian involvement in this conflict. That however is where I part company with the Australian Greens. I listened carefully to Senator Bob Brown’s speech on Monday. It was a sort of keynote speech in this debate, because it was his party that caused this issue to be brought forward in this way. I thought that speech was a disgrace. It was meandering and it spent most of its allotted time hitting the Left’s favourite hot buttons on this war. Reference to Donald Rumsfeld’s speech about what we know and what we do not know was utterly out of place in a debate as
important as this—about Australians and their role in a place like Afghanistan.  

This was the speech where Australians ought to have expected to hear the cool, rational, statesmanlike case for Australian withdrawal; instead, they heard a diatribe, a ramble that glossed over the obvious weaknesses in the Greens’ case. I was to refer to some of those weaknesses quite specifically. In his speech, Senator Brown asserted that there was another option to involvement in securing peace in Afghanistan through the use of our military forces. He suggested that we ought to be providing more aid. He said in a speech on 18 March 2010:

We think the best way for that to happen is for Australia to replace its troop involvement with greater civilian aid and for there to be greater effort internationally, to give the Afghani people the increase in standard of living that will enable their nation to prosper into the future.

How do the Greens expect aid workers, in very difficult circumstances, to be kept safe if there are no troops on the ground? How do the Greens expect Afghans to prosper if the country is little more than a narcostate and the plaything of extremists, providing safe haven to those who would threaten not just our but also their sense of security? The naivety of saying that aid money could do the job without the security of arms around that aid exercise simply knocks you over with its lack of realism. The deaths of aid workers recently in parts of Afghanistan—I think in the north of Afghanistan—illustrate how dangerous aid work is in that country. Paul Kelly, in the Australian of 6 October, described the Greens’ policy in this area as:

... a world view, documented point by point, stunning in its isolationist utopian pacifist philosophy, unsuitable for the responsibility of nationhood. Long ignored, it needs to see sunlight.

I expected that we would get something of that in Senator Brown’s speech and the speech of other Greens in the course of this debate this week. But all too often the issues that underpin their argument that we can do without assisting the allied force in Afghanistan were simply not there—they were missing.

Wars are not, of course, without risk. They are not entered into lightly and it would be only the truly naive who enter into them expecting to avoid hardship or knowing exactly how they will end. The 19th century military strategist Clausewitz argued that ‘war is an extension of politics but by other means.’ If this is the case, then war should only be entertained in order to advance the interest of the state. I believe that Australia’s commitment in Afghanistan is, at the present time, right and in the national interest.

I read recently in Tony Blair’s autobiography, A Journey, the following interesting quotes:

But here is the point: if a system is malfunctioning, it does need to change, whether that change be gradual or abrupt.

In some cases of regimes that are oppressive and dictatorial, there is nonetheless a process of evolution that is discernible in the right direction. The reforms may be slow, but there is a direction and it’s benign; or at least it is not threatening.

In other cases, the regime’s very nature lies in its oppression. It has chosen to be what it is. It will not change, not by evolution, not by the exercise of its own will—because that will is directed towards oppression—and for a long time, at least, it will not change by the will of the people who, because they are oppressed, lack the means to overthrow the regime. Its malign nature will deepen.

If those words were to apply to any regime at any time in the lifetime of people in this chamber, surely it would apply to the regime operated by the Taliban in Afghanistan. Suggesting that we can somehow deal with the obvious and serious breaches of human rights inherent in the operation of terrorism generally and the Taliban specifically in Af-
Afghanistan demonstrates a great lack of historic knowledge. I wonder what the Greens would have said had they been around at the time when Australia entered into the Second World War—what they would have said about Australians going off to fight on distant shores against Hitler. I cannot help but wonder whether they would have echoed the sorts of lines that they are using today with respect to Afghanistan.

I want to finish by quoting Dr Brendan Nelson, former Minister for Defence:

To those Australians who question our deployment to Afghanistan, please understand that our generation is engaged in an epic struggle against resurgent totalitarianism. This is a global insurgency driven by disparate groups. They have hijacked the good name of Islam to build a violent political utopia. More than 100 innocent Australians have already been murdered in Bali, Jakarta and New York at the hands of these people. They were murdered by people whose attitude to religious freedom, the rights of women and the liberating power of education violates everything for which this country has stood in its short history. We cannot leave our children held hostage to a force that they may never control.

I can only concur with those remarks and commend those Australian men and women who are taking forward that vision that he outlined to ensure Australia’s effort continues in Afghanistan.

Senator HUTCHINS (New South Wales) (2.10 pm)—I had the opportunity in April this year, along with three colleagues from the House of Representatives, to meet members of our armed forces, members of the Australian Federal Police and Australian public servants in both Kandahar and Tarin Kowt. In fact, we met three young men who were killed subsequently to our visit to Afghanistan. Their deaths were very sad for their comrades, families and friends, and very sad for this nation. The soliloquies by the leadership of the nation and the parliament for those men have been heartfelt, solemn and respectful. Their names are etched in the earth in Afghanistan. They were proud men dedicated to the cause of freedom and liberty.

Some fine contributions have been made to this debate over the last few days. I take nothing away from those who have spoken, but of the contributions I have heard I think Senator Mason’s was by far the best. Senator Mason eloquently stated the savage oppression conducted by the Taliban against their own countrymen. He outlined their pursuit of what we may see as a nihilistic, social and cultural agenda unleashed against all levels of Afghan society: the destruction of cultural symbols of other faiths, the overwhelming denial of individual and human rights, and what looks to those outside as a pursuit to turn back the clock and savagely close the door to the modern world.

Too many people in the Third World see globalisation, the modern world, as some sort of US or Western project—that it provides for the hegemony of the West in both politics and the economy. That is one of the significant factors that we must recognise when we think of where the Taliban has come from—also, as we have heard articulated in the parliament, where opposition within our nation has come from. There is only one party in this parliament that is antiglobalisation, and that is the Greens. Despite them being a secular force, the Greens are probably today’s mediaeval monks and nuns who are forever warning us about impending gloom and doom, that Armageddon is just around the corner and that we should prepare ourselves for the next life because this one is so onerous. We have heard that articulated by all their spokespeople in the last few days. I am not comparing them to those with the nihilistic approach that has been taken by other people around the world, but, indeed, their raison d’etre is almost the same.
The Taliban have ruthlessly hijacked one of the great monotheistic faiths, Islam, and I want to talk about that briefly in my contribution. I think it was President Bush who, in speaking about one of the conflicts in the Middle East, suggested that it was a ‘crusade’. There are many conflicts in the Middle East, and it is too simplistic to put them all into one box. But we can identify the Taliban, because the actions of the Taliban have been to turn Islam into an ideology. They have used that gentle religion to justify murder, mutilation and the denial of individual and human rights. That is a distortion of religion, because the Koran does not advocate fear, rage, hatred or murder. The Koran condemns warfare as abhorrent. The Koran is adamantly opposed to the use of force in religious matters. The Koran recognises all rightly guided religions, and the Koran says, ‘There shall be no coercion in matters of faith’. This exploitation of religious identity is not unique to Islam; it also occurs in both Christianity and Judaism. The background to this exploitation of faith is the same, and the way it is dealt with is the same. I want to talk briefly about why one needs to identify where these people have come from.

Jean-Paul Sartre referred to the situation that we are confronting as a ‘God-shaped hole’. I want to refer to that for three reasons. The first is that we should never confuse the conflicts in the Middle East by saying that they are all of the same background. The second is that we should not lump together all followers of the Islamic faith, because we have unfortunately seen too many examples of intolerance displayed to practitioners of that faith. Thirdly, we must understand the phenomenon so that we may contain or even annihilate it. As I said, we must understand the motive.

When I talked about what Sartre called the situation, it is what a number of commentators have observed about the motives of the Taliban and others: it is a quest to fill a void left by the victory of reason in the modern world, because the modern world is godless and meaningless and the sacred has been denigrated and disregarded. So we have to do something about this feeling of helplessness. To find succour and comfort, we need to resort to the domain of the sacred. This action would limit the advance of the secular ethos, so we can erect barriers and establish within our faiths a segregation so that we can ensure the survival of our wonderful sacred enclave. I know that sounds a bit airy-fairy, but that is in essence, from what I have read, a large part of the motive of the fundamentalists who have been in action in some parts of the world over the last 20 or so years. They have a rejection of the modern world. For them the Enlightenment was a great defeat for the sacred and the only way to reinstate that is to withdraw and put up barriers to make the world safe for the God-fearing. And with these fundamentalists, they believe that whatever they do is justified, because they believe that their interpretation of either the Koran or the Bible is justified in the actions that they take.

I do not think that we will be able to identify a clear victory in Afghanistan. We have not seen any major land battles, and we have known for many years now that there will be no modern warfare as we have known it for the millennia. We may never know in our lifetimes whether we will have a clear victory. Mao Zedong was reportedly once asked what he thought the outcome of the French Revolution was, and he said that it was ‘too early to tell’. That why I say: we may not know now just how effective our operations will be and have been in Afghanistan, because we will only know in the fullness of time. But it is pleasing to know that there have been talks and that there may be, at some point, a preparedness by those psychotics to enter into some arrangement with the
legitimate government in Kabul. But we should never expect to walk away from that conflict. We have lost a number of Australian servicemen there, all volunteers, and they, like their country, are prepared to do what is just and right in a cause that I think is correct.

Senator WONG (South Australia—Minister for Finance and Deregulation) (2.22 pm)—I rise to speak in this debate on Afghanistan. Can I first record my thanks to this place, those in the other place and the Prime Minister for this debate. I think it is a worthy debate. It is an important debate that is occurring not just in Australia but also in other robust democracies. There can be no graver decision of a government than to send Australian troops to a war. Once this decision has been made, diligent consideration of our progress and or our objectives should continue. The debate we have been having this fortnight entails the parliament doing precisely that.

We have lost 21 Australians soldiers in Afghanistan, and many more have been injured. These fatalities, these casualties, weigh upon the nation. Our soldiers and deployed Australian personnel face difficult challenges in a dangerous environment in the course of carrying out their duty. We know this. We also know that Afghan civilians have also suffered immense loss. It is an awful thing to hear of any casualty or any fatality from a mission like this. It is awful to hear about the loss of a young soldier’s life and to think about the impact this will have on that person’s family and friends—on children who will grow up without a parent and on parents who farewell a child. It is legitimate for Australians to keep asking questions, to ask: ‘Why are we in Afghanistan? Is this in our national interest? Are there other ways to achieve the same objectives?’ The government believes we must continue our mission in Afghanistan and that it is a mission firmly in our national and broader global interests. Given the gravity of the effects of this conflict, it is however understandable that there are a range of views and that some Australians have voiced concerns about this position.

Australia joined the international mission in Afghanistan following the al-Qaeda attacks on the United States of September 2001. We did so under a UN mandate, which has been renewed many times since, including unanimously by the Security Council in October of this year. Australia also formally invoked the ANZUS treaty after this attack on our longstanding alliance partner the United States. This decision and its international context is critical. Let us recall that this is a mission involving a diverse coalition of 47 nations in the International Security Assistance Force taking place under a UN mandate.

If we want to benefit from international rules and international resolutions renounce terrorism and violent extremism which adversely affect our national security and which mandate international action to combat them, then Australia must play our part. While we need to acknowledge our original reasons for engaging in this conflict, we also know we cannot pretend that we are back at square one, because the debate that is currently occurring is not a theoretical one. It is not an abstract debate. It is not a debate about entering into a conflict in Afghanistan; we are in Afghanistan and we have been there for some time. We must assess in this discussion our ongoing engagement recognising that fact and on that basis. In doing so, we must consider the alternative. Those who oppose Australia’s involvement in this mission may cite the long list of challenges in Afghanistan as a justification to leave, but that is not good enough. We must always consider the alternative and what impact it would have. If we are concerned about secu-
rity, if we are concerned about governance, if we are concerned about development in Afghanistan, as imperfect as these might be currently, the question is: would they be better served by Australia’s departure?

The coalition mission in Afghanistan aims to enable the Afghan government and people to take responsibility for their security and their economic and social development in a way which does not provide safe haven to terrorists and which reduces the risks of Afghanistan ever doing that again. For Australia, our efforts are focussed on doing this in Oruzgan province. The strategy in Afghanistan is both civilian and military. Australia’s military, civilian and development efforts contribute to this. But we know that the solution in Afghanistan cannot be simply a military one. It also requires an ongoing political solution, with reconciliation between the peoples of Afghanistan. The international community, including Afghanistan’s neighbours, such as Pakistan, have key roles to play in supporting such efforts.

Many have spoken about why this mission is in our national interests. There are three reasons I believe it is in our interests. It is clearly in our national interests to minimise the risks to Australians and to our allies from terrorism, and Afghanistan is an important element in countering the threat of terrorism. We know that Afghanistan remains vulnerable to reverting to being a safe haven for terrorists. The international community’s efforts in Afghanistan are of course not the only activities in the global challenge of countering violent extremism and terrorism. This nation and the international community recognise that this is a major long-term problem on a global scale and it needs to be addressed recognising the scale of that challenge. It is a problem being tackled differently in different locations as circumstances dictate. No-one pretends that a threat as complex as terrorism can be overcome through one conflict or in one country alone. Our strategy in Afghanistan and our policies in relation to counterterrorism acknowledge this fact, because we have an extensive and comprehensive approach to countering terrorism. In Afghanistan the fact remains that Australia and the ISAF coalition’s efforts to support stability and security in that country will help reduce the risk from terrorism more so than would our departure.

The second key national interest for Australia is to stand firm in our alliance with the United States. As others have said, this government, nor this party, have ever regarded this alliance as a blank cheque for our dealings with the United States, but our alliance is a fundamental part of Australia’s national security and of critical strategic importance. It is a legitimate and important element in our consideration of Australia’s continued involvement in the Afghanistan mission.

The third reason is that this mission reflects a broader collective approach to global security that is important for our nation. We are a middle power. We benefit from collective approaches to issues which cannot be managed solely by one country. Whether those issues be climate change, transnational crime, people smuggling or counterterrorism, we understand that any tenable approach to such issues will only come through the countries of the world working together to establish and maintain an international order which does not tolerate these threats and which actively combats them. We have long recognised this and the Australian Labor Party has a proud history of support for multilateralism and for broad international solutions. This is because we recognise it is a key part of Australia’s national security and an important part of Australia’s global role.

The international community is rightly focused on the transition of security responsibilities to the Afghan government as well as
supporting a broader political settlement and economic and social development. Clearly, significant security, governance and development challenges remain for us and for the Afghan government and people. We do not, and we must not, underestimate these challenges. There have been important developments. The Afghan National Army is improving its capability and the Afghan government is building its capacity to provide services to its people. The increase in primary education enrolments and the improvement in infant mortality rates and people’s access to infrastructure are encouraging developments in this context.

As I said earlier, no harder decision can be taken than one which calls upon our young men and women to enter the field of war—in particular, those in our armed forces but also those civilians who now put themselves at risk to support political and development progress and objectives in Afghanistan. No one in this government takes those decisions lightly. We also know we cannot guarantee particular outcomes in this or in any complex and difficult conflict. But what we can demonstrate is that the government will undertake its considerations and take decisions firmly based on the national interest.

I will close with the words of President Obama which were referenced by my colleague in the other place and which I think remind us again about what we are doing and why. He said:

In many countries there is a disconnect between the efforts of those who serve and the ambivalence of the broader public. I understand why war is not popular but I also know this: the belief that peace is desirable is rarely enough to achieve it. Peace requires responsibility. Peace entails sacrifice.

Senator FORSHAW (New South Wales) (2.32 pm)—This debate on our engagement in Afghanistan is a most important debate. It provides an opportunity for members of the Senate and the House of Representatives to discuss the war in Afghanistan in a single debate. It is an opportunity that many MPs and senators are, of course, taking. However, it should not be assumed that members of parliament have never previously had opportunities to discuss or debate our engagement in the war on terrorism in Afghanistan. Indeed, as a member of various parliamentary committees I have had that opportunity. I refer in particular to my roles as the Chair of the Joint Committee on Foreign Affairs, Defence and Trade and as a member of the Senate Foreign Affairs, Defence and Trade Committee and the joint intelligence committee. I and many other members of those committees have had an opportunity to discuss the progress of the war. We have met with ministers, defence chiefs, other defence personnel, intelligence officials and other experts both locally and from overseas. We have received briefings on the progress of the war. I and many others have had the opportunity to have discussions with diplomatic representatives from the many nations that are involved in the Afghanistan engagement and are represented in Australia. I have had the opportunity to meet with visiting delegations from some of those governments and parliaments as well as meet them when I have travelled overseas. I have met with the Afghan Ambassador here and also with representatives of the Afghan parliament when they have visited Australia. And I, like others, have met with our troops when they have returned from their tour of duty in Afghanistan. So there have been many opportunities for us to discuss the commitment and the progress being made and the difficulties faced in Afghanistan. I compliment the former Minister for Defence, Senator Faulkner, who, whilst he was minister, provided regular statements to the Senate on the conduct of the war and the progress being made.
I mention this only because an impression has been created not only by the very fact that we are having this debate but also by some media commentators that we in this parliament do not really care. Some media have characterised this debate as either insincere, grandstanding or just an apology. I will give one example. An article by Paul Toohey in the Daily Telegraph on 22 October had the headline: ‘Some fine words but do MPs really care?’ He was reflecting on the debate that commenced in the House of Representatives last week. Frankly, I do not really care what Mr Toohey thinks about us members of parliament—that is not important—but I do care what the Australian public think about our engagement. My message to the Australian people is that we do care; we do take our responsibilities seriously. The current Labor government under Prime Minister Julia Gillard, the former Labor government under Prime Minister Kevin Rudd and the previous coalition government under John Howard have all treated our involvement in Afghanistan as the most serious issue facing the government of the day—and it could not be anything but that. The commitment of our armed forces and other personnel to this conflict has, of course, been the gravest decision that has been made by government since 2001 when the decision was first made.

This, as we know, is a long, drawn-out and, unfortunately, at times deadly conflict. It has huge consequences for our nation, for the region and for the world. It has taken the lives of 21 Australian soldiers and had a terrible impact on their families and friends. Those soldiers have made the ultimate sacrifice in the service of our nation. Another 156 personnel have been wounded. Each time a life is lost or a soldier is wounded, we ask ourselves the questions: ‘Are we doing the right thing? Is this cause justified? Should we continue to commit our forces and other personnel, such as the Federal Police, to this engagement?’ Our task as parliamentarians is to answer those questions honestly, and it is also to continue to reflect on them day by day as the war goes on.

In his speech in the House of Representatives last Thursday, the Minister for Foreign Affairs, Kevin Rudd, put the argument for our engagement in, I believe, a clear and concise way, and I know that many other members of both houses have also put forward similar reasons. I want to quote what Mr Rudd said:

After nine years into this hard war, and six years of continuous Australian military engagement, what is our national mission in Afghanistan today? Put simply, it is to help protect innocent people, including innocent Australians, from being murdered by terrorists. Put simply, it is to support our friends and our allies in achieving that mission. Put simply, it is to work with them to defend, maintain and strengthen an international order that does not tolerate terrorism. All other purposes associated with our mission in Afghanistan—including, for example, helping the Afghan people to develop a viable Afghan state—flow from these three primary purposes.

As the minister noted and as has been noted by many other speakers—I particularly note the speeches by the Prime Minister, the Minister for Defence, the Leader of the Opposition and the leaders of the government and the opposition in the Senate—our decision to commit military forces to Afghanistan is based on sound international legal decisions and principles. Firstly, it is authorised by a resolution of the United Nations Security Council, resolution 1386 of 2001. This resolution authorised action by the international community to establish a security force to remove the Taliban regime in Afghanistan. That regime openly harboured and supported the al-Qaeda terrorist organisation, which was responsible for the devastating terrorist attack on the United States—New York and Washington—on September 11 2001. That
regime refused to hand over Osama bin Laden and withdraw its support for al-Qaeda. That original UN resolution has, of course, since been re-endorsed on 10 occasions.

Secondly, our commitment is consistent with our obligations under the ANZUS treaty. Thirdly, our commitment—recognising the UN Security Council resolution and the obligations under ANZUS—is supported by a unanimous resolution of the House of Representatives, carried on 17 September 2001. Finally, I would also argue that our commitment is consistent with the principles which underpin the doctrine of Responsibility to Protect. The Responsibility to Protect doctrine, now adopted by the United Nations, essentially means that a state has a duty and an obligation to protect its own citizens, particularly from genocide and crimes against humanity, and that if it fails to do so then the international community can take action. I believe that this doctrine justifies the commitment that we have made to protecting the people of Afghanistan from a murderous Taliban regime which would enslave its own people and sponsor international terrorism.

In outlining the legal, moral and human rights obligations which justify the presence of the International Security Assistance Force, ISAF, in Afghanistan and Australia’s participation in it, I note the inconsistency of the arguments that are advanced by those who state that we should withdraw our forces immediately and without conditions. In particular, there are fundamental inconsistencies in the views expressed by the Greens senators in this debate. The Greens are a party that argues strongly for adherence to the decisions of the United Nations. Yet in this case they ignore the specific and repeated decisions of the UN Security Council to support the ISAF in Afghanistan. The Greens are also persistent, of course, in pursuing their own policy objectives. They campaign ceaselessly for action on major international issues such as climate change, saving the rainforests, an end to whaling, the release of political prisoners, protection of human rights and so on. They are all noble objectives. They are causes that the Greens will continue to fight for no matter what the odds, whether they are successful or not. They never give up in espousing and arguing for these causes. Yet, when it comes to protecting the people of Afghanistan from a murderous regime that will, if it ever regains total power, deny its own people, particularly women, basic, fundamental human rights, the Greens wish to abandon the cause. They say we should just walk away. For the Greens, apparently, the future of the lives of the Afghan people is not a cause worth fighting for.

The Greens also argue—and I have listened to the speeches in this place particularly—that we are not improving the lives of the Afghan people. The truth is that we are. As the Prime Minister, Julia Gillard, noted in her speech last week, there are a number of significant indicators which demonstrate that the lives of the Afghan people are being improved. The Prime Minister referred to the number of children in primary education, which has increased from one million in 2001 to approximately six million today. Two million of these young people are girls. In 2001 there were none; they were excluded from primary education. The infant mortality rate has been reduced by 22 per cent. Immunisation rates have increased substantially, to between 70 per cent and 90 per cent. Road construction and telecommunications services are improving. The Afghan National Army and Afghan National Police numbers have increased and training of these forces is continuing. Our own Army and AFP are actively engaged in this important endeavour. These are all huge challenges and progress is difficult and slow. Setbacks do occur. But at the end of the day you cannot deliver any of
these improvements if there is no security or if there is no protection from the insurgents. To withdraw now would clearly place all of these gains in jeopardy.

There is demonstrable proof that the surge in forces announced by President Obama last year and provided by the United States and NATO is working. The response of those who argue that we should withdraw now is to say that the cause is hopeless and that we will eventually withdraw anyway. It is true that eventually we will withdraw. I agree. There has to be an exit strategy. But an exit strategy is not simply an exit deadline. It is not fixing a date by which time forces should or must be withdrawn. Rather, an exit strategy has to evolve—and is evolving, I would submit—having regard to the actual situation on the ground in Afghanistan.

It also depends on a number of associated issues being addressed and resolved. Those issues include the security situation in the neighbouring Pakistan border areas where the Taliban, al-Qaeda and other terrorist organisations have sanctuary and operate from. An exit strategy ultimately includes what role, if any, elements of the Taliban may have in the future governance of Afghanistan. It includes assessing the ability of the Afghan military and police force to provide adequate security and protection for the population that is currently provided by the ISAF forces.

Finally, for Australia and indeed for those other nations it includes continuing consideration of the views of the Australian people on our engagement. I would also add that it may well involve, whenever the date comes that we withdraw forces, the maintenance of UN-sponsored peacekeeping forces for many years thereafter. That is not unusual. Since the foundation of the United Nations Australia has been a proud contributor to the funding of UN peacekeeping forces and to the provision of personnel for peacekeeping engagements around the world. The Senate Committee on Foreign Affairs, Defence and Trade recognised that in its recent report. We have been party to and continue to be participants in UN peacekeeping forces in the Middle East, Cyprus, East Timor, the Solomon Islands and the African continent. Unlike our previous engagements in Vietnam and Iraq, ones which I did not support, I continue to believe that this commitment to Afghanistan is justified on security grounds, both domestic and international, and also for humanitarian reasons.

If we wish to prevent further devastating terrorist attacks such as those that occurred on 11 September 2001 and subsequently the bombings in London and Madrid then we must stay the course. If we are to continue to fight the terrorists who were responsible for the murder of over 100 Australians in Bali and in Jakarta in Indonesia then we must stay the course. We cannot walk away now.

We have an obligation to carry out the continuing mandate of the UN through the ISAF commitment in Afghanistan. We have an obligation to help rebuild an Afghanistan where its people can live their lives free from a murderous, totalitarian, genocidal, terrorist regime. At this stage we and the other 47 nations who are members of the International Security Assistance Force are their only hope. We cannot abandon them.

Senator NASH (New South Wales) (2.50 pm)—I rise to make a contribution to the debate on Australia’s involvement in Afghanistan. It will be a brief contribution. I feel it somewhat inappropriate to do so. I have not been to Afghanistan; neither do I have family or friends serving in Afghanistan. However, what I do have is a deep and sincere respect for those that are serving and a strong sense of responsibility that our
country has a moral obligation to contribute, to act, to defeat the threat of terrorism.

We all remember September 11. It is quite extraordinary that an event of that nature is defined by a date. We all remember the horrific nature of the attacks. In some ways what was even worse was that it changed the world forever. Never before had we seen an attack of that nature. To watch it unfold, as we all did, was to all of us unbelievable and unimaginable. It was right that our response was to contribute to coalition operations against terrorism, joining 23 other nations.

As the former Prime Minister John Howard said in his address to the Australian Defence Association on 25 October 2001:

Whilst the destruction of the Al Qaida network must be our first priority, the long-term aim of this war is to demonstrate that organised, international, state-sanctioned terrorism will not be tolerated by the world community.

And the former Deputy Prime Minister John Anderson said in 2002:

The terrorist attacks on New York and Washington last year can only be described as evil. They reminded us of how inhumane man can be to man and awoke in good people everywhere a deep awareness of the need to ensure that the attacks will be proven over time to have been utterly futile and self-defeating.

John Anderson has arguably one of the strongest social consciences of any who have taken their seats in this place. He understood, as did so many others, that we had a moral responsibility to contribute, to act.

I have two sons: Will, who is nearly 18; and Henry, who is nearly 16. Throughout their lives I have tried to instil in them a sense of what is right; a sense of responsibility; a sense that they have an obligation to their society and their fellow man. Imagine if I had had to tell them growing up about those attacks in New York, about the growing emergence of terrorism, and yet that in the face of that our country had done nothing—that we had stood by and chosen not to face the evil but to avert our collective eyes and do nothing.

I am incredibly proud that this country had the courage to make a contribution to the war in Afghanistan. I am incredibly proud that we had the courage to say that in spite of the magnitude of the task we were prepared to be part of a mission with a goal to secure a better future for the world. Up to 17,000 terrorists were in training camps in the late nineties. We cannot forget the history. We cannot forget our obligation. Our role is to ensure that Afghanistan is not a safe haven for terrorists and to do all possible to ensure the future stability of the region and the globe.

To be involved in the mission was not an easy decision for this nation to take. However, we did need to fulfil our responsibilities under the American alliance. Far from being at the beck and call of the United States, as some would like to term it, we had an obligation to the alliance—to show that we believe in what it stands for and to act accordingly. There are some who voice the belief that we should withdraw our troops from Afghanistan. I do not share those views. There will be an appropriate time for our involvement to end. But we should not give up on our contribution to a cause just because we get tired or just because we think we have had enough. The reasons we joined the war in Afghanistan continue to exist. I mentioned my sons earlier and what I have tried to instil in them. I have also tried to teach them not to quit when the going gets tough.

The 21 Australians who have died have made an incredible sacrifice for their country. We cannot honour them highly enough for what they have done, not only for their own country but for global security. It is so important that not only now but in decades to come we understand the magnitude of what
they have done. We must give all Australians who are making a contribution in Afghanistan the respect they deserve for their willingness to serve. They do not expect others to do the job for them; they are putting their lives on the line for us and for the security of future generations.

This country made the right decision. We were right to decide to play our part in joining the fight against terrorism. We are right to be in Afghanistan. We have a moral obligation, a moral responsibility as a nation, to play our role to try to ensure a secure future for the world for future generations to come.

Senator McGauran (Victoria) (2.56 pm)—I join the many speakers over the last few days in this debate on Australia’s commitment to Afghanistan. I first of all note that in this Senate and in the other house, an overwhelming majority—some 90 per cent—are in support of Australia’s commitment to sending troops to Afghanistan. That is a significant number. There are few issues that get the support of both houses in the Australian parliament to that degree. That ought to be noted.

Australia’s mission with its allies has been defined as ‘to disrupt, dismantle and defeat al-Qaeda in Pakistan and Afghanistan and to prevent their return to either country in the future.’ It has been a long and protracted engagement—more than eight years—since we first took up the war against the Taliban and al-Qaeda in Afghanistan. Even so, it is significant, as I said, that the great majority of the parliament continues to support our involvement, however long and protracted it has been.

You could not call it ‘popular’ support—of course you could not. No war is ever popular, but the parliament—this house and the lower house—has a steeply determination to stay the course. It is also an acknowledgment that this mission is in Australia’s national interest and in each Australian citizen’s greater interest. As previous speakers have said, we have sent our fighting force as Australia’s contribution to the greater cause of the fight against international terrorism and against extreme Islamic terrorism—a brand of terrorism that Australians, whether overseas or at home, are not immune from.

This is a fight for Australia’s secure way of life and for the personal safety of every citizen of Australia, whether they live here in Australia or overseas. This is as much Australia’s fight as it is for any other ally that has taken up the fight against terrorism, be it the United States, the UK, Spain or Holland—all representing liberal Western democracies—or even Islamic democracies such as Indonesia or Malaysia. This is as much their fight as it is Australia’s fight. This is not something we have joined just to tag along with the United States, although that is a factor. It is not just because of the ANZUS treaty. This is a fight Australia is very much involved in for its own national security here onshore and overseas, and for each individual Australian citizen. Australia has suffered from direct hits by these Islamic terrorists. I seek leave to continue my remarks.

QUESTIONS WITHOUT NOTICE

Murray-Darling Basin

Senator Colbeck (3.00 pm)—My question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, Senator Conroy. Does the minister agree with the following statement:

It is important that robust business cases are prepared to support the investment of very large sums of public money.

Can the minister identify who made that statement?

Senator Conroy—I did not realise we were going to play 20 questions today.
Senator CONROY—No, you just keep smoking whatever you are smoking, George. You will wake up and realise you are sitting over there soon. That is—
Senator Brandis—That’s hubris!
Senator CONROY—Oh—
The PRESIDENT—Senator Conroy, just address your comments to the chair and not across the chamber.

Senator CONROY—I accept your admonishment, Mr President, but, as you can see, I am being thoroughly provoked at this stage.

Senator Brandis—You are an easy target, Senator.
Senator CONROY—That is—
The PRESIDENT—Senator Conroy—
Senator CONROY—I am doing my best, Senator Hogg.

The PRESIDENT—Senator Conroy, address the chair. Just address the chair.

Senator CONROY—Thank you. Obviously those opposite had a very thin morning at the Senate tactics question time committee when they have to come up with such puerile questions as playing a guessing game. I would have thought in question time they might have had actually a question of some substance about some important issues. Maybe the Australian was not printed this morning, so they had no reference document whatsoever. But perhaps when we get a supplementary question we may have something—

Senator Brandis—Mr President, I rise on a point of order. The minister was asked whether he agreed with a statement that was put to him. He has not approached the question. He has abused the questioner, he has abused the opposition and he has not approached the question. You should draw him to it.

Senator Ludwig—Mr President, on the point of order, to the extent that the question asked was a guessing game, the minister has been directly answering the question. The opposition, if they wish to continue this facade of a question which does not provide in fact any real substance in relation to policy, if they do not want to ask the executive any policy questions today, then taking a point of order and complaining about a nonanswer where the question is in fact a guessing game, there is no point of order in respect of that, and if the opposition is to continue with a guessing game for question time instead of asking proper questions, they should expect the answers that Senator Conroy is providing.

The PRESIDENT—There is no point of order. Senator Conroy, you have 44 seconds remaining to answer the question.

Senator CONROY—Thank you, Mr President; can I congratulate you on your ruling. As I said—

Senator Brandis—I’m sure that means the world to him!

Senator CONROY—Have you finished?
Senator Brandis interjecting—

Senator CONROY—Thank you. So, as I said, those opposite have clearly not had a lot of reference material to work from this morning—not had much time to get their act together. Obviously some key individuals were missing this morning from their Senate tactics committee, but who would have thought that Senator Abetz’s contribution could be so large that they could not manage without him? Seriously, this is the best they could do without you, Senator Abetz! (Time expired)

Senator COLBECK—Mr President, I ask a supplementary question. Just to help
Senator Conroy with the question, it was a quote from him in question time two days ago. So whether or not he agrees with it I would be very interested to know, and perhaps he could deal with that during the supplementary. Given the government requires farmers to obtain a robust business case in the development of irrigation-efficiency projects in the Murray-Darling Basin, can the minister explain why the government refuses to subject its own $43 billion National Broadband Network to a robust— (Time expired)

Senator Ludwig—Mr President, I rise on a point of order. The difficulty is that the primary question went to a guessing game. The substance was addressed to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities. The supplementary then has gone to the National Broadband Network, and Senator Conroy is not answering as the Minister for Broadband, Communications and the Digital Economy. So, in this instance, either the opposition are befuddled about the direction of their question or in fact have got it wrong in relation to the substance of the question. On that basis, Mr President, I ask that you rule the question out of order.

The PRESIDENT—No, there is no point of order. I am allowing the question to stand.

Senator Ludwig—Mr President, I rise on a point of order. The difficulty is that the primary question went to a guessing game. The substance was addressed to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities. The supplementary then has gone to the National Broadband Network, and Senator Conroy is not answering as the Minister for Broadband, Communications and the Digital Economy. So, in this instance, either the opposition are befuddled about the direction of their question or in fact have got it wrong in relation to the substance of the question. On that basis, Mr President, I ask that you rule the question out of order.

The PRESIDENT—No, there is no point of order. I am allowing the question to stand.

Senator Abetz—Yeah, of course.

The PRESIDENT—No, I am allowing the question to stand. There is a fairly broad approach to questions at question time and I am just abiding by what my predecessors have done previously.

Senator Abetz interjecting—

The PRESIDENT—Just wait a minute; I have not finished.

Senator Abetz—Congratulate him again, Stephen.

The PRESIDENT—And I do not need congratulations, thank you. I am simply allowing the question. You can answer that part of the question which pertains to your portfolio.

Senator CONROY—To the portfolio I am representing?

The PRESIDENT—Sorry—the portfolio that you are representing, yes.

Senator CONROY—Mr President, I do appreciate that ruling, and I just want to make sure I have it absolutely clear. The question that I have to answer relates to the representational portfolio, not to my own portfolio, and I can ignore the part of the question that is—

Opposition senators interjecting—

The PRESIDENT—Order! Go on, Senator Conroy. You are clear.

Senator CONROY—I just want to make sure that it is clear that I will not be accused of not answering the question by ignoring that part of the question which has got nothing to do with the representational role that I have here. You cannot switch portfolios in your question halfway through, which is what happened.

Senator Abetz interjecting—

Senator CONROY—They really did miss you, Senator Abetz. It is quite obvious that they missed you—I started about 30 seconds ago. Given that the entire substance of the question revolved around the attempt at a sting by the senator who asked the question, I am not sure that there is a lot of substance. But what is sad to see—

Senator Fifield—Just sit down.

Senator CONROY—No, you are getting the full minute. Given the lack of substance in the question, it is sad to see that those opposite, who voted for the legislation that they are now attacking and supported the amendments to the legislation that they are now
attacking, continue to pretend that they have concerns.

Senator Fifield—What are you talking about?

Senator CONROY—I am answering the question.

The PRESIDENT—Senator Conroy, ignore the interjections. Those on my left will cease interjecting.

Senator Heffernan—You can’t handle your own tongue, and you’re babbling.

Senator CONROY—That is Senator Heffernan at his finest. What we have here is a very—(Time expired)

Senator COLBECK—Mr President, I ask a further supplementary question. Isn’t this just another case of the Gillard government’s hypocrisy and continuing practice of treating Australian farmers like second-class citizens while holding itself to a lesser standard?

Government senators interjecting—

Senator CONROY—The very simple and straightforward answer is no, as my colleague suggests. But I understand and this government understands the high level of anxiety and emotion in communities in the Murray-Darling Basin. What is being released is a guide for a draft plan by the independent Murray-Darling Basin Authority. It is not a proposal from the government. We have announced a parliamentary inquiry into the socioeconomic impact of the proposed cuts to water allocations in the MDB. The inquiry will have a strong focus on understanding the human impact of any proposed changes, and Minister Burke has sought and tabled legal advice from the Australian Government Solicitor on dealing with social and economic issues under the Water Act 2007. (Time expired)

Broadband

Senator BILYK (3.09 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister inform the Senate on the rollout of the National Broadband Network? What has been the response of Australians to the first stages of the NBN rollout?

Senator CONROY—I thank the senator for her ongoing interest and, more importantly, congratulate her on getting the question to the right minister in the right portfolio. I am delighted to say that in Tasmanian stage 1—

Senator Brandis—See if you can get through it without reading it word for word from your laptop.

Senator CONROY—I hope we do not have to put you through a drug test soon, Senator Brandis, because I think you would fail.

The PRESIDENT—You should not say that, Senator Conroy. I think you should withdraw that.

Senator CONROY—I withdraw that, Mr President.

The PRESIDENT—And those on my left should cease interjecting. Senator Conroy, continue with your answer.

Senator CONROY—I am delighted to say that, in Tasmanian stage 1 communities, more than 50 per cent of people have asked for NBN to provide a fibre connection to their premises. On the mainland of Australia the response to the NBN has been even more enthusiastic. Construction has already commenced in the mainland first-release sites. In Townsville 57 per cent of premises have asked for a connection, in Minnamurra-Kiama Downs it is 74 per cent, in Willunga it is 84 per cent and in Armidale, in the electorate of New England, 87 per cent of premi-
isse have asked for an NBN fibre connection. Services will go live in these areas in the middle of next year. There is no doubt that this shows a strong hunger in the community for the high-speed fibre broadband services that the NBN offers. The Leader of the Opposition and those opposite need to explain to the people in regional towns like Willunga and Armidale why they do not deserve to have a world-leading broadband service. You have to explain why these people do not deserve a world-class broadband service.

Honourable senators interjecting—

The PRESIDENT—Senator Conroy, just resume your seat. People are a little bit excited. It might be because we are having question time an hour later. I do not know if that is the cause, but if that is the cause we will just pause a moment and when there is silence we will proceed.

Senator Ian Macdonald—Tell us how much they’re going to pay, Steven.

The PRESIDENT—If people want to debate the issue, the appropriate time is at the end of question time, Senator Macdonald. Senator Conroy, continue.

Senator CONROY—Those opposite also need to explain to people like the Mayor of the Shire of Barcoo, Mr Bruce Scott, who is prepared to put up his ratepayers’ money to deliver them a fibre service—(Time expired)

Senator BILYK—Mr President, I ask a supplementary question. I thank the minister for his answer. Is the minister aware of any feedback from people about the NBN first-release sites?

Opposition senators interjecting—

The PRESIDENT—When people decide there is going to be silence, we will proceed. Senator Conroy has the call.

Senator CONROY—I recently read some comments from residents of Willunga South, South Australia. Mr Stephen Nye, the owner of Clippers Hair Designs, believes that the NBN is:

… a fantastic idea. This will go down in history as one of the most intelligent decisions any Australian government has made ... this is very much needed for the area. Willunga residents have suffered long and hard with very very poor or no reception ... there is a very positive vibe around town about this, almost a buzz.

Liz Milford, a Flinders University project manager, said:

My husband works from home ... and I also do a lot of work and multi-tasking at home. Both the kids are very much into everything internet related at the moment, so as they get older there’s going to be more and more pressure from the home-work side of things. All these things our current internet connection can’t cope with.

(Time expired)

Senator BILYK—Mr President, I ask a second supplementary question. Is the minister aware of any alternative broadband proposals?

Senator CONROY—Yes, I have seen some media reports that the opposition has come up with yet another broadband plan. That would be their 20th in 15 years. They privatised Telstra as a vertically integrated monopoly. Now they claim to support the structural separation of Telstra, but they have no plan to deliver it. They want to consign Australians to an indefinite future using the same old copper network, and they will not explain how they are going to deliver their 12 megabits to everyone on the copper network. They think Australians deserve a second rate broadband service, like those residents in Willunga, like those residents in Armidale, like those residents in Townsville. They have to explain to them why they cannot have a world-class network. (Time expired)
Education

Senator MASON (3.16 pm)—Mr President, my question is to Senator Evans, Leader of the Government in the Senate and the Minister for Tertiary Education, Skills, Jobs and Workplace Relations in his capacity representing the Minister for School Education, Early Childhood and Youth, Senator Evans. Will the minister unequivocally rule out this government approving a national history curriculum for years 11 and 12 if it includes teaching students about supposed ‘controversies surrounding the purpose and function of memorial sites and commemorative events’ such as those at Gallipoli?

Senator CHRIS EVANS—I think Senator Mason used half of his time in his question reading out the titles, so we will have to see if we can do an abbreviation. I thank the senator for the question. We have strong bipartisan support for the development of an Australian curriculum and I understand it is progressing well. The time frame agreed by education ministers for implementation is on track and the commitment remains strong. Australian curriculum for English, mathematics, science and history from kindergarten to year 10 will be ready for implementation from 2011 and will be substantially implemented by the end of 2013. As the senator would know, implementation is a matter for those individual jurisdictions.

The senator refers to some press coverage that was sparked by a statement by an officeholder of the RSL the other day. I want to confirm that the Australian curriculum will help students learn about the Anzac tradition of Gallipoli, Anzac Day and other important events and symbols in Australian history. The draft Australian history curriculum for years 11 and 12 was released for public consultation earlier this year. Feedback has now been considered by the Australian Curriculum Assessment and Reporting Authority, the expert body overseeing the development of the Australian curriculum. This government thinks that it is important for children to understand the service and sacrifice of the men and women who served Australia in wars and in peace operations, and obviously it will continue to do so. But it is the case that that feedback process is occurring. I am advised though by ACARA that there is no intention of diminishing the role war memorials and commemorative events play in recognising Australia’s fallen heroes and the way their spirit of sacrifice connects our past to the present. (Time expired)

Senator MASON—I thank the minister for his answer and, Mr President, I ask a supplementary question. Does the minister agree with the sentiment expressed by the spokesman for the Australian Curriculum Assessment and Reporting Authority, who is quoted as saying that a view should be incorporated into the national curriculum that asks, ‘Should we be glorifying Gallipoli’?

Senator CHRIS EVANS—I have not seen the quotation or the context in which it was given, but I do not agree with any suggestion that we should not honour the landings at Gallipoli, the bravery of Australian troops and the important place that has in Australia’s history and its development and in our broader culture and our understanding of ourselves. I was honoured to be able to attend the 2005 90th anniversary of the landings with Senator Bishop and Senator Barnett, among others. Prime Minister Howard was there. I regard it as a very important point in Australia’s history, and Australians will continue to recognise that. The number of young Australians flocking to Gallipoli’s anniversaries is a sign of that ongoing engagement. So I do not agree with any suggestion there should be any downgrading of our recognition of the role of Gallipoli. (Time expired)
Senator MASON—Mr President, I ask a second supplementary question. Will the minister be delaying the introduction of the new national curriculum to ensure that this crucial part of Australia’s history is not downgraded and ensure that our history is properly reflected in our national curriculum taught to the next generation of young Australians?

Senator CHRIS EVANS—I think that is a couple of leaps in logic, Mr President. I understand the concern the senator is expressing and his interest in such matters. I also note that I am not keen for us to try to devise the curriculum in the parliament or have a repeat of some of the occurrences that occurred under the Howard government, where the Prime Minister personally took charge of writing the citizenship test and the booklet that accompanied it. I do not think that is a proper role of parliamentarians.

We have a proper process established where the Curriculum Assessment and Reporting Authority is seeking feedback on the draft curriculum. The RSL’s feedback will be an important part of that, as will others, and I think all of that will be taken into account. And as you know, the states then will be involved in the process of signing off. But I am advised there is no intention of diminishing the role that war memorials and commemorative events play in recognising Australia’s fallen. It is certainly the view of this government that that remains an important part of our history curriculum.

Environment

Senator LUDLAM (3.21 pm)—Mr President, my question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Is the minister aware that the cumulative greenhouse gas emissions from proposed gas plants, coal-fired power stations and other fossil developments in WA will total around 80 million tonnes by 2016, which represents a doubling of Western Australia’s greenhouse gas emissions, and that a single proposed plant—Woodside’s proposed gas plant at James Price Point in West Kimberley—represents 32 million tonnes of that, which is equivalent to the total greenhouse gas emissions of New Zealand? What action does the government plan to take to ensure that this does not cause a greater burden on individuals and other industries and households as we aim to reduce our national greenhouse gas emissions?

Senator WONG—I thank Senator Ludlam for the question. I am not aware of the precise number of tonnes of carbon dioxide equivalent of emissions in the projects to which he is referring, but I am aware broadly of the issue and would make a number of points—

Senator Bernardi—That doesn’t surprise us, Penny!

Senator WONG—Yes, I am sure Senator Bernardi would carry that information around in his head. I would make a number of points about this, Senator Ludlam. You asked: what is the government proposing to do? The government made clear before the election and now that we believe a carbon price is an important economic reform. It is also demonstrably one of the key ways in which you ensure that the environmental cost, the cost of the effect on the climate, of pollution is factored into economic decision making. This was a key part of the very lengthy debates we had in this chamber on the Carbon Pollution Reduction Scheme.

Senator Abetz—What was your policy, the day before the election, August the 20th?

Senator WONG—When Senator Abetz is finished.

The PRESIDENT—Ignore the interjections, Senator Wong.
Senator WONG—I know every time climate change is mentioned he gets a bit upset, but anyway.

Senator Carr—He gets all hot and bothered.

Senator WONG—He gets all hot and bothered, says Senator Carr—that is quite a good interjection. My point is that we have had a number of debates in this chamber where I and other government ministers and senators have put very clearly the government’s view that we do need to price carbon. We need to do so to ensure that the costs of climate change are factored into economic decision making. We are keen to work through the multiparty committee, on which your political party is represented, Senator Ludlam, about the best way to put in place that important economic reform.

Senator LUDLAM—Mr President, I ask a supplementary question. Minister, if you are not aware—and I guess I would expect you would not have it with you—of the precise proposed emissions coming from these new plants by 2016, would you take on notice the question of whether our estimate of around 80 million tonnes by 2016 is correct? Does the government intend to require high greenhouse gas emitting LNG projects to sequester their omissions as a binding condition on their approval?

Senator WONG—In relation to the first, I am happy to take that on notice and refer that question to Minister Combet. In relation to the second, that is a question that goes to the discretion that the environment minister, who now has a much longer title, holds under the EPBC Act. It is not the practice of this government—and I have made this clear in this chamber on previous occasions—to be interfering in that statutory discretion, and I do not intend to commence doing so now. We have said very clearly as a government that we believe that a carbon price is the most efficient way for us to ensure that businesses and the whole of the economy take into account the costs of climate change. We believe it is an important economic reform. We are working through processes to ensure that this can be achieved in a way that reflects common ground in this parliament and, hopefully, in the Australian community.

Senator LUDLAM—Mr President, I ask a further supplementary question, which goes to the question of liability. After establishing a dangerous precedent last year in making federal and state taxpayers liable for future leakage from sequestered emissions from the Gorgon project, will the government commit to now making companies responsible for any future sequestration projects liable for leakage as opposed to Australian taxpayers?

Senator WONG—As a matter of courtesy to the senator I am rising to respond, but this is now the third portfolio he has traversed in his question, his supplementary and his second supplementary. The issue of sequestration and the legal liability associated with that was in Minister Ferguson’s portfolio—from memory. If I am wrong I will correct that, but it is my recollection that the carriage of that legislation was Minister Ferguson’s. The previous question related to Minister Burke, not to Minister Combet. I understand the senator is making a political point, but he is traversing three portfolios with this question and possibly it might be best to ensure—

Senator Ludwig—On the point of order, Mr President: it is the responsibility of those
who ask questions in this place, as we saw with the first question asked here today, to identify the portfolio in which they wish to ask the question and ask it within that portfolio. Then of course the minister will be responsive to the question, either in their individual capacity as a minister or in their capacity as representing another minister in the other House. But it is not a point of order to rise and complain about a general question in question time that the whole of government should answer.

Senator Bob Brown—On the point of order, Mr President: it is very simple. The fact is that the question was clearly principally in the minister’s domain. If there are matters where the information could better be got from another minister, she ought to take it on notice and provide the Senate with that information. It is a very simple process on a matter where it is not complicated to get information to the Senate. Unfortunately, no information at all has been forthcoming to the Senate on the valid questions asked by Senator Ludlam.

Senator Ian Macdonald—On the point of order, Mr President: I agree with Senator Ludwig: it is not really a point of order; this is something that should be taken up by the Greens in their caucus meetings with the Labor Party every week.

Honourable senators interjecting—

The PRESIDENT—Order! Peace seems to have broken out, but, in spite of peace breaking out, the matter raised by Senator Ludlam is not a point of order. I can only expect a minister to answer those parts of the question that relate to their portfolio, as I indicated with the first question that was asked in question time today. As I have heard the answer, the minister has been responding to those parts of the portfolio that are under her control, and I believe that the minister has indicated that there are other ministers involved in the questions that have been raised by Senator Ludlam. The minister has 20 seconds remaining to answer the question.

Senator WONG—In response to Senator Ludlam’s point of order or the issue he raised, I have sought to be helpful, Senator Ludlam. I did seek to answer the second question, notwithstanding that I no longer represent the minister for the environment. I would suggest, if it would be helpful—(Time expired)

Asylum Seekers

Senator BACK (3.30 pm)—My question is to the Minister representing the Minister for Immigration and Citizenship, Senator Carr. I refer the minister to the Curtin detention centre, near Derby in Western Australia, the complete lack of any consultation with that community and the failure of the government to address their concerns on the number of asylum seekers to be housed on the base. I ask the minister: why does the government continue to deny that there are plans for a further expansion of that centre to lift the capacity to house 3,000 asylum seekers, when construction work on stage 3 at Curtin is already well advanced?

Senator CARR—I thank the senator for his question. Senator Back, I am not certain whether you were present throughout the hearing of the estimates committee that dealt with this issue at some considerable length. Let me refresh your memory as to the content of that conversation. Plans with regard to Curtin involve capital expenditure of a total of $137.9 million over two years. Those plans were outlined in the budget papers in May 2010.

The Department of Immigration and Citizenship started letting contracts for the supply and installation of demountable buildings, installation of fencing and security systems and critical infrastructure work required to support 600 people in stage 1, and the as-
assessment of existing facilities started on 27 April 2010 to determine what work was needed. The first contract for stage 1 was entered into in May 2010. The second contract was entered into on 2 September 2010 and was published in AusTender on 22 October 2010. The funding for that project was part of the original funding announced in May 2010. There is no plan for a stage 3, as you have asserted. This was argued out in full at the Senate estimates committee.

In the past, the department has been criticised for not being prepared for eventualities. That, of course, is not the situation in this case. The preparatory works for stage 2 which were carried out included the greater area in case there was a need in the future.

Senator BACK—Mr President, I ask a supplementary question. Can the minister then explain to the Senate why, in advance of a visit to the facility only two weeks ago by the shadow minister and shadow parliamentary secretary for immigration, the department supervisor on site instructed workers to cease their stage 3 works and commence to fill in trenches containing underground pipes and conduits in the stage 3 area?

Senator CARR—Again, these issues were canvassed at length in the Senate estimates hearing.

Senator Cormann—You deliberately misled people.

The PRESIDENT—Senator Cormann!

Senator Conroy—You should withdraw it, Cormann.

The PRESIDENT—If people were not interjecting, I may well hear some of these things. Senator Carr, continue.

Senator CARR—I repeat: as was argued out in Senate estimates in some considerable detail, no contracts have ever been entered into for the installation of buildings in stage 3. In July 2010 the department engaged an architect to develop a master plan that gave the department the options if required, but there were no contracts entered into.

Senator Abetz—You should read the brief before you say it out loud.

Senator CARR—Senator Abetz, you may well—

The PRESIDENT—Order! Senator Carr, ignore the interjections. Interjections, as Senator Abetz knows, are disorderly. Senator Carr, you have got eight seconds remaining to answer the question.

Senator CARR—The plans for the expansion of Curtin have been detailed at length through—(Time expired)

Senator BACK—Mr President, I ask a further supplementary question. Three days before the federal election, a whistleblower called a Perth radio station to confirm that he was working on the construction of single quarters for the Curtin detention centre to increase its accommodation to 3,000 people. He said, ‘We were told not to say anything until after the federal election.’ Will the minister now confirm what is commonly known in WA—that is, that the Curtin base is to be expanded to accommodate 3,000 asylum seekers?

Senator CARR—There has never been any plan or any consideration with respect to expanding the Curtin facility to 3,000 people. There was a time in the Liberal Party when there were actually liberals representing that party. Only recently Senator Troeth made public statements about the insidious attempt to engender fear and loathing in this country regarding what are quite serious issues. Senator Boyce, of course, has made similar views known, as did Senator Trood, Senator Humphries and Senator Payne. What are we hearing now? We are hearing this savage reaction from the most extreme elements of the Liberal Party in an attempt to
Senator WONG—I thank Senator Bishop for the question. I was outlining yesterday that the Australian economy is in a strong position. We avoided the recession that struck so many advanced economies. We have strong economic growth, a low unemployment rate and strong public finances. There are also challenges facing the nation and the government as we move to implement and effect long-term economic reform. As we have seen in the media of late, there appears to have been a breakdown in the consensus that has been needed in the past and is needed for the future when it comes to economic reform. The reality is that Australia needs political parties, political leaders, business leaders and the community to engage in a constructive discussion, a dialogue, about economic reform. You cannot simply say no and you cannot simply turn your back on reform. Australians deserve more than that.

What we have seen from the opposition has been quite extraordinary in the last few days and weeks, with Mr Robb debating floating of the dollar and Mr Hockey debating others in his party room as well as the government when it comes to his suggestion that we should intervene in the competitive market for interest rates. We believe the Australian people deserve more than a retreat to economic populism; they deserve a constructive economic debate. We are very pleased that some members of the opposition appear to be recognising this important fact. We are very pleased to see that even Ms Julie Bishop and Mr Turnbull have been urging the shadow Treasurer to exercise caution when he talks about regulating interest rates and the banks. I will perhaps come to this in the next question. (Time expired)

Economics

Senator MARK BISHOP—My question is to the Minister for Finance and Deregulation, Senator Wong. Minister, what is the importance of a constructive policy debate in achieving economic reform?

Senator WONG—I thank Senator Bishop for the question. I was outlining yesterday that the Australian economy is in a strong position. We avoided the recession that struck so many advanced economies. We have strong economic growth, a low unemployment rate and strong public finances. There are also challenges facing the nation and the government as we move to implement and effect long-term economic reform. As we have seen in the media of late, there appears to have been a breakdown in the consensus that has been needed in the past and is needed for the future when it comes to economic reform. The reality is that Australia needs political parties, political leaders, business leaders and the community to engage in a constructive discussion, a dialogue, about economic reform. You cannot simply say no and you cannot simply turn your back on reform. Australians deserve more than that.

What we have seen from the opposition has been quite extraordinary in the last few days and weeks, with Mr Robb debating floating of the dollar and Mr Hockey debating others in his party room as well as the government when it comes to his suggestion that we should intervene in the competitive market for interest rates. We believe the Australian people deserve more than a retreat to economic populism; they deserve a constructive economic debate. We are very pleased that some members of the opposition appear to be recognising this important fact. We are very pleased to see that even Ms Julie Bishop and Mr Turnbull have been urging the shadow Treasurer to exercise caution when he talks about regulating interest rates and the banks. I will perhaps come to this in the next question. (Time expired)

Senator WONG—As I said, we welcome constructive dialogue with the business community and Australian business leaders about the way forward, the next wave of economic reform, to ensure ongoing economic growth, continuing rising incomes and a low unemployment rate. I note that the Business Council President, Graham Bradley, recently said to political leaders, including the opposition leader and his team: ‘My message is we expect you to do your bit in embracing sound policy reform and to contribute constructively to its development.’ Can I suggest to the opposition that they might do well to listen to that admonition; they might do well to listen to that suggestion. As I was saying previously, it is interesting to note that even Ms Bishop has been urging Mr Hockey not to trash the coalition’s economic credentials. (Time expired)

Senator WONG—As I said, we welcome constructive dialogue with the business community and Australian business leaders about the way forward, the next wave of economic reform, to ensure ongoing economic growth, continuing rising incomes and a low unemployment rate. I note that the Business Council President, Graham Bradley, recently said to political leaders, including the opposition leader and his team: ‘My message is we expect you to do your bit in embracing sound policy reform and to contribute constructively to its development.’ Can I suggest to the opposition that they might do well to listen to that admonition; they might do well to listen to that suggestion. As I was saying previously, it is interesting to note that even Ms Bishop has been urging Mr Hockey not to trash the coalition’s economic credentials. (Time expired)

Senator WONG—Mr President, I ask a further supplementary question. Can the minister outline the importance of consistency when developing economic policies? Is the minister aware of any risks to future prosperity from any alternative approaches?

Senator WONG—There is some importance in consistency in economic policy. We note that has been somewhat lacking of late from those on the other side. We have seen, as I said, not only Ms Bishop criticising Mr Hockey but also Mr Turnbull. Ms Bishop is understood to have said, ‘We shouldn’t for-
get who we are as a party when it comes to running a populist line on rate rises.’ This is the Deputy Leader of the Opposition, of course, talking about the shadow Treasurer. But what was even more telling was what Mr Abbott did or did not do earlier today. Earlier today, Mr Abbott on three occasions was asked whether he backed in Mr Hockey and backed in Mr Hockey’s plan, and on three occasions he declined to do so. What does that say about consistency on the other side? It has not quite got to the stage of the Howard-Costello fight that we are seeing played out, but what we are seeing is complete confusion in the opposition about what their policy is. (Time expired)

Indigenous Affairs

Senator SCULLION (3.42 pm)—My question is to the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, Senator Arbib, I refer the minister to the government’s commitment under the Northern Territory Aboriginal housing program, SIHIP, to renovate 2,500 houses and rebuild a further 230. Evidence given at Senate estimates describes a renovation as a new bathroom and kitchen, or a ‘functional renovation’. Given that the government has promised full renovations to be completed at an average of $75,000, when did the definition of a renovation become a ‘functional renovation’ and just include bathrooms and kitchens?

Senator ARBIB—I thank Senator Scullion for the question. The Strategic Indigenous Housing and Infrastructure Program is delivering significant improvements in housing for Indigenous communities right across the Northern Territory. The program is on track to meet its target of 750 new homes, 230 rebuilds and 2,500 refurbishments in remote communities by 2013. New housing targets were exceeded in the last financial year. To date, SIHIP has delivered 82 new homes and 645 rebuilds and refurbishments, improving the quality of life for hundreds of Indigenous families in more than 30 communities and town camps. The government, of course, is committed to continually improving the delivery of SIHIP.

In terms of functional refurbishments which Senator Scullion has raised, functional refurbishments target the elements of a house that will have the greatest impact on tenants’ wellbeing: fixing safety faults and ensuring bathrooms, kitchens and laundries are functional. Refurbishments range in cost from $20,000 to $100,000 per house, at an average cost of $75,000 across the program. This includes labour, materials and all other associated costs. These funding parameters are not new. They were set by the SIHIP review in August 2009. This is an unprecedented spend, but funds are, of course, finite and they will be targeted to improving housing for tenants’ wellbeing. SIHIP is on target to build 750 new homes and make the refurbishments that the government committed to, as well as the 230 rebuilds.

As Senator Scullion knows, because it was raised during Senate estimates, there has been a great improvement in the level of Indigenous employment taking place through SIHIP. The target was 20 per cent Indigenous employment. SIHIP is delivering— (Time expired)

Senator SCULLION—Mr President, I ask a supplementary question. Senate estimates also revealed that in order to allow limited funding to stretch as far as possible, a functional refurbishment would be the focus. Can the minister confirm whether it costs $75,000 for a kitchen/bathroom makeover, or is the government stretching the money further by upgrading even more houses in excess of the promised 2,500 houses?

Senator ARBIB—As I said, the refurbishment cost range is from $20,000 to
$100,000 per house, at an average cost of $75,000 across the program. Again, this includes labour, materials and all other associated costs. These funding parameters are not new. These are the funding parameters that were set by the SIHIP review in August 2009. As I was saying, the program is delivering houses for Indigenous communities and it is improving the welfare of those communities and those people while at the same time delivering jobs. One of the things that we have talked about time and time again is: the only way to bridge the gap on Indigenous inequality is through employment. The target was 20 per cent. At the moment the government is delivering 30 per cent through the Territory housing strategy. That is good news for those Indigenous people who have jobs, it is good news for the contractors, and it is good news for those families who have a breadwinner coming home— (Time expired)

Senator SCULLION—Mr President, I ask a further supplementary question. As the minister knows from the answers given in Senate estimates, there was the unit cost of $75,000 for a kitchen/bathroom makeover. If the government is cost cutting on renovations and not increasing the number of houses that are being renovated, where has all the money gone?

Senator ARBIB—I totally reject that. I have gone through the parameters of the program and the costs. We are delivering on our targets. I say to Senator Scullion, through you, Mr President: there could be a bit of praise for the work that Minister Macklin has done. It was only about eight months ago that Senator Scullion was standing up here and criticising the federal government and the Northern Territory government for the work. Minister Macklin intervened in the process, the department intervened, and we are now back on track delivering the refurbishments that were committed. That is good news for the Northern Territory, for Indigenous communities and for Indigenous workers.

Senator Scullion—Mr President, I rise on a point of order. I know he still has 18 seconds to answer—

Senator Carr—Fourteen.

Senator Scullion—Fourteen seconds left to answer. Given the acknowledgment that the renovations are now only functional renovations, and given the acknowledgement that the minister has said that we are not building any further houses, the question simply went to: where has the money gone? I wonder if you could draw him to the question.

The PRESIDENT—There is no point of order. The minister is answering the question. The minister has 14 seconds remaining to answer the question.

Senator ARBIB—There are two things I thought I would raise in response to that. The first is that, on 25 October, the Northern Land Council issued a media release about SIHIP taking out the NLC employer award, which is fantastic— (Time expired)

Franchising

Senator XENOPHON (3.49 pm)—My question is to the Minister for Small Business, Senator Sherry. South Australia’s Minister for Small Business, the Hon. Tom Koutsantonis, has recently announced that he will introduce a bill into state parliament imposing financial penalties for breaches of the Franchising Code of Conduct and a statutory duty of good faith in franchising relationships. These reforms are in line with the recommendations of three parliamentary inquiries into franchising by the Western Australian and South Australian parliaments and, most recently, the federal Parliamentary Joint Committee on Corporations and Financial
Services in 2008. Therefore, will the minister indicate: when will the federal government adopt these two recommendations on a national level, and does he welcome the South Australian moves?

Senator SHERRY—I thank Senator Xenophon for the question, and I thank him for the notification to my office about the question and the issues raised. Firstly, yes, I am aware of the announcement, via a press release by the South Australian minister. I have sought detailed copies of the explanation of the amendments. To my knowledge I have not yet received the detail of the amendments, although I am aware of the broad issues they deal with via the press release.

In responding to your question I think it is important to understand that a set of reforms has only just been completed in respect of the franchising code. It is a mandatory industry code established under the Trade Practices Act 1974. It regulates the conduct of participants in franchising towards each other. It requires franchisors to disclose facts to franchisees and to follow set procedures in their dealings with franchisees. They will have more protection following the completion of a recent set of reforms. That transparency and greater certainty results from recent amendments to the Franchising Code of Conduct which took effect from 1 July 2010. So there are reforms that have only just taken effect from 1 July 2010.

Also, I think it is important to note that there will be new enforcement powers for the Australian Competition and Consumer Commission, including audit powers which will commence on 1 January 2011. So I think it is important to understand that there has only just been national legislation, resulting from very extensive consultation, that has only just passed the parliament and new powers to commence—  

Senator XENOPHON—Mr President, I ask a supplementary question. Does the minister concede that, notwithstanding the changes he set out, the Franchising Code of Conduct is not truly mandatory and is nothing more than empty words if there are no financial penalties for breaches of the code?

Senator SHERRY—Firstly, I do not accept Senator Xenophon's description of the recent package of reforms as 'empty words'. There was a broad level of support for the recent package of reforms. In one area the reforms only commenced a few months ago, on 1 July. In another area, the additional powers for the ACCC, the reforms will commence next year. The position of the government with respect to other measures was considered in that set of national negotiations and discussions, which has already taken place. As part of that outcome, we have seen legislation and new powers. Part of that outcome, as indicated by my predecessor Dr Emerson, was a three-year bedding-down period to assess whether there were any further requirements on top of—  

(Time expired)

Senator XENOPHON—Mr President, I ask a further supplementary question. The three parliamentary inquiries revealed real issues of noncompliance to the Franchising Code of Conduct across Australia. What is the federal government doing to ensure that all franchisors are complying with the code? Does the minister acknowledge that having financial penalties would be an effective mechanism for ensuring compliance?

Senator SHERRY—My central point in responding to your questions is that the package of legislation—which considered all of the issues raised by the three recommendations that you have referred to—has only recently passed through the federal parliament, nationally consistent. My predecessor was right, and I agree on behalf of the gov-
ernment that the agreed period of three years to assess the impact of the new legislation is what is necessary to determine with certainty that those new powers are appropriate in the circumstances. The final point I want to stress is that it is important to have a national approach, as we currently have under the ACCC—(Time expired)

Mental Health

Senator FIERRAVANTI-WELLS (3.55 pm)—My question is to Senator Ludwig, the Minister representing the Minister for Mental Health and Ageing. Prior to the election, the Prime Minister pronounced that mental health would be a second-term priority for the government, yet the Australian of the Year, Professor Patrick McGorry, as recently as last week described mental health now as a ‘very reactive, crisis-driven system’. He said: ‘It’s like placing ambulances at the bottom of the cliff, with no services at the top.’ Meanwhile, Professor Mendoza recently resigned in disgust as Chair of the National Advisory Council on Mental Health. Given the collapse in confidence in the government’s handling of mental health by the sector’s leading experts, how can the Australian people have confidence in the Gillard government to deliver on mental health?

Senator LUDWIG—I thank Senator Fierravanti-Wells for her question in this important area of mental health. The opposition and the government agree that mental health is an important issue. Mental illness causes great suffering in the Australian community, including tragic loss of life through suicides. The direct and indirect economic costs are also significant.

The Gillard government has been leading in this area. It has made significant additional investments in mental health during its first term. This includes $1.2 billion for specific mental health programs over the next four years. In addition to the commitments contained in the 2010 budget, the Prime Minister committed a $277 billion package to tackle suicide.

During the election campaign, Labor made it clear that there was more to do in the area of mental health. Everyone would agree that more should be done for those who suffer mental illness. In this area it would be a particular priority for a second-term Gillard government. This includes the recent appointment of the mental health minister. The task of the mental health minister, who I am representing here in this chamber, is about ensuring leadership in this very serious area.

We are committed to building on the work done in our first term and to making lasting reform to mental health care which will provide the services that consumers and their families need. We will also ensure that existing programs and investments work as effectively as possible, given that there now is a minister with direct responsibility in this area, I expect that not only—(Time expired)

Senator FIERRAVANTI-WELLS—Mr President, I ask a supplementary question. Yesterday the Labor-Green alliance failed to support the coalition’s motion to give effect to a policy which has been applauded by mental health experts. Indeed, Professor Mendoza was absolutely scathing of the government’s $277 million, which was referred to as ‘mere tokenism’. When will the government deliver the services that are so desperately needed by mental health consumers and their carers?

Senator LUDWIG—As part of the April 2010 COAG health reform announcement and subsequently at the 2010 budget, the Australian government did commit—and I think we need to put this all in perspective—$277 billion during the election campaign, $78.8 million over four years commencing 2010-11 for the expansion of youth-friendly mental health services and $50.6 million
over three years for Headspace, 30 sites and a range of national activities. The ‘Better access’ program is about ensuring that this government is committed to continuing its work in mental health with a dedicated mental health minister as a second-term priority. The mental health minister has been appointed to drive this agenda. The strong update of the better access items reflect the need in the community for mental health services. (Time expired)

Senator FIERRAVANTI-WELLS—Mr President, I ask a further supplementary question. The Prime Minister has publicly stated that telephone calls to Lifeline will be toll-free from mobile phones. Even this modest promise has not yet been kept. When will it be met and how can the government believe that further delay is acceptable when you cannot even get that simple thing right?

Senator LUDWIG—I thank Senator Fierravanti-Wells for her second supplementary question. Of course, the work that the Minister for Mental Health and Ageing is driving in terms of reform in this area will ensure—

Honourable senators interjecting—

The PRESIDENT—The time for debating this is at the end of question time. I remind senators on both sides of that.

Senator LUDWIG—The government remains committed to improving access for young people to appropriate services for the detection, early intervention and ongoing management of mental health problems. In terms of the specific question that Senator Fierravanti-Wells has asked, I will ask the minister who is driving the agenda to provide an answer for her in relation to the specific issue around the call centre question.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Coal Seam Gas Projects

Senator CONROY (Victoria—Minister for Broadband, Communications and the Digital Economy and Minister Assisting the Prime Minister on Digital Productivity) (4.01pm)—In question time yesterday Senator Bob Brown asked me a question about coal seam gas projects. I seek leave to incorporate in Hansard some further information in relation to his question.

Leave granted.

The additional information read as follows—

In question time yesterday I offered to provide further detail to Senator Brown to answer some specific questions he raised relating to the approval of two Coal Seam Gas projects in Queensland.

In his question, he asked “Who will monitor the 300 conditions placed by the environment minister on these projects? Will it be from 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?

I can now furnish further information:

The Department of Sustainability, Environment, Water, Population and Communities is responsible for enforcement of and compliance with the conditions imposed by the Minister.

This may include reviewing plans provided by the companies to ensure they are comprehensive and robust, site inspections, seeking expert advice where necessary, independent testing, acting on issues raised by the community including landowners.

The projects may also be subject to third party audit to ensure that the companies are complying with the approval conditions.

Penalties for non-compliance can include varying the conditions, strengthening the conditions, suspending or revoking the approval (in whole or in part).
part), civil penalties of up to $1.1 million or criminal penalties including imprisonment.

In his first supplementary, the Senator asked: 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?

I can now furnish further information:

The State of Queensland has primary responsibility for the regulation of financial compensation to landowners directly affected by coal seam gas activity. I am advised that the companies must negotiate with landowners or leaseholders, and pay compensation for infrastructure located on their land. This can include the payment by the companies of fees to landowners, as negotiated between them. Under State regulatory requirements, the companies must also make good impacts that occur for water users, which may include offsets or rehabilitation of existing bores.

Economic impacts on regional areas, including on agricultural land, were considered by the Minister in making his decision to approve the projects.

In his second supplementary, the Senator asked: “Why was the announcement made late on Friday afternoon?”

I can now furnish further information:

On 30 September 2010 the Minister extended the statutory due date to 22 October to allow more time to consider the proposals.

The Minister was advised to make the announcement after the financial markets closed in Australia, but before the financial markets opened in London, given the parent company of one of the companies seeking approval is registered on the UK stock exchange.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Senator BRANDIS (Queensland) (4.03 pm)—I move:

That the Senate take note of the answers given by ministers to questions without notice asked today.

On all the topics the opposition explored with the government today, and even in the answers of ministers to some of the questions from their own backbench, what we have seen in the chamber this afternoon is the humiliating litany of failure with which the Australian public are increasingly coming to identify the Gillard Labor government. It is an extraordinary thing. Ordinarily when a government is re-elected—albeit this government was reinstated in office over a month ago in rather controversial circumstances—there is a degree of goodwill from the general public, there is a sense of ‘give the reinstated government a go’. But all of the anecdotal evidence, all of the empirical evidence and all of the opinion poll evidence that we have seen in recent weeks has shown that the Australian people have woken up to the fact that the Gillard government is no different from the Rudd government. The policy paralysis, the dysfunction, the indecision, the meandering directionlessness which became trademarks of the Rudd government are the same under the new management of the new Prime Minister, Ms Gillard. There is a reason for that and it is not hard to work out. What we now know is that all of the key decisions or nondecisions with which the Rudd government was associated were made by a small coterie of senior cabinet ministers, of which Ms Gillard and Mr Wayne Swan were the two leaders.

Mr Rudd was not terribly interested in domestic policy. Let us call a spade a spade: Mr Kevin Rudd was much more eager to grandstand on the international stage, leaving the direction of the government on domestic policy to Ms Gillard. After Ms Gillard stabbed him in the back on the evening of 23 June—after having undertaken in the most plangent, most earnest terms to both him and the Australian people that he had her complete support—after this ‘Lady Macbeth’ stabbed Kevin Rudd in the back on 23 June and seized control of the government—
Senator Cormann—What about the beneficiaries over there?

Senator BRANDIS—Indeed, like Senator McLucas over there and Senator Farrell. How could we overlook Senator Farrell? But, Senator Cormann, you distract me from my theme. When Ms Gillard took over, the Australian public were for a few short weeks rather entranced by the idea of a first female Prime Minister and, more importantly, they thought there would be change. They thought that maybe under new management the government might at last get their act together. They grafted a very, very narrow victory on the two-party preferred vote in the election. They persuaded Independents to reinstall them in power. But the Australian people in the last four to six weeks have realised that nothing has changed. The Rudd government is continued in the Gillard government.

Senator Cormann—It has got worse!

Senator BRANDIS—As Senator Cormann says, in fact, if anything, it has got worse. As the Prime Minister has elevated the level of rhetoric, the government has fallen down the scale on the level of achievement. It is almost like a virtual government: it exists in rhetoric alone. What achievement can this government point to? Not the NBN—the colossal white elephant being presided over by Australian politics’ leading public policy lightweight, Senator Conroy. Not the dispossession of people in the Murray-Darling Basin. Not the continuation of the fiasco of Building the Education Revolution. Not the tidying up of the fiasco of the Home Insulation Scheme. Not, as Senator Scullion elicited from Minister Arbib, the fiasco of the failure to provide the Indigenous housing in the Northern Territory of which this government was so proud—

Senator Cormann—And the boats.

Senator BRANDIS—I am coming to that, Senator Cormann—and the fiasco of all fiascos: the reversal of a position where we had no problem with unlawful asylum seekers to a situation where we are now expanding the Curtin detention centre by another 3,000 places.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (4.07 pm)—Senator Brandis talked about the alleged failures of the Gillard government. Firstly, it is hard to imagine that Senator Brandis really believes what he has said. I do not believe that he believes what he said.

Senator Bernardi interjecting—

Senator FARRELL—Let us look at these alleged failures, Senator Bernardi. Let us look at the low levels of unemployment. Let us look at inflation. We have just had the inflation figures come out today: low levels of inflation. Let us look at other measures of the sorts of things that are important to Australians, such as the record balance of trade figures. What I think the Australian people are concerned about is this: had they elected Mr Abbott as Prime Minister, what would they have found out about the economic policies of the opposition?

Senator Bernardi interjecting—

Senator FARRELL—You are shaking your head, Senator Bernardi, but let us talk about the black hole—not $1 billion or $5 billion but $10 billion. That is the black hole that the Australian public would have discovered had they elected the Abbott opposition to government. Of course, the opposition were caught out on this, because the Independents had the good sense to ask what the opposition’s policies were going to cost. Before the election, of course, the opposition had lots of arguments as to why they were not going to release their costings—they could not trust the Treasury—but they got found out after the election because Treasury did do the costings.
Senator Bernardi—What’s this got to with your government? Tell us what this has to do with your government.

Senator FARRELL—This has everything to do with our government, Senator Bernardi, because this is the contrast between the great economic performance of this government and what would have happened had the Australian people been unlucky enough to find that Tony Abbott had become Prime Minister. Of course, the man he put in charge of this was Mr Hockey.

Senator Brandis interjecting—

Senator FARRELL—You might not have caught up with this, Senator Brandis, but your former leader Mr Howard—I know you were not much of a fan of him—at the National Press Club only minutes ago had this to say about Mr Hockey, the man who would have been Treasurer had Mr Abbott won:

I don’t think he’s in that league. No, of course not.

He is talking about a comparison between Mr Costello and Mr Hockey, and what he says about Mr Hockey is:

I don’t think he’s in that league. No, of course not.

Senator Bernardi—What do you think of Wayne Swan? That’s what I’d like to know.

Senator FARRELL—Well, Senator Bernardi, what I think is this. Of course, Mr Howard does not think very much of Mr Costello either. Mr Hockey is not in the league of Mr Costello, and Mr Costello he describes as an ‘elitist who lacked the ability to connect with ordinary Australians’. What does this have to do with—

Senator Bernardi—This is hopeless.

Senator FARRELL—No, this is not hopeless at all, Senator. This is all about the issues that this country is facing. The choice between Mr Hockey and Mr Swan. I have explained to you already, Senator Bernardi, about some of the great economic achievements of the Labor government. Of course, we now find out about what Mr Howard thinks about—(Time expired)

Senator Brandis—Follow that, Cory.

Senator BERNARDI (South Australia) (4.12 pm)—It is going to be extraordinarily difficult to top that contribution from Senator Farrell. If ever we needed more evidence that the Labor Party exist in a Walter Mitty type world, I think Senator Farrell has simply given us some more. During question time, I was astounded to hear some comments from the ministers answering questions. First of all, we had Senator Carr. Senator Carr claimed that debate was somehow being stifled on the Liberal side of the chamber. How could he say this in the week in which his factional leftie comrade Senator Doug Cameron has come out and said that those on the Labor side of politics are like zombies and have all had lobotomies because they are not able to communicate and talk to their leader? Senator Cameron led this ill-considered and, may I say quite frankly, hopeless revolution in the party room of the Labor Party and was slapped down roundly, and we have not heard from him since. But, thankfully, there are wise people out there who are up to this.

In the Sydney Morning Herald this morning, there was a letter from a lady named Anastasia Polites, who wrote:

Doug Cameron wants diversity of opinion within the Labor Party and the Left faction to be able to speak its mind publicly … Cameron must have forgotten how he ran the Australian Manufacturing Workers Union—with an iron fist. Not only were employees of the union forbidden to speak out, even internal dissent could be met with marching orders. Cameron wants freedom of speech only when he isn’t the boss.

What a damning indictment, yet Senator Carr has the audacity to suggest that debate is sti-
fled on the Liberal side. This is humiliating for this government. Not only have they failed repeatedly to implement any competent policy agenda but, where they have implemented their policies, it has been a disaster. We know that.

The embarrassment of Senator Carr’s contradiction of his comrade’s claims was backed up once again by Senator Wong. We all know that Senator Wong has a history of failure in climate change debate. In answer to a question today about welcoming debate on economic issues—one of the greatest economic issues that this country faced being the emissions trading scheme, what we were told was one of the great moral challenges of our time by the man they knifed as Prime Minister, Mr Kevin Rudd—Senator Wong would not listen to any debate. She said the science is settled and she went around alarming people and scaring the children so they could not sleep with outrageous claims about wanting to put a massive new tax on every Australian family.

Members of the Labor Party do not care. They do not care for the truth in their comments. We understand that. We know that Senator Wong, with her litany and track record of failure in her portfolios, was rewarded for her steadfast insistence that she wanted to put a new tax on Australian families and put the cost of living up for them all. We know that because she has now been given the portfolio in which she can have a big tax on every portfolio that she comes in contact with—the finance portfolio. She will have an increased controlling interest on the families of Australia. Just today, whilst Senator Farrell was defending the economic legacy of this government, we found out that rents are rising, we found out that electricity costs went up by 12 per cent or more in the last year and we found out that gas and utility prices and rates are going up by six per cent or more. These are the things that are hurting everyday families.

On that side of the chamber they might want to defend putting additional costs on families, but I do not, because Australian families are already struggling. They are struggling under the yoke of debt that this government has saddled us with, which is going to be an intergenerational debt. Despite the rhetoric from the other side, we know that debt will not be paid off in three years time. We know that debt will not be paid off for decades because Labor are incapable of doing it. They are fooling themselves, as they are trying to fool the taxpayers of Australia. They are fooling themselves, as they try to convince the taxpayers of Australia that Australia is on the right track. Australia is on the wrong track under this government. We are on a track of increasing public reliance on the government, where government wants to interfere in more and more individuals’ lives, where it is going to tax people more just to pay its bills, where it is going to implement more policies that fail the Australian people and fail the common-sense test. Labor know that and that is why they are subdued. That is why Senator Farrell could not mount a defence of the government in the face of such a flaying by Senator Brandis earlier on. It will be interesting now to see how Senator Pratt goes in that regard. (Time expired)

Senator PRATT (Western Australia) (4.17 pm)—In taking note of all answers today I would like to note what kind of debate this is. We have an opposition that has no preparedness to debate the substantive issues raised in question time today. But there is plenty to discuss, like the significance of the progress made on our national curriculum. Last night I was delighted to have the opportunity to meet with Western Australian principals from the Catholic sector, from the independent sector and from
government schools who are all delighted with the progress that is being made. They are all delighted with the fact that this nation has a national curriculum before it and that we are successfully moving through the issues involved in bringing that national curriculum together. So, yes, it is legitimate to debate the issues around what will be the ongoing significance of the Anzac tradition within this curriculum. It does need to be protected, but we are actively consulting on that with the RSL and others. It is vitally important that Australia move forward with this national curriculum.

Senator Bernardi—You dumped that slogan—’moving forward’.

Senator Pratt—No, I am quite happy with moving forward because indeed we are. There is no more important issue than the education of Australia’s young people. There is the issue of mental health, which was raised in question time today. The Gillard government has been investing in mental health. We have for the first time a Minister for Mental Health and Ageing and we know there is more to do.

There are many innovative things happening in the Gillard government’s program and new investments being made in the mental health area. We have talked about the NBN—something that the opposition has no vision for. It has no vision to break the tyranny of distance that affects communications in this country. Our investment in the NBN is the equivalent of a whole network of national highways for what it will open up for our nation. It is the modern-day version of the great Snowy River scheme in the kind of nation building and investment it is.

We all use the highways, but it just shows what Luddites you all are if you cannot comprehend the kind of future that is open to us with an investment in modern day communications, with a huge quantum of data and what that means to our education system, to our health system, to entertainment, to community and civic engagement, to business in this country and to the way our commerce operates. There are things that we have not even dreamed of or imagined yet that the NBN will be defining as part of this nation’s future. There is the Murray-Darling Basin plan. This is a government with courage to tackle the tough issues. And we are tackling the big issues.

None of this reform is easy. It requires consultation, communication and public engagement. But what are you doing? Misinformation. That is what we are getting from the coalition. That is not going to help irrigators and regional communities that are affected.

Senator Bernardi—You ditched the report. You said you are not going to do it.

Senator Pratt—No, I stand by this report and the process, but it is not government policy. It is a process that we put out there to engage with the public. People think that the government will compulsorily acquire their water. We would not. We only purchase from willing sellers. This is the kind of misinformation that you are putting out there.

During the election campaign, for example, Tony Abbott, Barnaby Joyce and Simon Birmingham announced that the coalition will release the draft basin plan within two weeks of coming to office and proceed with its implementation without delay. So who are you to talk about what is proper process here? We are not rushing into anything. We are allowing the water authority to conduct its consultations over the next 12 months. It is about getting the balance plan right and it is about working to restore the river system to health. Importantly, it is about protecting food production and supporting strong regional communities. What else have we had to talk about today? (Time expired)
Senator BARNETT (Tasmania) (4.22 pm)—I stand today to respond to the answer from Senator Conroy regarding the roll-out of the NBN in Tasmania. Interestingly, this question was asked by Senator Bilyk and I think she might have been shocked by the answer that was provided by Senator Conroy because he confirmed on the record today in question time that the roll-out in Tasmania is receiving the lowest connection rate in all of Australia. Compared to the mainland sites where the roll-outs are occurring, and where he indicated there were sites with a 74 per cent, an 84 per cent and an 87 per cent connection rate, it is on the public record that Tasmania has a 50 per cent connection rate. So the roll-out rate in Tasmania and their progress to date must be a great disappointment.

Senator Conroy should come clean and answer the questions with respect to the roll-out in Tasmania. He refused. He continues to refuse and obfuscated in the Senate estimates last week when I asked what the cost of the roll-out has been to date. He refused. We found out—he slipped it out last night—that they have signed a $37 million contract for the roll-out of the NBN in Tasmania for the main routes and for three towns: Smithton, Midway Point and Scottsdale. But when Senator Conroy says—he has said it time and again—that he is on time and on budget, that is nonsensical; it is meaningless because he will not reveal the budget. I have asked him time and again: what is the budget for the roll-out in Tasmania? He refuses to say. Industry estimates have been given at around $500 million or $700 million, but I do not know. Nobody really knows because Senator Conroy is refusing to provide it. There is no business plan.

We do know about the take-up rates. In Senate estimates last week in answer to questions from me Senator Conroy confirmed that there were 262 active connections to the network as at the end of last month. There were 561 services to be delivered to 436 premises. If you divide, let’s say, 500 homes into the $37 million, that is $74,000 or thereabouts per home. If you put the 262 active homes into the $37 million you arrive at $140,000 per home. Of course that figure is going to go down, drastically down, but the fact is that in terms of the $43 billion roll-out we know that compared to the US the cost to the government is 100 times higher. We know that it is multiple times higher than in Singapore, Hong Kong or the UK.

They continue to proceed with this white elephant without any business plan and without any cost-benefit analysis. This is fast becoming another pink batts fiasco and it is getting worse, not better. I want to refer specifically to John Salmon from Midway Point and his communications with we, including as recently as today, where he had a problem with a battery back-up. He was told specifically that he would need a battery back-up and that if the power went down his phone would not work. He was told he needs it and he was quoted in the order of $90 over and above. Yet, yesterday I understand the NBN Co. and Senator Conroy have done a back-flip and that cost will now be covered by NBN Co. Well, if that is the case, they had better contact all of those Tasmanians who have already signed up and offer to reimburse the cost of the battery back-up—for all those homes that have already paid their $90 that will have to be repaid. I ask on the record now: will the government commit to reimbursing all those people who have paid for their battery back-ups?

John Salmon first had contact I think in April, May and June this year and he has indicated that he had two dozen phone calls to get his system up and going and properly operating. He has taken the lowest rate possible—and that is fair enough; why shouldn’t he?—and the deal is with Primus. The fi-
asco—the hassles he undertook for and on behalf of his family—was something shocking. He can expound that more in due time.

Clearly, we do not know the future for the NBN in Tasmania. The government refuse to answer the questions. They have got to come clean. *(Time expired)*

Question agreed to.

**PETITIONS**

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

**Dampier Archipelago**

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

The petition of the undersigned shows:

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

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

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

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

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

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

by **Senator Ludlam** (from 74 citizens)

Petition received.

**NOTICES**

**Presentation**

Senator Fifield to move on the next day of sitting:

That the Poker Machine Harm Reduction Tax (Administration) Bill 2008 [2010] and the Poker Machine (Reduced Losses—Interim Measures) Bill 2010 be referred to the Joint Select Committee on Gambling Reform for inquiry and report in line with the terms of reference of the committee.

Senators Xenophon and Bushby to move on the next day of sitting:

That the following matter be referred to the Economics References Committee for inquiry and report by 31 March 2011:

Competition within the Australian banking sector, including:

(a) the current level of competition between bank and non-bank providers;

(b) the products available and fees and charges payable on those products;

(c) how competition impacts on unfair terms that may be included in contracts;

(d) the likely drivers of future change and innovation in the banking and non-banking sectors;

(e) the ease of moving between providers of banking services;

(f) the impact of the large banks being considered ‘too big to fail’ on profitability and competition;

(g) regulation that has the impact of restricting or hindering competition within the banking sector, particularly regulation imposed during the global financial crisis;

(h) opportunities for, and obstacles to, the creation of new banking services and the entry of new banking service providers;
(i) assessment of claims by banks of cost of capital;
(j) any other policies, practices and strategies that may enhance competition in banking, including legislative change;
(k) comparisons with relevant international jurisdictions;
(l) the role and impact of past inquiries into the banking sector in promoting reform; and
(m) any other related matter.

Senator Bob Brown to move 16 November 2010:
That standing order 104, relating to the correction of divisions, be amended to read as follows:

104 Correction of divisions
(1) If there is misadventure, or in case of confusion or error concerning the numbers reported (unless it can be otherwise corrected), the Senate shall proceed to another division.
(2) A division under this standing order must be taken as early as is convenient.

Senator Nash to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to amend the Social Security Act 1991 to improve income support for regional students, and for related purposes. Social Security Amendment (Income Support for Regional Students) Bill 2010.

Senator Siewert to move on the next day of sitting:
That the Senate—
(a) recognises the grief and anguish suffered by thousands of mothers who were victims of the forced adoption policies of the recent past;
(b) acknowledges the recent apology given by the Western Australian Parliament to those mothers whose children were removed and given up for adoption from the late 1940s to the 1980s; and
(c) urges the Australian Government to commence the process of developing a national apology in consultation with state and territory governments, mothers and their families, experts and advocacy groups.

Senator Siewert to move on 15 November 2010:
(1) That the Senate:
(a) acknowledges the recent apology given by the Western Australian Parliament to those mothers whose children were removed and given up for adoption from the late 1940s to the 1980s; and
(b) notes that policies and practices resulting in forced adoptions were widespread throughout Australia during that time.
(2) That the following matters be referred to the Community Affairs References Committee for inquiry and report by 30 April 2011:
(a) the role, if any, of the Commonwealth Government, its policies and practices in contributing to forced adoptions; and
(b) the potential role of the Commonwealth in developing a national framework to assist states and territories to address the consequences for the mothers, their families and children who were subject to forced adoption policies.

COMMITTEES
Selection of Bills Committee
Report
Senator McEWEN (South Australia) (4.28 pm)—by leave—I present the 12th report of 2010 of the Selection of Bills Committee.

Ordered that the report be adopted.

Senator McEWEN—I seek leave to move a motion in relation to bills referred to committees as a result of the adoption of Selection of Bills Committee reports Nos 11 and 12 of 2010.

Leave granted.
Senator McEWEN—I move:

That in respect of each of the bills referred to committee as a result of the adoption of Selection of Bills Committee reports nos 11 and 12 of 2010, where relevant, the committee have the power to consider and use the records of its predecessor committee appointed in the previous Parliament relating to its consideration of an earlier version of the bill.

Senator McEWEN—I seek leave to have the report incorporated in Hansard.

Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE
REPORT NO. 12 OF 2010

1. The committee met in private session on Tuesday, 26 October 2010 at 4.29 pm.

2. The committee resolved to recommend—That the Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010 be referred immediately to the Community Affairs Legislation Committee for inquiry and report by the fourth sitting day in 2011 (see appendices 1 and 2 for statements of reasons for referral).

3. The committee resolved to recommend—That the following bills not be referred to committees:
   Banking Amendment (Delivering Essential Financial Services) Bill 2010
   Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2010.
   Health Insurance Amendment (Pathology Requests) Bill 2010
   Higher Education Legislation Amendment (Student Services and Amenities) Bill 2010
   Higher Education Support Amendment (2010 Budget Measures) Bill 2010
   Higher Education Support Amendment (FEE-HELP Loan Fee) Bill 2010
   Marriage Equality Amendment Bill 2010
   National Radioactive Waste Management Bill 2010
   Poker Machine (Reduced Losses—Interim Measures) Bill 2010

4. The committee considered the Water (Crisis Powers and Floodwater Diversion) Bill 2010 and noted that the Senate had agreed to refer the provisions of the bill to the Environment and Communications Legislation Committee for inquiry and report.

5. The committee deferred consideration of the following bills to its next meeting:
   Families, Housing, Community Services and Indigenous Affairs and Other Legislation Amendment (Budget and Other Measures) Bill 2010
   Responsible Takeaway Alcohol Hours Bill 2010.

(Anne McEwen)
Chair
27 October 2010

SELECTION OF BILLS COMMITTEE
APPENDIX 1
Proposal to refer a Bill to a committee
Name of Bill: Food Standards Amendment (Truth in Labelling—Palm Oil) Bill 2010
Reasons for referral/principal issues for consideration:
In undertaking the inquiry, the Committee should consider:
(1) The rights of consumers to be provided with accurate and truthful information to enable them to make an informed choice about the products they are eating and purchasing;
(2) That allowing palm oil to be listed as “vegetable oil” on food packaging is misleading to consumers;

Restoring Territory Rights (Voluntary Euthanasia Legislation) Bill 2010
Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010
Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill 2010
Veterans’ Affairs Legislation Amendment (Weekly Payments) Bill 2010

The committee recommends accordingly.

27 October 2010
(3) That the impact of palm oil production on wildlife, specifically Orang-utan’s in South East Asia is significant unless it is done sustainably;
(4) That sustainable palm oil can be produced with low impact on the environment and wildlife and with better labour laws on plantations; and,
(5) That manufacturers should be encouraged to use sustainable palm oil in their production process and subsequently use the status of “Certified Sustainable Palm Oil” under this Bill.

Possible submissions or evidence from:
Submissions received to this Bill under the 42nd Parliament Zoos Victoria
Humane Society International
Perth Zoo
WWF
Royal Zoological Society of South Australia
The Australian Orang-utan Project
Palm Oil Action Group
Friends of the Earth Australia

Committee to which bill is to be referred:
Senate Standing Committee on Community Affairs (Legislation)

Possible hearing date(s):
October and November 2010

Possible reporting date:
24 November 2010

(signed)
Rachel Siewert
Whip / Selection of Bills Committee member

APPENDIX 2
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee

Name of bill: Food Standards Amend (Truth in Labelling - Palm Oil) Bill 2010

Reasons for referral/principal issues for consideration:
This Bill has already gone to committee with a report date scheduled for August 2010. However on 19 July 2010, the Governor General prorogued the 42nd Parliament and the Committee was not able to conclude its inquiry.
This inquiry received over 400 submissions. With the re-introduction of the Bill, the Committee should be provided with the opportunity to complete its inquiry and report.

Possible submissions or evidence from:
Australian Food and Grocery Council Melbourne Zoo
Zoological Park Authority (Perth)
Taronga Conservation Society Australia Food Standards Australia New Zealand National Heart Foundation of Australia State and Territory Governments

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

Possible hearing date(s):
November or December

Possible reporting date:
Fourth sitting day in 2011

(signed)
Stephen Parry
Whip / Selection of Bills Committee member

NOTICES
Postponement

The following items of business were postponed:
General business notice of motion no. 73 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for 28 October 2010, relating to Tibetan people, postponed till 16 November 2010.
General business notice of motion no. 74 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for 28 October 2010, relating to the Campaign for the Establishment of a United Nations Parliamentary Assembly, postponed till 23 November 2010.

FOOD LABELLING

Senator SIEWERT (Western Australia) (4.30 pm)—I, and also on behalf of Senator Xenophon, move:
That the Senate—

(a) notes reports in Australia that found infant formula had been contaminated with genetically modified (GM) soy and corn;

(b) acknowledges the significant level of community concern about food labelling and safety issues in Australian food products, particularly those being fed to infants and young children; and

(c) calls on the Australian Government to introduce clear and effective labelling standards that ensure all GM additives in Australian food products are labelled.

Question negatived.

COMMITTEES

Joint Select Committee on Gambling Reform

Meeting

Senator McEwen (South Australia) (4.31 pm)—At the request of Senator Crossin, I move:

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.

Question agreed to.

Economics Legislation Committee

Meeting

Senator McEwen (South Australia) (4.31 pm)—At the request of Senator Hurley, I move:

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.

Question agreed to.

Community Affairs References Committee

Reference

Senator Fielding (Victoria—Leader of the Family First Party) (4.32 pm)—I move:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 April 2011:

The social and economic impacts of rural wind farms, and in particular:

(a) any adverse health effects for people living in close proximity to wind farms;

(b) concerns over the excessive noise and vibrations emitted by wind farms, which are in close proximity to people’s homes;

(c) the impact of rural wind farms on property values, employment opportunities and farm income;

(d) the interface between Commonwealth, state and local planning laws as they pertain to wind farms; and

(e) any other relevant matters.

Senator Milne (Tasmania) (4.33 pm)—Mr Acting Deputy President, I seek leave to make a short statement.

Leave granted.

The ACTING DEPUTY PRESIDENT (Senator Trood)—You have two minutes.

Senator Milne—Thank you, Mr Acting Deputy President. This is a motion that has been put forward by Senator Fielding and has the support of the coalition and Senator Xenophon; therefore, the reference was to go forward, so the Greens amended this reference so that it takes into account a broader set of criteria in looking at wind farms. There is certainly concern in the community about the health impacts of wind farms. In my view, that is more imagined than real, especially since the National Health and Medical Research Council brought out a report this year on this very issue saying that there were no concerns.

However, there is a very genuine community concern which needs to be looked at and also there needs to be consideration of the planning issues concerned, because really the big concern, I think, is that nobody is quite sure about the interface between local gov-
ernment planning laws, state planning arrangements and where the federal government’s approval processes kick in in relation to wind farms. I think all the states especially would appreciate some clarity around this issue. Including the planning provision here to be looked at as well as allowing the National Health and Medical Research Council to get involved will make for a better informed community. The Greens certainly support the expansion of the wind industry in Australia.

Question agreed to.

NOTICES

Postponement

Senator McEwen (South Australia) (4.35 pm)—by leave—At the request of Senator Heffernan, I move:

That business of the Senate notice of motion No. 2 standing in the name of Senator Heffernan for today, proposing a reference to the Rural Affairs and Transport References Committee, be postponed till 28 October 2010.

The government was prepared to accept business of the Senate motion No. 2 with one amendment proposed by Senator Heffernan; however, we have just recently discovered there is a subsequent amendment to the motion which we have not had time to consider. However, we would be prepared to consider this motion tomorrow.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Broadband

The Acting Deputy President (Senator Trood)—I have received 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 refusal to subject the National Broadband Network to appropriate parliamentary and economic scrutiny including independent cost benefit analysis.

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

Senator Birmingham (South Australia) (4.38 pm)—It is a pleasure to speak on this matter of public importance, and indeed this is an incredibly important matter for Australia because there is $43 billion of money on the line here and potentially a world of debt, pain and repayments at the end of this. It is incredibly important because there is every likelihood that this government is sinking money into the National Broadband Network with no real knowledge as to how far it is going to sink and how much will ultimately be blown on the proposal. Today’s MPI is to note:

The Gillard Government’s refusal to subject the National Broadband Network to appropriate parliamentary and economic scrutiny including independent cost benefit analysis.

We are blessed in this chamber to be in the presence of the Minister for Broadband, Communications and the Digital Economy. Indeed, on Monday during question time in this very place, the minister said in response to a question:

It is important that robust business cases are prepared to support the investment of very large sums of public money.

Those were the words of Senator Conroy in question time in this place just two days ago. Anybody listening to or reading them might be forgiven for being a little confused, because isn’t this the same Senator Conroy
who vehemently argues that a cost-benefit analysis for a $43 billion expenditure is not necessary? Let me just check again the words that he said he in this place on Monday. He mentioned ‘very large sums of public money’ and ‘robust business cases’, and if $43 billion is not a very large sum of public money, I do not know what is.

Senator Fifield—It ain’t what it used to be.

Senator BIRMINGHAM—It ain’t what it used to be’, says Senator Fifield. Indeed, under this government, as we see the cost of living for Australian households skyrocketing on a daily basis, $43 billion will not go as far as it used to go. But $43 billion is still a very large sum of public money. Senator Conroy has the gall to come into this place and argue that farmers seeking grants to upgrade their irrigation infrastructure, who might be spending millions of dollars at the most—and potentially they are spending only tens of thousands of dollars—should be subjected to a ‘robust business case to support the investment of very large sums of public money’. Yet Senator Conroy and the government can happily charge ahead and spend billions of dollars—$43 billion in total—on their National Broadband Network flight of fancy without giving the slightest consideration to doing a cost-benefit analysis or having any type of robust business case that supports this investment of a very large sum of public money.

Every day we see Senator Conroy come in here and receive a not-so-well-prepared question—a dorothy dixer—from the Labor Party backbench that reads, ‘Senator Conroy, can you please explain to us the importance of the National Broadband Network?’ And every day he bounces up with a shriller example of why we should support it. Today he basically resorted to reading his correspondence: ‘Dear Senator Conroy, we think this idea of free, hugely fast broadband is a fantastic idea. Love from an anonymous Labor Party member who happens to reside in a particular suburb.’ That was pretty much the crux of his justification today for the $43 billion. There was no business case and no cost-benefit analysis, but he had a letter from a constituent saying that the National Broadband Network is kind of popular. That was today’s response.

Yesterday he stood here and argued for the National Broadband Network on public health grounds. Senator Conroy sounded like some kind of dodgy quack selling a magic potion as he stood there arguing that this $43 billion investment in the National Broadband Network was necessary for Australia’s public health system and for regional health in particular. That is interesting, Mr Acting Deputy Speaker, because you know what? There is always a choice when it comes to government spending. One area of expenditure is the opportunity cost of another area of expenditure, and when you choose to spend $43 billion on a national broadband network you are choosing not to invest it elsewhere. You are choosing not to invest it in—say—hospitals, health services, mental health services or aged-care facilities. Those things could provide a very direct, immediate and obvious public health benefit, but Senator Conroy wants us to believe that his $43 billion National Broadband Network is going to be of public health benefit.

I agree that, as with motherhood, there is a need to provide a universally available, decent level of broadband access to Australians. The coalition agree with that. We have long advocated that. But that does not mean a blank cheque. Senator Conroy seemingly attempts to portray the fact that we question his $43 billion investment as some type of opposition to fast broadband when the truth is that we support it. However, we believe that as parliamentarians it is our responsibil-
ity, and particularly the responsibility of the government and the executive, to ensure that when public money is spent it is well spent on wise things. If money is spent—particularly, to use Senator Conroy’s own words again, ‘very large sums of public money’—it should be spent in a cost-effective way.

In this debate we are looking at the most cost-effective way to deliver universal broadband services of a reasonable speed to all Australian premises. That is the objective. How do you get there? You can get there by what is Senator Conroy’s route, which is to pluck a figure out of the air—100 megabits per second is the latest, although there was some talk of something even higher than that during the election campaign—and say: ‘This is what Australians need and so we’re going to give it to all of them regardless of the investment that is already out there, regardless of what the private sector may already be doing, regardless of the fact that there may be no demand for this, no market failure already in delivering to the overwhelming majority of at least metropolitan areas. We’re just going to roll it out everywhere, give it to everyone whether they like it or not, whether they want it or not, or whether they’ll pay for it or not.’

Never mind the fact that in the United States the Federal Communications Commission has recently published a national broadband plan. It states that across America they are aiming for download speeds of four megabits per second. The coalition have argued that we think 12 megabits seems reasonable. As a minimum, 12 is what the government is proposing to roll out to seven per cent of Australians who will not get fibre-to-the-home, so why not say 12 is your starting minimum and then let us see what the private sector and investors will deliver to the rest of the country, where they are already delivering far faster speeds in many instances?

The reason the government is scared of a decent independent cost-benefit analysis of this is because we all know the $43 billion National Broadband Network was cooked up on the back of an envelope on a plane ride that Senator Conroy had to hop on to with Mr Rudd when his fibre-to-the-node proposal, the government’s first broadband plan, fell over when they could not get tenderers to build it and deliver what they had promised at the 2007 election. So rather than accepting that they had a flawed plan, they went double or nothing. In fact they went 10 times or nothing. They took a $4 billion plan and made it a $43 billion plan. They took fibre-to-the-node and made it fibre-to-the-home, and all of this was cooked up on the back of an envelope on a plane ride. That deserves decent analysis before $43 billion of taxpayers’ money is wasted. (Time expired)

Senator CAROL BROWN (Tasmania) (4.48 pm)—Before I begin my contribution, I would like to remind Senator Birmingham that the back of the envelope processes that he described are the same processes that Mr Turnbull employs. I am sure Senator Birmingham would remember Mr Turnbull’s $10 billion water plan. But regardless of the opposition’s desire to tear down the NBN, the Gillard Labor government is committed to bringing Australian broadband services into the 21st century. That is why during our last term we began the task of building the National Broadband Network.

The National Broadband Network and the proposed reforms to the telecommunications sector will revolutionise the communications market for Australian consumers. The rollout of the NBN is putting communities and businesses such as those in my home state of Tasmania on the map and ensuring that Australia remains a player on the international stage. All Australian homes, businesses, schools and hospitals—no matter where they are located in Australia—will be able to
benefit from affordable, high-speed broadband services. This access will be at a rate which is 1,000 times faster than that which many people have experienced today.

As well as improved services, the construction of the NBN is supporting 25,000 jobs every year on average for the eight-year lifespan of the project. And on the subject of jobs, let us not forget that the Australian Local Government Association estimated in its 2007-08 State of the regions report that $3.2 billion and 33,000 jobs were lost to Australian businesses in that 12-month period due to inadequate broadband infrastructure. The NBN will fix this.

Perhaps most significantly, the point must be made that the NBN is already being built. Notwithstanding the progress that has been made, the opposition seem determined to demolish the NBN. The question is why? Why go backwards? Why put Australia further behind the rest of the OECD? The only argument that those opposite seem to be able to pedal is that we need to wait: wait for more reports, more parliamentary scrutiny. They want us to sit on our hands. It is the same strategy they had to combat the global financial crisis—that is, do nothing!

We know that no Australian city is in the top 100 cities for average internet connection speed and Australia is last in the OECD for fibre penetration for broadband. So Australia waits while the opposition have not even settled on their own policy. Mr Turnbull said they would review their policy but Mr Abbott said they would not. The opposition is grasping at every opportunity to prevent Australians from having a world-class, affordable broadband service. That is what this call for a joint committee-Productivity Commission review is really about. It is about delay.

When we introduced our competition and consumer safeguards legislation in 2009 they did not want to debate it until we produced an ACCC report on the original NBN tender process. We did that. Then they would not debate the bill until the implementation study was released. We did that. Then they said their patchwork policy was better. But their policy was universally rejected. Now they oppose the NBN, calling for a cost-benefit analysis. And guess what? Even if the cost-benefit analysis gets a big tick, they still will not commit to support the NBN. This call is a big con.

I want to remind those opposite of the landmark study conducted by McKinsey and KPMG. This study confirmed that a high-speed broadband network can be built on a financially viable basis with affordable prices for consumers. That is why we are delivering the NBN—because under the watch of those opposite Australia’s broadband speeds lagged behind the rest of the developed world.

This government, however, is committed to building the $43 billion National Broadband Network over eight years. This is a large-scale infrastructure project which will deliver growth and stimulus to the Australian economy. We know that the NBN is critical for small business, crucial for our future healthcare delivery and vital to ensure the quality of education of our young people, and that it will connect communities, promote jobs growth and ensure that we are able to work cleaner, smarter and faster. Most fundamentally, we know that this critical infrastructure is being rolled out as we speak. In my home state of Tasmania three towns, Smithton, Scottsdale and Midway Point, are already receiving high-speed broadband services for the first time. In fact, the Prime Minister came to Midway Point, just outside Hobart, to switch on the first customer to the NBN. We now have a take-up rate for fibre connection that exceeds 50 per cent, after only a few months. The take-up of these ser-
services already exceeds the annual rate that the McKinsey-KPMG implementation study concluded would be needed to make the NBN viable with affordable prices for consumers.

NBN services are delivering previously unseen levels of competition and choice in Tasmania. Among the first retail service providers who are working with NBN Tasmania to deliver broadband services are Primus, Internode and iiNet. Telstra has now also signed on to test its services over the NBN and a fifth provider, Exetel, has also signed up to provide services. One of the first NBN customers, IT technician Mr Robert Pettman, from Midway Point, said:

It’s awesome. It’s a major speed increase on what I had before, which was a 1.5 megabit per second ADSL service. Since it went live … I’ve done speed tests and have seen a few peaks of 80 megabits per second, although it mostly hovers around 50Mb/s, which is what I ordered.

In Tasmania we are already undergoing planning for the stage 2 rollout. On the mainland, construction work has begun on the first five release sites in Armidale in New South Wales, Townsville in Queensland, Willunga in South Australia, Minnamurra-Kiana Downs in New South Wales and Brunswick in Victoria. The government’s plan is for 19 second release sites to have fibre deployed in 2011 in areas such as Coffs Harbour, Toowoomba, Bacchus Marsh, Casuarina and Geraldton. After all this progress and all this planning, what is the rationale for stopping the NBN and backtracking over the same issues that we have already dealt with?

The government welcomes transparency, but the continued analysis and scrutiny of one of the most scrutinised projects ever funded by government is without benefit and just a cover-up for the opposition because they want to tear down this project. They want to destroy it because it is popular out in the community. I repeat: Mr Turnbull says that, even if a cost-benefit analysis came back unequivocally positive, he could not guarantee the opposition’s support. This begs the question: He cannot offer that guarantee because the opposition are not interested in what the Productivity Commission has to say; they just want to delay the NBN and deprive Australians of better broadband services.

Earlier in the year we also saw Telstra and NBN Co. announce that they have entered into a financial heads of agreement. This is indeed good news for consumers, who stand to benefit from cheaper and faster broadband. The agreement with Telstra will also mean that the NBN can be rolled out more efficiently as it will avoid infrastructure duplication. I know those opposite will start mud-slinging, but need I remind the opposition that they were the ones who presided over a decade of failed broadband plans? The National Broadband Network will rectify Australia’s lack of world-class broadband infrastructure, which is the result of a long series of patched up initiatives by those opposite which have delivered only short-term solutions. The opposition left Australia with a legacy of 18 failed broadband plans in 11 years. They took their 19th plan to the electorate only a few months ago—a plan to deliver broadband to Australians with a patchwork of old technologies that would have seen Australia fall even further behind. However, the Labor government is committed to turning Australia’s broadband performance around. We need to build infrastructure that will put Australia back in the fast lane of the information superhighway, and the National Broadband Network will deliver this.

The government is determined to increase effective use of the internet by consumers and all businesses to drive higher productivity, growth and community participation in the digital economy. We believe that the National Broadband Network will help drive
Australia’s future in the global digital economy. We need to position Australia so it realises the full benefit of this network— (Time expired)

Senator FISHER (South Australia) (4.58 pm)—In addressing this matter of public importance, I am pretty cheesed off that there is in fact a necessity to rise to protest the Gillard government’s continued refusal to subject the National Broadband Network to parliamentary and economic scrutiny, but here we are. Just because something sounds good does not mean that it is good. Just because a national broadband network sounds like a good thing to do does not mean that the government’s National Broadband Network is the right thing to do.

The government has continued at every turn to refuse to prove that its National Broadband Network is a good thing and the right thing to do. It released a $25 million taxpayer funded implementation study that said that, based on a range of untested and thus far unproven assumptions, the government’s NBN can be built. The implementation study did not look at the question of whether or not the NBN should be built, because McKinsey, the consultants who did the study, were not asked to do so. In fact, a senior officer at the relevant department, Mr Quinlivan, said in answer to Senate questioning, ‘Why do a cost-benefit analysis of a policy promise that the government has already made and said it is going to do anyway?’— hence, supposedly, the reason that the government says, ‘We don’t need a cost-benefit analysis; there’s a business plan.’

The NBN Co. has a business plan. Senator Conroy told us at Senate estimates the time before last that, once the business case was to hand, the public would not see the business case—not then, not ever. He seems to have modified that position, because at estimates just gone he said:

A whole range of information within the business plan will be made available.

When we asked him questions like ‘What? Your selectively edited version? Is that right—your edited version with bits blacked out?’ we got no further information. So we stay tuned for the NBN Co.’s business plan.

Meanwhile, the government oppose the member for Wentworth’s private member’s bill to send the NBN off for examination by the Productivity Commission from an economic and social perspective. So what is the government hiding? Surely the only reason that they are failing to subject the biggest infrastructure spend in this country—$43 billion—to economic and parliamentary scrutiny is that they have something to hide. Perhaps they know or believe that it will not be proven to be commercially viable.

They are already hiding. They used a mechanism to avoid the Public Works Committee, which has the terms of reference of looking at any public works valued at $15 million or more. They used a route to get an exemption from that process. With two previous NBN exemptions, they went before the House and sought exemption on the grounds that it would supposedly slow down the NBN and got exemption through the House. But not this time. This time they went directly to the Governor-General. The government went running to the Governor-General with an argument that, because NBN Co. was competing with the private sector, supposedly, it ought to be exempted—again, avoiding immediate scrutiny by the House of Representatives.

What does the government have to hide? What does the government have to hide with the universal service obligation and the realisation of that? Why, when the government announced in June this year that they would be implementing some sort of universal service obligation, have they only just released
a discussion paper to that end—a discussion paper that they are leaving open for consultation for, oh, an entire two weeks about the performance of an obligation to ensure that each and every Australian has fair and equitable access to this National Broadband Network? What does the government have to hide when it allows the ACCC to only now publish its point-to-point discussion paper—the discussion paper about where NBN Co. and the NBN connect to existing networks. It has just been released now—and, again, for a two-week consultation period. What does the government have to hide when the finalisation of the universal service obligation and the finalisation of the point-to-point arrangements both affect the cost of the NBN? How can NBN Company do its business case with any sort of certainty without knowing the results of both of those two things? Unfortunately, this government have plenty to hide as far as the NBN goes.

It is sounding too good to be true that most Australians will, through the NBN, get access to faster and cheaper broadband. It is sounding too good to be true that the NBN will increase Australia’s productivity and somehow miraculously improve health outcomes for disadvantaged Australians. And it is sounding too good to be true that, at the end of all of this, taxpayers will recover their $43 billion spend through private investment in the network. It is simply sounding too good to be true. And you know what? It probably is too good to be true, and that is why the government continue to hide from any sort of real parliamentary scrutiny and, more importantly, any sort of independent economic scrutiny.

There is an interesting parallel with water, which Minister Conroy effectively fessed up in question time two days ago when he said:

The government is determined that the investment in rural water infrastructure will result in value for money: fit-for-purpose projects which best provide for a viable and sustainable future for irrigation industries. Comprehensive due diligence assessment of business cases is necessary and involves rigorous analysis against technical, socioeconomic and environmental data.

That to me sounds like a cost-benefit analysis of water—the infrastructure spend of which is less than a 10th of the $43 billion NBN spend. A spend of some $3.7 billion for water necessitates that sort of analysis but not a tenfold spend on the NBN. On water, the government belatedly realised, ‘Oops! It sounds good for the environment but maybe it is not good for everything and maybe it is not good for all users of the river. Better look at social and economic issues.’ So too late comes the day of reckoning and the MDBA is made the fall guy for the government’s failures.

When will be the day of reckoning for the NBN? Let us wait and see this government make NBN Co. the fall guy for this government’s belated realisation that they should have done a cost-benefit analysis of their reckless $43 billion spend. (Time expired)

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (5.06 pm)—Senator Fisher is right about one thing. Senator Fisher is right about the NBN sounding good—because it is good.

Senator Fisher—Prove it, Senator Farrell. Show us the numbers. Show us the analysis.

Senator FARRELL—Senator Fisher, I was quiet for the whole duration of your—

Senator Fisher—Because you had nothing to say about it.

Senator FARRELL—I was quiet because I was giving you an opportunity to fairly put your case. I think it was a disappointing case and an untrue case. Had you gone to the trouble of investigating what those in your home state of South Australia thought of the
NBN you would know that 85 per cent of people in Willunga—and people in Willunga are going to be the beneficiaries of the first tranche of the NBN in your home state—have already indicated that they are prepared to sign up for this fast—

Senator Fisher—Eighty-five per cent of whom?

Senator FARRELL—Eighty-five per cent of the people who are going to be the beneficiaries of the—

Senator Fisher—And who are they?

Senator FARRELL—They are ordinary South Australians, Senator Fisher. They are real people, Senator Fisher, who are interested in joining the digital revolution. They do not want what you want, which is to put us in the digital Stone Age. They want—

Senator Fisher—Value for money.

Senator FARRELL—How many government programs have been investigated the way the NBN has been investigated? I would be very concerned, Senator Fisher. Let’s look at the last election and your $10 billion black hole. You could not even work out the costings of your own policies.

Senator Fisher—Where are your costings?

Senator FARRELL—How are you going to deal with the costings of the NBN? You would not even be able to work it out. The bloke who is going to do this, presumably—

The ACTING DEPUTY PRESIDENT (Senator Pratt)—Order, senators! Direct your comments through the chair.

Senator FARRELL—My apologies, Madam Acting Deputy President. I was trying to make the point to Senator Fisher—

Senator Fisher—Fail.

Senator FARRELL—No, I have not failed yet. You have not even given me the opportunity of completing my arguments on this, Senator Fisher. What we know is that, even if we did another financial examination of this, the people on your side of the House, Senator Fisher, would not be able to work out what it all means. Senator Fisher, through you, Madam Acting Deputy President, you would like to keep Australians—

Senator Fisher interjecting—

The ACTING DEPUTY PRESIDENT—Senator Fisher should be reminded that her interjections are disorderly.

Senator FARRELL—Thank you for that protection, Madam Acting Deputy President. The reality is that, even if we were to conduct another inquiry into this, I do not believe the opposition would be able to understand the financial aspects of this scheme or be able to work out the benefits for ordinary Australians, and in particular South Australians. This is the key factor that Senator Fisher continues to miss. The first place in South Australia where the broadband is going to start is Willunga. I am sure Senator Fisher knows where Willunga is. It is a great part of South Australia—a very beautiful area with lovely vineyards and it is close to the coast.

Senator Fisher—Are you going to dig them up to deliver fibre?

Senator FARRELL—We are going to deliver what ordinary South Australians want. Eighty-five per cent of the owners of premises in Willunga have requested an NBN connection. I know it is significant. I can see you nodding, Madam Acting Deputy President Pratt, and you are nodding because that is a very significant figure. Although the opposition does not understand the importance—

Senator Fisher—She’s dozing.

Senator FARRELL—No, she is not dozing. Senator Fisher, she is paying attention, like you ought to be, to what I am saying.
about the NBN. Perhaps if you listened, Senator Fisher, you would learn something about what ordinary South Australians feel about—

Senator Williams—Through the chair.

Senator FARRELL—Yes, I am speaking through the chair. I am directing all of my comments—

Senator Sterle—Madam Acting Deputy President, I rise on a point of order. I sat here and listened to Senator Fisher and I am desperately trying to hear Senator Farrell’s contribution. I urge you, through a point of order, to call Senator Fisher to either be quiet or go off and annoy someone else.

The ACTING DEPUTY PRESIDENT—Senator Fisher is reminded that interjecting is disorderly, and there must be a standing order against saying things about the chair that are not true.

Senator FARRELL—The reason that Senator Fisher does not want to hear what I am saying, and the reason she is constantly interjecting, is that deep down she does know that South Australians do support the national broadband rollout. We know that because we have the figures already. Eighty-five per cent of owners of premises in Wil- lunga have already indicated that they want national broadband. Ordinary Australians understand what Senator Fisher would appear not to understand, and that is that we have to move from the digital Stone Age to the digital future. That is what the national broadband delivers. It is a historic infrastructure project. It has been said in the past that the railway was the great infrastructure development of the 19th century. Our NBN is the great infrastructure development of the 21st century. It is going to connect towns like Jamestown. Jamestown will eventually be one of the towns that are connected. I know you have a strong connection with the town of Jamestown because you grew up in outback South Australia.

Senator Williams—Outback?

Senator FARRELL—Yes, Jamestown is outback—way outback. Even South Australians in Jamestown will eventually benefit from the system. Ninety-three per cent of the Australian population, Senator Williams, will eventually benefit from this very progressive national broadband program.

Senator Fisher interjecting—

The ACTING DEPUTY PRESIDENT (Senator Pratt)—Senator Fisher, please desist with your interjections.

Senator FARRELL—I did not even understand what that interjection was about, Madam Acting Deputy President, if there are going to be interjections they ought to at least make sense, and I cannot make any sense of that. I know Senator Fisher does not want to hear these things, but she ought to listen to what the NBN is all about. It is about delivering to 93 per cent of the Australian population. We have talked about Wil-lunga, and it is going to come to Jamestown.

Senator Fisher—Who else?

Senator FARRELL—Other places. I can list some of the other places. It is going to Seaford—that beautiful seaside town in South Australia in the electorate of Kingston. Kingston is very lucky, in fact. I am glad that you asked me that question, now that I think about it, Senator Fisher. Kingston is very lucky, because their federal member of parliament is Amanda Rishworth.

Senator Williams—Never heard of her.

Senator FARRELL—You should have heard of her, Senator Williams, because she got the biggest swing of any Labor Party candidate in the last election. She got a big swing for lots of reasons. She is a very good local member, but one of the reasons she got such a big swing was because she went out
to the people in Willunga, Seaford, Aldinga—all of these areas in the beautiful south of South Australia—and told them what we are planning to do. What we are planning to do is to introduce a national broadband system. They had two choices at the last election. They had that cobbled-together collection of antiquated broadband policies that you were trying to sell to the Australian public, Senator Fisher, and they had our national broadband plan—a transparent plan that the Australian people had plenty of time to look at, because there was extensive debate about it during the course of the last election. I am sure that Amanda Rishworth went around to all of the places that I mentioned, and probably the entire electorate, to tell them exactly what it was that we were proposing to do with broadband, and they made a very clear decision in Kingston. They made the decision to support the Labor Party. They dramatically increased support for Amanda Rishworth, and one of the many reasons they did it was because they want national broadband.

This MPI is all about trying to delay what the Australian people want. It is very clear that Australians want to move into the digital age. They see it as the future, not the past. They see the Labor Party as the future, not the past.

Senator Fisher interjecting—

Senator FARRELL—You are all about taking us backwards, Senator Fisher. We want to go forward. We want young Australians in particular to have the benefit of this system. Even if you do not want the benefit yourself, Senator Fisher, you should not be denying it to the bulk of Australians who want to move into the modern digital age.

Senator Fisher—Prove that you’ll deliver it.

Senator FARRELL—I have proved it, Senator Fisher. Eighty-five per cent of those people who have premises in Willunga want this system, and you are stopping them. We have told them everything about this system. This has been one of the most scrutinised programs that this government has ever introduced. It has been scrutinised and scrutinised. All you are doing now, Senator Fisher, is delaying what the Australian public said they wanted at the last election.

Senator Bushby interjecting—

Senator FARRELL—Senator Bushby from Tasmania—one of the great beneficiaries. I was listening to Senator Carol Brown earlier today talking about the progress that we have made down in Tasmania. I know that your side would like to keep us in the digital stone age—

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT—Order, Senators! I am sure that Senator Farrell can deal with one interjection at a time, but coming from the whole chamber it is a little bit too much, so please desist with your interjections. Please continue, Senator Farrell.

Senator FARRELL—Thank you for that protection. I know why they do not want to hear what I am saying. It is because they know that what I am saying is true. The Australian public want national broadband, and they do not want it in 20, 30 or 40 years time, which your program would take; they want it now.

They made it very clear in Tasmania at the last election that they want national broadband and they want it now. Tasmania was lucky; that is where the program started. I imagine that lots of other places in Australia would have wanted it. Western Australia would have liked it but Tasmanians were the lucky ones. They got it first and we know how much they appreciate it. We know from the results of the election down there that Tasmanians very strongly endorsed our na-
ional broadband program. I have talked about how they supported it in Willunga. Willunga is just one small section of beautiful South Australia, but Tasmanians have had the benefit of being the first group to receive it.

Ninety-three per cent of Australians are getting this national broadband system. It is optical fibre, and it is going to deliver one gigabyte per second. What that means is that it is going to be 1,000 times faster than what ordinarily occurs at the moment. So it is going to be a dramatically faster system, and it is going to be delivered by the NBN. Of course, the NBN is a national wholesale communications network. It is the first time we have had such a network, and it is going to provide genuine competition. This is something that the opposition really ought to be interested in. They are always talking about competition; the Labor Party is delivering it. It is delivering fast broadband and it is delivering it through a wholesale company, and it is delivering it in a way that provides extra competition.

I have talked about Willunga. There are many other parts of South Australia that are ultimately going to receive it. The two areas that will be next on the list are Seaford and McLaren Vale. After that, there will be some rollout in Modbury and Prospect. I know, from talking with local members of parliament in South Australia, how much they are supporting it and how much their constituents want it. It is going to be important for the future of education and for small businesses. The Liberals and the Nationals used to claim that they supported small business. Small business is right behind the national broadband system. They have made it very clear to us that they do not want to stay in the digital stone age. They are supporting it. Even businesses in Jamestown, I bet you, are supporting a move to the digital future, because they know—(Time expired)

**Senator LUDLAM** (Western Australia) (5.22 pm)—I rise briefly to point out that the motion before us relates specifically to the question of an independent cost-benefit analysis. Senator Fifield’s motion talks about appropriate parliamentary and economic scrutiny. I will address each of those three issues but I will confine my remarks mainly to the issue of cost-benefit analysis, which I think has dominated the debate up to this point. In terms of appropriate parliamentary scrutiny, the Senate Select Committee on the National Broadband Network travelled around the country for two years. I am not sure whether Mr Turnbull was aware of that. We have actually done quite a bit of work in the Senate in scrutinising this proposal.

The Greens and the coalition voted to compel the Australian government to hand over the $25 million McKinsey-KPMG economic study. That is now somewhat dated, but that document was put into the public domain as a result of the scrutiny that this chamber has been placing on the national broadband network project. So I think it is a little disingenuous for the opposition to suggest that nothing has been happening when in fact they have played a part in holding this project to account for the last couple of years, as have the Australian Greens.

As I said, the McKinsey-KPMG study cost taxpayers $25 million. It is unfortunate that the opposition did not like what it said, but that document was put into the public domain as a result of the Senate doing its job. It is time that document was updated. It is time we saw the proper business case. When Mr Turnbull’s bill comes into the chamber, sometime in November, the Greens will decide how to vote on that bill based in part on the business case which Senator Conroy insists will be in the public domain—Mr Quigley and NBN Co. is handing that to the government as early as this week.
I am very interested in that business case, because it will tell us whether NBN Co. is going to be a viable organisation. We might have a debate about whether it needs to be. Hospitals do not make a profit for the taxpayer, neither do roads and neither do electricity networks necessarily. We should have a conversation about whether world-class telecommunications need to provide a profit or not. As it happens, the McKinsey-KPMG study says that the NBN Co. will return seven per cent or thereabouts back to the taxpayer, which is a reason we believe it should be held in public hands. But those numbers need to be tested and gone through forensically. That cannot happen until we get the NBN Co. business case.

So, for the Australian Greens that document is of vastly greater importance than a cost-benefit analysis. A cost-benefit analysis is not necessarily the right instrument to apply to a project of this kind. It is relatively easy—and I have spoken on this issue a number of times in here—to quantify and monetise the costs of rolling the network out and even to estimate the net present value of the network once it is built. But how on earth do you monetise the estimated future benefits, for all time, for rapid telecommunications when they do not even exist in Australia at the moment? The way you do that is by making numbers up, and that is the reason a cost-benefit analysis is not likely to be the political weapon the coalition thinks it will be. We need to sit up and take note when somebody like ACCC chairman, Graeme Samuel, says the cost-benefit analysis will not necessarily tell us what we need to know.

The coalition is looking for something similar to what Professor Henry Ergas put into the public domain in August 2009—an attempt to monetise the benefits, a magic number calculated using a variety of mathematical tools. Professor Ergas’s magic number was $17 billion, beyond which, he said: […] it is irrational to spend more than $17 billion on the NBN, even if the alternative is a world in which the representative consumer cannot obtain service in excess of 20 Mbps…

To his credit, at least he had a go at doing a cost-benefit analysis. But this number came out of very complex and difficult to critique mathematical formulae—no sensitivity analysis and no idea about what assumptions were plugged into it. How do you put a dollar figure on the estimated future benefits of the NBN?

We need to tread very carefully before we say that a cost-benefit analysis is the final piece of evidence on which the case should rest. The business model is important; it will tell us whether this thing is going to make a profit or a loss to the taxpayer. I think the cost-benefit analysis, if we are not very careful, runs the risk of being a very serious red herring in this debate. So we will see what the government and NBN Co. put into the public domain before we make a judgment call on the value of potentially wasting the Productivity Commission’s time with a six-month cost-benefit analysis.

Senator XENOPHON (South Australia) (5.28 pm)—I would like to pick up on the comments made by my colleague Senator Ludlam. I think it is important that we see a business case; some would say it is long overdue. But this is a $43 billion investment, the nation’s biggest single infrastructure investment since the Snowy River hydro scheme. It is vital that we have all the checks and balances, the relevant scrutiny, to ensure that the benefits of such an investment is truly assessed. As a parliament we would not be doing our job if we did not have a high level of scrutiny applied to this massive project.

Having said that, I think it is important that we have a national broadband network that is efficient and effective and that deliv-
ers what Australians deserve. Australia needs to keep pace with the rest of the world, and the rest of the world is speeding away when it comes to broadband technology. When it comes to telecommunications, Australia seems to have been left behind for a number of reasons. One of the reasons is infrastructure. We also need to look at the structural separation of Telstra, because that could hold back the development of telecommunications in this country. I urge the coalition to reconsider their views on blocking the structural separation of Telstra, because that is an essential reform that we need to have.

There are issues in relation to what Senator Ludlam said. My view of a cost-benefit analysis is somewhat broader than that of Senator Ludlam. He made some very good points, but the fact is that the Productivity Commission does have the capacity to provide a cost-benefit analysis that also includes the issue of the social benefits of such a network. In answer to a specific question on this issue during Senate estimates last week the Productivity Commission acknowledged frankly that they have been asked to look at the social benefits of particular projects in particular industries and in particular sectors. They have done so very competently in relation to aged care and they have done so in relation to gambling, and I think it is important that they also be given an opportunity to do so in relation to the National Broadband Network. I believe that the terms of reference need to be much broader than those proposed by the coalition in the bill that has been introduced.

It also needs to include an analysis of any impact of any exemption from the Trade Practices Act in terms of competition and consumer laws in this country. It also needs to look at any potential technological advances and the likely impact on the NBN, including whether future technologies may be superior. It also needs to consider the likely take-up rate of NBN services, having particular regard to international experience. Also, fundamentally—and I think this picks up on Senator Ludlam’s very reasonable concerns—there should be consideration of nation building; the social and community specific benefits flowing from the NBN, having particular regard to rural and regional communities. I believe there has been a market failure when it comes to regional Australia in relation to broadband. That is why I believe we do need a national broadband network. But, for goodness sake, let us ensure that we spend the money that is needed to deliver services to all Australians in a way that has a process of rigour and analysis that ensures that maximum benefit to taxpayers is being provided.

I would have thought that the Productivity Commission could play a very valuable role in relation to that. Given that the government will release the business plan in the not too distant future, I would see the work of the Productivity Commission as supplementing and augmenting the information contained in the business plan. I think we have an opportunity to get it right. Perhaps I could paraphrase the member for New England: we should do it once and we should do it right. But I believe that also involves having a reasonable cost-benefit analysis that, of necessity, ought to include the social benefits of having a national network and also looking at issues of market failure, particularly in regional Australia because regional Australia has waited too long to have decent broadband in this country.

Senator WILLIAMS (New South Wales) (5.32 pm)—Just following on from when Senator Xenophon paraphrased the member for New England when he said, ‘We must do it right and we must do it the first time,’ we must also have a vigorous assessment of the value for what this program is going to cost.
I refer to Senator Farrell, who spoke earlier on about outback Jamestown. I am sure the people of Jamestown would not be very pleased to think they live in the outback. To me outback South Australia would be somewhere like Innamincka, Marree or Coober Pedy. I am sure that many call 200 kilometres out of Adelaide a different term from ‘the outback’.

First of all it was $4.7 billion. That was the plan taken to the election in 2007 by Mr Rudd; fibre to the node for $4.7 billion. Then someone came up with the dreamt-up figure of $43 billion to take fibre to the home, ‘We will run it all over Australia and run it into the houses,’ at an average cost of about $5,000 a house. The original plan of $43 billion was going to have $21 billion from the private sector invested into the National Broadband Network. Where is the $21 billion from the private sector? It is not there. Why is it not there? The private sector knows what a risk it would be, and that the risk of a return on their investment would be huge. That is why there is no private sector investment in it.

Senator Conroy’s plan is for a 100-megabytes per second download. The first question I ask is how many will use the 100-megabytes download—the fast lane—with this system? We know that in places like South Korea and Japan, that have had the 100 megabytes download per second for 10 years or so, just 35 per cent have taken it up after 10 years. Most are happy with the 12- to 20-megabytes download.

This week I experienced Telstra’s ability to provide video facilities for medical services with just four megabytes of download. Just four megabytes will give you the video conferencing which would be so welcome for regional areas and so good in medical facilities. You do not need 100-megabytes download: four will do it. I saw it firsthand with Telstra here in Parliament House last week.

The minister gloats that 87 per cent of people in the Armidale area have taken up the free offer of hooking up the fibre to their homes. There was media story after media story and in the latter days of it they finally convinced people to say, ‘Hey, this is free. You had better take it.’ They were giving something away and people were not adopting it—they were not going to take it up. It took the media a huge selling exercise to actually get people to take it up.

But how many are going to hook into the 100 megabytes? I would think perhaps 10 per cent if they are lucky. We do not know the cost. We do know that people are hooked into the 12- to 20-megabytes download at a cost of $50 or $55 a month, as Senator Conroy said during a Senate estimates. Those are introductory prices. But we could be looking at $1,200 to $1,400 a year for those households who want to have the 100-megabytes download installed to their premises.

What happened in Tasmania when they kicked it off? Instead of having the opt-in system they had to change it to opt out. When it was opt in and people had to notify NBN Co. to say, ‘Hey, hook the fibre up to my home,’ 16 to 25 per cent were having it done. So they had to go to the opt out system: ‘We will put it to your house unless you tell us not to.’ People were simply not taking it up.

Just this week, the Business Council of Australia said that a rigorous cost-benefit analysis of the NBN was needed. This has been echoed by Reserve Bank of Australia board member Roger Corbett, who said that the Productivity Commission should be asked to review the whole NBN process of budget spending et cetera. Let us hope that shadow minister Malcolm Turnbull is successful in getting a proper Productivity
The Acting Deputy President (Senator Pratt)—Order! The time for the debate has expired.

COMMITTEES
Scrutiny of Bills Committee
Report

Senator COONAN (New South Wales) (5.39 pm)—I present the 8th report of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills Alert Digest No. 8, dated 27 October 2010.

Ordered that the report be printed.

Annex:

Alert Digest No. 8 of 2010 contains:

- a list of all reintroduced bills and, importantly, for the convenience of senators and others, a link to a document which consolidates all of the committee’s previous comments about these bills; and

This is the point: we all want fast broadband. We know technology is changing, week after week. We know that now, with wireless broadband, Telstra have introduced a 44-meg download. You can take your laptop with you and use it anywhere you want to where you can get a phone signal. They have 44-megs but, no, we are going to roll out fibre to every household in Australia at the most enormous cost. That money will be borrowed—you can bet on that. Just like the $100 million a day, seven days a week, that the government is borrowing, it will be borrowed, and someone is going to have to pay. It might be free to your house now. You might get it hooked up for free, but nothing is free, and the taxpayers or the users will pay for it in the long term. This is a concern. That is why we need this study into the whole NBN to see what return for dollar investment is actually there. If we do not have this—and no doubt some will not support it—it will be simply another dream of the federal government and billions of dollars will be wasted once again.

The Acting Deputy President (Senator Pratt)—Order! The time for the debate has expired.

COMMITTEES
Scrutiny of Bills Committee
Report

Senator COONAN (New South Wales) (5.39 pm)—I present the 8th report of the Senate Standing Committee for the Scrutiny of Bills. I also lay on the table Scrutiny of Bills Alert Digest No. 8, dated 27 October 2010.

Ordered that the report be printed.

Senator COONAN—I move:

That the Senate take note of the report

A new parliament usually commences with a burst of activity, and this one has been no different for the Scrutiny of Bills Committee.

The start of the 43rd Parliament has resulted in more than 80 bills for the committee to scrutinise against its terms of reference. The committee has considered these bills in four different categories, which is one of the reasons I am making a few comments at the time of presenting the reports.

The categories are: first of all, bills reintroduced with no changes; the second category is bills reintroduced, but with some changes to be scrutinised by the committee; the third category is bills reintroduced which were not previously considered by the committee; and, the fourth category, new bills

The committee have made our briefing for senators about all of these bills as accessible as we think we can.
• the committee’s comments on the new bills and on any new provisions in ‘reintroduced’ bills.

In tabling the committee’s Alert Digest No. 8 of 2010 and its 8th report of 2010 I draw the Senate’s attention to the committee’s comments on:
• the Corporations Amendment (No. 1) Bill 2010;
• the Crimes Legislation Amendment Bill 2010; and
• the Defence Legislation Amendment (Security of Defence Premises) Bill 2010.

Earlier in the year I noted the importance of explanatory memoranda—a well-drafted explanatory memorandum can provide the foundation for avoiding adverse comment by the committee, but a poorly-drafted one will attract the committee’s attention.

Particular care should be taken to ensure that explanatory memoranda which adopt a narrative style still adequately address and cross-reference each provision in a bill.

In scrutinising the Corporations Amendment Bill the committee was particularly concerned by the poor quality of the explanatory memorandum accompanying the bill. For example, a number of important provisions relating to search warrants are not discussed at all. In addition, the index to the explanatory memorandum has 15 entries and at least 10 of these contain significant errors. The committee will contact the Treasurer to request that a corrected explanatory memorandum is provided to the parliament.

The Crimes Legislation Amendment Bill and the Security of Defence Premises Bill both contain provisions introducing significant new powers which trespass on personal rights and liberties. The significant question for the Senate is whether they do so unduly. The committee’s comments on these matters are included in Alert Digest No. 8, and I commend them to senators to assist in assessing these provisions.

The committee’s 8th report of 2010 contains responses from ministers to questions asked by the committee about four bills introduced in the 42nd Parliament. The committee particularly thanks the ministers for providing these responses while parliament was prorogued. I note that the information has been very useful as three of these four bills have been reintroduced.

Finally, in conclusion, I note that the committee has taken the opportunity to update the presentation of its Alert Digest and report. I do want to place on record on behalf of the committee our thanks to the secretariat’s legislative research officer, Ingrid Zappe, for her part in this project. I also commend—in their new formats—the Alert Digest No. 8 of 2010 and the 8th report of 2010 to the Senate. I also would like to place on record the committee’s thanks to Toni Dawes, who is doing such a splendid job of heading up the secretariat; and our legal adviser, Leighton McDonald. We have a very good team who manage to marshal information relating to, in this case, 80 bills. It is no mean feat, and without the assistance of such an efficient secretariat we, the committee, would not be able to provide a service which is of such value to the Senate.

Question agreed to.

MINISTERIAL STATEMENTS

Superannuation

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (5.45 pm)—On behalf of the Minister for Financial Services and Superannuation, Mr Shorten, I table a ministerial statement on better superannuation for Australia.
DOCUMENTS
Appropriations and Staffing Committee
Annual Report
The ACTING DEPUTY PRESIDENT (Senator Pratt)—I present the annual report for 2009-10 of the Standing Committee on Appropriations and Staffing.
Ordered that the report be printed.

COMMITTEES
Membership
The PRESIDENT—I have received letters from party leaders requesting changes in the membership of committees.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (5.47 pm)—by leave—I move:
That senators be discharged from and appointed to committees in accordance with the document circulated in the chamber.

The document read as follows—
Australian Commission for Law Enforcement Integrity—Parliamentary Joint Committee—
Discharged—Senator Fierravanti-Wells
Appointed—Senator Macdonald
Finance and Public Administration Legislation Committee—
Discharged—Senator Bernardi
Appointed—
Senator Fifield
Participating member: Senator Bernardi
Finance and Public Administration References Committee—
Discharged—Senator Bernardi
Appointed—
Senator Fifield
Participating member: Senator Bernardi
Legal and Constitutional Affairs Legislation Committee—
Appointed—Substitute member:

Senator Hanson-Young to replace Senator Ludlam for the committee’s inquiry into the Commonwealth Commissioner for Children and Young People Bill 2010
Participating member: Senator Ludlam.

Senators’ Interests—Standing Committee—
Discharged—Senator Fifield
Appointed—Senator Bernardi.
Question agreed to.

CORPORATIONS AMENDMENT (No. 1) BILL 2010
DEFENCE LEGISLATION AMENDMENT (SECURITY OF DEFENCE PREMISES) BILL 2010
FISHERIES LEGISLATION AMENDMENT BILL (No. 2) 2010
NATIONAL HEALTH AND HOSPITALS NETWORK BILL 2010
First Reading

Bills received from the House of Representatives.

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (5.48 pm)—These bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move a motion to have the bills listed separately on the Notice Paper. I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (5.49 pm)—I move:
That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in *Hansard*.

Leave granted.

*The speeches read as follows—*

**Corporations Amendment (No. 1) Bill 2010**


This Bill contains two separate but related sets of measures, both aimed at improving investor trust and confidence in the Australian share market as well as targeting misconduct.

The first set of measures reform the regime governing access to information contained on company member registers, specifically banning improper uses of that information.

The second set of measures increase the penalties for market offences in the Corporations Act, such as insider trading, and enhance the investigative powers of the Australian Securities and Investments Commission (ASIC) to catch those who would commit these offences. This set of measures also clarifies that certain off market unsolicited share offers must remain open for at least one month from the date of the offer.

**Access to Registers**

A company’s register of members is required to contain members’ names, postal addresses and shareholding details. Currently, any person can obtain access to a copy of a company’s register without providing any indication of the purpose for which they intend to use the information.

Today, the Government has introduced legislation to prevent members’ details being used for improper purposes.

The improper purposes will be specified in Regulations and the Government has made it clear that this reform is intended to have the effect of prohibiting the practice of making unsolicited below-value share offers to shareholders.

The Bill will do this by limiting the instances in which a copy of a register of members of a company or registered scheme may be obtained.

A person seeking a copy of the register will have to apply to the company and state the purpose for which they intend to use the information contained in the copy of the register. The company can refuse to provide a copy where the purpose is listed as an improper purpose, which will be provided in the Corporations Regulations.

Examples of these improper purposes are:

- making an unsolicited off-market offer to purchase shares in a listed company – other than as part of a genuine takeover offer;
- to enable the solicitation of donations from the listed members of a company;
- the solicitation of a member of a company by a broker; and
- gathering information about the personal wealth of a member of a company.

Going forward, this Bill will also prevent persons from using information obtained from registers for improper purposes, even where the information had been obtained by them prior to the commencement of this Bill.

This Bill will ensure that vulnerable or less sophisticated shareholders are protected from individuals or businesses that seek to profit by purchasing their shares for less than their value.

**Penalties for Market Offences**

The second set of measures contained in this Bill includes provisions that increase the criminal penalties associated with breaches of the insider trading and market misconduct provisions in Part 7.10 of the Corporations Act.

Insider trading and market manipulation can distort Australia’s financial markets and cause serious harm to their fair and efficient functioning. These markets function best when information is widely dispersed and investors have confidence in their integrity.

It is essential that the penalties reflect the serious impact that breaches of these provisions have on financial markets.

The benefit that can be gained from engaging in insider trading or market manipulation often far outweighs the maximum penalty that can currently be imposed for a breach.
This bill will increase the maximum fine for individuals found to have breached the provisions to 4,500 penalty units (currently $495,000) or three times the benefit attributable to the breach. The maximum term of imprisonment will be increased to 10 years.

The maximum penalty for a corporation will be the higher of:

- 45,000 penalty units (currently $4.95 million);
- three times the benefit attributable to the breach; or
- 10 per cent of the corporation’s annual turnover during the applicable period.

The Bill also clarifies how the fault elements of the offence of creating a false or misleading appearance of active trading operate, in accordance with the requirements of the Criminal Code.

**Improved Offence Detection Powers**

The Bill also proposes to include the insider trading and market misconduct provisions in Part 7.10 of the Corporations Act in the list of serious offences in section 5D of the Telecommunications (Interception and Access) Act 1979.

Insider trading and other market offences are difficult to investigate, as these offences by their very nature involve complex networks of people, technological sophistication and avoidance of paper and traceable communications. In addition, the transactions often occur in real time, meaning that telephone conversations are often the only evidence of the offence.

This Bill enables interception agencies, such as the Australian Federal Police, to obtain direct evidence of these offences – such as the content of conversations – rather than simply relying on circumstantial evidence, such as the mere existence of suspicious telephone calls.

The Bill also amends the search warrant power in the Australian Securities and Investments Commission Act to permit ASIC to apply for a search warrant without first having to issue a notice to produce for the material sought by the warrant. The current legal requirement to issue such a notice provides those under investigation with an opportunity to destroy incriminating material.

**Minco Approval**

The Ministerial Council for Corporations has been consulted and has approved the amendments contained in this Bill.

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**Defence Legislation Amendment (Security of Defence Premises) Bill 2010**

The Bill will insert a new Part (Part VIA) into the Defence Act 1903 (the Act) to give effect to Australian Government initiatives to enhance the security of Defence bases, facilities, assets and personnel, within Australia, in response to the changing nature of security threats.

In August 2009 a number of individuals were arrested for allegedly planning an armed attack against Holsworthy Army Base. Defence facilities and personnel are potentially attractive targets for terrorist groups.

Defence maintains a framework of protective security measures to safeguard defence personnel and facilities. But, in view of the changing security environment including the increased risk of terrorism, in August 2009 the Prime Minister asked Defence to conduct a comprehensive review of base security.

The Review of Defence Protective Security Arrangements subsequently recommended a number of policy and physical security initiatives to complement and strengthen existing security at Defence bases.

One of the recommendations of the Review was to bring forward a number of legislative amendments. These are contained within this Bill. The measures reflect the importance the Government places on the safety and security of Australian Defence Force (ADF) members, Defence employees and the Australian public.

First, the Bill strengthens the legal regime for ADF members who may be required to use reasonable and necessary force in the event of a terrorist attack on a Defence base.

Various Commonwealth, State and Territory legislative provisions recognise the right to defend yourself and others who are threatened. These currently provide a legal basis for members of the ADF to use reasonable and necessary force to defend themselves, or others, in the event of
an attack on a base that is likely to cause death or injury.

The Bill provides a scope of conduct that will apply uniformly for designated ADF members for the security of Defence premises.

It clarifies that appropriately-trained and authorised members of the ADF may use up to and including lethal force where this is considered reasonable and necessary to protect life or prevent serious injury to themselves or others in the event of an actual or imminent attack on Defence premises or people on those premises.

It is modelled on the existing section 51T of the Act which applies to the use of force by ADF members in assisting civilian authorities with domestic security incidents and violence under Part IIIAAA.

The Bill does not alter the primacy of civil law enforcement authorities in responding to security incidents at Defence premises. A full response to a terrorist incident clearly remains the responsibility of civil law enforcement authorities, and would be managed under the National Counter Terrorism Plan.

Second, the Bill establishes a statutory regime of search and seizure powers to reduce the risk of unauthorised items entering Defence facilities, or restricted items being improperly removed.

The Della-Vedova case, involving the theft, possession and sale of Defence owned rocket launchers by a Defence employee, illustrates the risk of improper removal of dangerous, restricted or classified items from Defence bases.

The Bill establishes a statutory regime of search and seizure powers to be exercised by three identified classes of Defence security officials, who will perform security functions at Defence facilities.

These officials, identified in Division 2 of the Bill, are:

- Defence contracted security guards;
- security authorised members of the Defence Force; and
- Defence security screening APS employees.

All three classes of officials will be empowered under Division 3 of the new Part to:

- request evidence of a person’s identification and authority to be on defence premises;
- conduct a consensual search of a person, vehicle, vessel, aircraft or item on entry to or exit from a Defence facility; and
- in defined circumstances, refuse a person entry to or free exit from the facility, and potentially restrain and detain the person for the purposes of placing them in the custody of the police.

The circumstances where these latter powers might be invoked include when the security official reasonably believes that the individual is a trespasser, has or may commit a criminal offence on the premises, or constitutes a threat to the safety of people on the facility.

- Security authorised ADF members or, where such members are not available, Defence security screening APS employees will be further empowered under Divisions 4 and 5 of the Part, to:
  - require evidence of a person’s identification and authority to be on the premises;
  - conduct a non-consensual search of a person, vehicle, vessel, aircraft or item on entry to or exit from a Defence facility;
  - seize items that constitute a threat to safety or relate to the commission of a criminal offence on the premises; and
  - in defined circumstances, remove people from Defence premises.

The powers of security authorised ADF members will extend to include, where reasonable and necessary, the authority to take any action required to make a seized item safe, or prevent its use.

The statutory regime incorporates a range of safeguards relating to the exercise of powers under the new Part. These safeguards require that officials exercising these powers must:

- have been authorised by the Minister for Defence;
- have completed a minimum level of appropriate training as determined by the Minister for Defence or his delegate;
- carry an identity card in a form approved by the Secretary of Defence;
• surrender their identity card within 7 days of ceasing to be a security official;
• wherever practicable produce their identity card for inspection by a person, prior to exercising powers under this new Part;
• not stop or restrict any protest, dissent, assembly or industrial action;
• not subject a person to greater indignity than is reasonable and necessary;
• only use such force against a person or thing that is reasonable and necessary;
• only restrain and detain for the purposes of handing a person over to the police; and
• in respect of seized items, provide the person with a receipt if it is practicable to do so and, if there is a reasonable belief that the item relates to a criminal offence, give the item to the police.

Moreover, for the purposes of the consensual search regime contained in Division 3, the amendments will create offences for a Defence security official who conducts a search of a person, vehicle, vessel, aircraft or thing, without consent.

In practice, the exercise of these powers and the proposed use of the various classes of Defence security official will be dependent on the nature of the site and the assessed level of the security threat, typically determined on the basis of intelligence.

For example, in practice, the consensual identification and search powers, contained in Division 3, will generally be exercised by contracted security guards, on a random basis, on entry to and exit from Defence premises at low to medium threat levels.

The non-consensual identification, search and seizure powers, contained in Divisions 4 and 5, will be exercised by security authorised members of the Defence Force or, where such members are not reasonably available, by Defence security screening APS employees during higher threat levels on all Defence premises and, at all times, at Defence’s more sensitive sites. Under these circumstances, the powers would be exercised on a more frequent basis to provide an increased level of security in line with the assessed risk.

Third, the Bill updates the existing trespass offence and associated arrest power in the Act to clarify that Defence has adequate powers to deal with unauthorised entry to all Defence premises. Currently, the Defence Act 1903 imposes a monetary penalty of $40 for the offence of trespass. This is not an effective deterrent to potential trespassers nor does it reflect potential threats to national security. Consequently, in line with current Commonwealth criminal law policy, the amendments impose a new maximum penalty of $5,500 for the offence of trespassing on Defence premises or accommodation.

Defence is the largest Commonwealth landowner and one of the largest landowners in Australia. The Department manages an estate comprised of in excess of 3 million hectares of land, around 88 major bases or facilities, approximately 370 owned properties and a further 350 under lease. This poses a major challenge to detecting trespassers, particularly if detection was to rely exclusively on the use of manned patrols.

Consequently, to support the enforcement of the new trespass offence, Defence intends to increase the use of optical surveillance on Defence premises, including vessels and aircraft, to improve the Department’s capacity to detect and apprehend potential trespassers. This may include video surveillance including Closed Circuit Television (CCTV).

Further, as the purpose of surveillance activity undertaken by Defence would be to identify and deal with potential security threats, the Commonwealth needs to rely on any images captured to assist intelligence agencies, and as evidence to support any action by law enforcement agencies and Commonwealth, State and Territory public prosecution authorities.

Consequently, the amendments will insert new provisions that:
• authorise Defence to use optical surveillance devices for the purposes of monitoring the security of Defence premises and the safety of people on those premises; and
• authorise Defence to disclose information, including personal information, captured by those devices to intelligence agencies, law enforcement agencies and Commonwealth,
State and Territory public prosecution authorities for the purposes of carrying out their statutory functions.

In conclusion, this Bill confers a range of powers on designated Defence security officials to allow the ADF and the Department to deter, detect and respond to incidents that threaten the security of Defence bases, facilities, assets and personnel within Australia.

The Bill reflects the Australian Government’s commitment to protect the men and women who safeguard our nation.

I commend this Bill to the Senate.

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Fisheries Legislation Amendment Bill (No. 2) 2010


The Bill will enhance the ability of the Australian Fisheries Management Authority known as AFMA to implement more effective, efficient and less costly fisheries management in four main ways. Firstly, the Bill will facilitate the broadening of co-management arrangements in Commonwealth fisheries. Secondly, it will simplify the regulatory process applying to fishers, and which AFMA must administer and enforce. Thirdly, it will facilitate the restructure of AFMA’s management advisory committees to introduce a more effective dual advisory model. Lastly, the Bill will enable AFMA to provide and charge for services provided to other agencies in areas where AFMA has technical expertise.

All of these amendments are expected to result in increased efficiency within AFMA and a reduction in the costs that are passed onto industry.

Co-management arrangements enable AFMA to create partnerships to achieve shared responsibility for the management of the resource within a rigorous framework of accountability and policy. Within a co-management arrangement, responsibilities and obligations for sustainable fisheries management are negotiated, shared and delegated between government, fishers (the primary stakeholders) and interest groups.

The proposed legislative amendments will enable the Chief Executive Officer of AFMA to delegate certain powers and functions to ‘primary stakeholders’ in the performance of co-management arrangements. The functions that the CEO may delegate include determining the total allowable catch and the power to close all or part of a fishery.

The full implementation of co-management will only be accorded to fisheries with strong governance, leadership and demonstrated commitment to sustainability.

Importantly, the ability of AFMA to delegate such powers will not detract from AFMA’s legislative responsibilities. Any exercise of power by a primary stakeholder will be within a framework of rules established by AFMA’s CEO in accordance with the Fisheries Administration Act 1991. The framework of rules will ensure that industry delegates comply with relevant policies and that they are fully accountable to AFMA. The Acts Interpretation Act 1901 also provides further control over the delegation process, such as the ability for the CEO to revoke any delegation issued under an Act.

The second set of amendments relates to the simplification of AFMA’s regulatory processes. The complexity of the current regulatory regime has been identified as a significant area of inefficiency and cost for AFMA’s administration of Commonwealth fisheries and for the industry.

This Bill will enable AFMA to reduce the complexity of the rules that apply to fisheries, by prescribing standard conditions in the subordinate regulations rather than in individual management plans.

The third area of reform in the Bill relates to the restructure of Management Advisory Committees, or MACs as they are commonly known. MACs play a significant role in assisting AFMA in the management of fisheries. They generally include members from industry and other interest groups.

The amendment is required to simplify the process to reduce the number of MACs and to enable the implementation of a dual advisory model; a model that enables a MAC to advise on more than one fishery. This model also separates the provision of advice to AFMA. MACs will continue to
provide advice to AFMA on community interest issues but advice on fishing operations will be provided by peak industry bodies.

The restructure has the broad support of industry because rationalised arrangements will improve the effectiveness of advice delivered to AFMA and could ultimately reduce the administrative costs borne by industry.

The last group of amendments contained in this Bill will allow AFMA to share its expertise and institutional knowledge with other agencies.

AFMA has some advanced systems and technologies, including satellite vessel monitoring systems and independent fisheries observer programs. There is growing interest from other domestic and overseas fisheries management agencies, looking for the most cost-effective way for governments to provide such services.

AFMA is restricted by the current legislation in its ability to provide these services; despite the demand and its capacity to do so. Providing these services to other organisations would increase the economies of scale and lower the costs in developing such technologies.

The measures introduced by this Bill are a further step in enabling AFMA to implement more efficient and effective sustainable fisheries management.

It follows an extensive consultation process that has seen the Government road testing ideas with more than 100 local communities across Australia.

We are implementing major reforms to the funding and governance of our health system, to place it on sustainable long-term foundations.

We are changing the way that health services are delivered, through better access to services designed around patients’ needs, and a greater focus on preventive health and the provision of care outside of hospitals.

We are also investing in our health system and our health workforce, to deliver better care and better access to services for patients, now and into the future.

The Bill I am reintroducing today is a key component of this overall health reform agenda. Before turning to the detail of this Bill I will outline this agenda in some key areas: the capacity of our health system, better connecting care, access to services, preventive health, sustainability and quality.

**Capacity**

To ease the pressures on our health system, we need to increase its capacity and the services available. This means more doctors, more nurses and more beds.

The Gillard Labor Government is investing $1.2 billion as part of the National Health and Hospitals Network in doctors, nurses and allied health professionals. This will deliver 5,500 new or training GPs and 680 medical specialists over the coming decade. It will improve support for more than 4600 full-time equivalent nurses working in general practice, and help train and retain our valuable aged care nurses. And we will support 800 allied health professionals working and training in rural areas over the next four years.

We will also invest more than $1.6 billion for more than 1300 new subacute beds, to reduce bottle necks and capacity constraints in our system. These beds will be delivered in areas like rehabilitation, palliative care, and, importantly, mental health services, so that people can get the right care for their needs.

**Better connecting care**

National Health and Hospitals Network Bill 2010

The National Health and Hospitals Network Bill 2010 is an historic Bill that delivers one of the major components of the Government’s health reform agenda. It is a key step forward in providing better health and better hospitals for all Australians. It establishes a permanent national commission for the safety and quality of healthcare.

The Government’s health reforms are the most significant changes to Australia’s health and hospitals system since the introduction of Medicare. We are creating a National Health and Hospitals Network that is funded nationally, and run locally. It is the culmination of work that began with the establishment of the National Health and Hospitals Reform Commission, as well as taskforces on primary health care and preventive health.
As part of the National Health and Hospitals Network, the Government will ensure that services are better connected and coordinated, reducing fragmentation and the blame game.

Local Hospital Networks will be established. They will be more responsive to local communities, and new funding arrangements, such as the introduction of activity-based funding, will provide strong incentives for better performance and reduced waste.

The Commonwealth will also take funding responsibility for 100% of primary care, ending duplication and divided responsibilities. The Government will establish Medicare Locals which will work with local GP, allied health and community health providers, to drive local integration and coordination of services and improve access to care.

And, to bring the health system properly into the twenty-first century, the Government will invest $466 million to establish personally controlled electronic health records, reducing mistakes and duplication, and ensuring that, with patients’ consent, doctors have the information they need, when they need it.

**Better Access to Services**

The National Health and Hospitals Network will also deliver better, more timely access to health services in local communities across Australia.

The Government will establish a national after hour GP and primary care service. This will enable anybody calling their GP out of hours to be referred to a nurse or a GP on the phone, and if necessary referred to a local after hours GP service, coordinated by their Medicare Local.

The Government will also invest $355 million in more GP Super Clinics and expanded GP clinics, in about 450 locations across Australia. These will bring together in a single location services such as GPs, allied health and practice nurses, so that patients can more easily get the full range of care they need.

The National Health and Hospitals Network will also provide strong guarantees and targets to improve access to public hospital services – reversing the neglect from the Howard Government ripping $1 billion from hospitals.

The Gillard Labor Government will invest $750 million so that Emergency Department patients will have a guarantee that they will be treated, admitted or referred within four hours, where clinically appropriate.

And an investment of $800 million for elective surgery will help back a target that 95 per cent of elective surgeries be delivered within the clinically recommended time, and a guarantee that patients facing excessive waits should have their elective surgery fast-tracked.

**Preventive Health**

Keeping people well and out of hospital is a critical component of the Gillard Labor Government’s health reform agenda: while we are improving our hospitals, we also need to reduce pressure on them and keep people out of hospital in the first place.

To achieve this, the Government will take world leading action to combat tobacco – which contributes to the deaths of 15,000 Australians a year. The Government will introduce plain packaging for all tobacco products – a world first – in addition to raising tobacco excise, which is expected to result in 87,000 fewer smokers.

The Government will also invest $449 million to improve care for people with diabetes – which is fast on the way to becoming one of the major burdens of diseases.

**Sustainability**

The Labor Government’s record of strong economic management has enabled us to make major investments in our health system. But if our health system is to be sustainable into the future, we have to provide it a secure funding base for the future.

To ensure this, the Commonwealth will take, for the first time, funding responsibility for all GP and primary care services and all aged care services. The Commonwealth will also become the dominant funder of Australia’s public hospitals, paying for 60 per cent of hospital activity and capital, as well as 60% of training and research costs in public hospitals.

These changes will mean that one government will have dominant funding responsibility for all parts of the health system – ending the blame
game and the perverse incentives for buck-passing and cost shifting.

These changes are the most significant reforms to Commonwealth-state financial arrangements in decades, and my colleague, the Treasurer will also be re-introducing a Bill in coming months to enable the associated changes to federal financial relations.

Delivering reform

The Government is acutely aware of its responsibility to not only outline a reform agenda, but deliver those reforms and make them a reality. And we are delivering reforms in six key areas:

- Our hospital projects, including expanding hospital capacity as part of the National Health and Hospitals Network; landmark Health and Hospitals Fund projects and Regional Cancer Centres
- Investing in our workforce, with new GP training places online from next year along with nursing and allied health scholarships and locum places
- Primary care infrastructure, through more GP SuperClincs announced recently, and funding rounds to upgrade general practices currently underway
- E-health and telehealth, with Medicare rebates for telehealth from mid 2011 and electronic health records from July 2012
- System reform, with Local Hospital Networks and our first Medicare Locals being established from the middle of next year
- Prevention, with investments for children and workplaces to prevent disease being rolled out from mid next year.

Quality

If we are to have a truly National Health and Hospitals Network spanning Australia, it is essential to have strong safety and quality standards, so that all Australians can be confident that they will receive consistently high quality care, wherever they live.

This Bill provides for framework legislation to establish the Australian Commission on Safety and Quality in Health Care.

It is imperative that the government’s health reforms ensure that the Australian public receives safe, high quality health care. The Australian Commission on Safety and Quality in Health Care will be established as a permanent body with an expanded remit to drive safe, high quality care and ensure the appropriateness of services delivered in particular health care settings, including primary care and mental health.

The Commission will help reduce the harm caused by preventable errors, reduce health care costs resulting from unnecessary or ineffective treatment and have a positive impact on community trust.

The Commission will formulate safety and quality standards, guidelines and indicators and work with clinicians, professional bodies and consumers to lead the drive toward practical health system improvements for the Australian public.

The Commission will provide advice to the Commonwealth, State and Territory Health Ministers about which of the standards are suitable for implementation by Local Hospital Networks as national clinical standards addressing safety and quality matters. Local Hospital Networks will be responsible for implementing relevant national clinical standards addressing safety and quality matters once they are agreed between the Commonwealth and States and Territories.

These national clinical standards for safety and quality will clearly state the high expectations all Australians have of their health and hospital services.

The National Health and Hospitals Network Bill 2010 provides a framework for the establishment of the Commission, including the expanded role for the Commission in setting national clinical standards and strengthened clinical governance. It is intended that arrangements under this expanded role will be further developed in consultation with the states and territories and subject to finalising financial commitments.

The Commission will work collaboratively with both the Commonwealth and the States and Territories in the performance of its functions. More detailed administrative arrangements for the Commission will be underpinned through an agreement with states and territories, and all gov-
ernments will also agree the funding and work plan for the Commission.

The permanent Commission will be established from 1 July 2011, with existing arrangements for the Commission to continue as part of the Department of Health and Ageing until 30 June 2011.

The existing, temporary Commission has undertaken good work to lead and coordinate work to improve the safety and quality of health care, in areas such as clinical handover and communication, infection prevention in healthcare, and medication safety.

The expanded role of the permanent Commission would complement these activities with work on national safety and quality standards, guidelines and indicators.

At this stage, the West Australian Government has not yet signed the National Health and Hospitals Network Agreement. While Western Australia has indicated that it supports a permanent safety and quality Commission, it is disappointing that Western Australia is choosing to opt out of other important health reforms that will improve health and hospital services for all West Australians.

Conclusion

The National Health and Hospitals Network Bill 2010 marks an important step forward in delivering on the Gillard Labor Government’s commitment to reform Australia’s health system for the future.

Establishing a permanent, independent safety and quality body formalises the government’s commitment to drive improvements in quality and safeguard high standards of care for all Australians.

It will help ensure that there is a more nationally consistent approach to the quality and safety of healthcare across Australia – as part of the National Health and Hospitals Network.

It will help deliver better health and better hospitals for all Australians.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

Debate (on motion by Senator Farrell) adjourned.

COMMITTEES

Procedure Committee

Report

Senator PARRY (Tasmania) (5.50 pm)—I present the third report of 2010 of the Procedure Committee.

Ordered that the reported be printed.

Senator PARRY—I seek leave to move a motion in relation to the consideration of the report.

Leave granted.

Senator PARRY—I move:

That consideration of the report be made a business of the Senate order of the day for the next day of sitting.

Question agreed to.

Environment and Communications References Committee

Report

Senator PARRY (Tasmania) (5.51 pm)—On behalf of Senator Fisher, the chair of the Environment and Communications References Committee, I present the report of the Environment and Communications References Committee on the Green Loans Program, together with documents presented to the committee.

Ordered that the report be printed.

Senator PARRY—I seek leave to move a motion in relation to the report.

Leave granted.

Senator PARRY—I move:

That the Senate take note of the report.

Senator MILNE (Tasmania) (5.52 pm)—I rise to take note of the report by the Environment and Communications References Committee on the Green Loans Program. As the Senate will be aware, the Greens have long advocated strong energy efficiency policies and the Green Loans scheme had many similarities to the 2007 election cam-
campaign initiative that the Greens launched. It is very clear that one of the best things we can do to reduce our greenhouse gas emissions in Australia is to retrofit all existing buildings—residential, commercial and industrial-scale facilities—so that they are as energy efficient as possible. So the Greens welcomed the Green Loans Program when it was announced by the government as an election policy in 2007. However, the mismanagement of the scheme has been a complete and utter disappointment for the Greens and I have to say that the mismanagement of this program together with the Home Insulation Program has seriously damaged the reputation of energy efficiency for householders around Australia, and the government is largely responsible. I wanted to use the opportunity in recognising this report being handed down today to say that it is really now up to the government to spend a great deal of time restoring people’s confidence in energy efficiency because there is no doubt that energy prices are going to rise around the world. As the world economy recovers, you are going to see increasing demand for energy and increasing power prices. The best way of dealing with that is to reduce demand, and that is something that needs to happen as soon as possible.

I wrote to the Auditor-General because I was so concerned about the way that the Green Loans Program was being rolled out. I could see there were real concerns particularly from people who, in good faith, had paid for their own training to become Green Loans assessors and who thought there were going to be 1,000 to 2,000 assessors in the scheme. It turned out in the end we had nearly 10,000 people trained, some of them trained and accredited and some of them trained, accredited and registered with a contract with the department. It turned into a complete debacle, including some of the larger corporates coming into the system. They apparently had different rules and were given market advantage, as the Auditor-General found. All of the allegations I made in writing to the Auditor-General after his comprehensive analysis of the scheme were shown to be completely valid. Overall, the findings of this Senate inquiry are similar to the concerns that I had expressed about the scheme. Poor governance, weak budgetary control, lack of probity in procurement, the fact that Fieldforce received a clear market advantage, everything I alleged about inadequate training and quality control of assessors as well as the shortcomings in the assessment tool and the end assessments are confirmed.

I regard the body of the report to be a fairly sound exposition and analysis of the Green Loans Program and the issues surrounding the pending Green Start program, but I do not agree with many of the recommendations that come out of this report. I do not support the idea that Green Start should be scrapped. I think it is absolutely essential that we do retrofit for energy efficiency, particularly for low-income households, and I want to see the Green Start program rolled out as a matter of urgency. So I completely disagree with that recommendation of this inquiry, because you cannot want to reduce demand, you cannot have a social conscience, and not want to help low-income earners around the country reduce their costs and make their contribution to the conversion to the low-carbon economy. That is the basis of our disagreement with the report.

We believe that many of the recommendations will help in providing a better information base and better capacity in the Public Service to implement the Green Start program. I do hope, having heard from the Department of Climate Change and Energy Efficiency in estimates and so on, that they have learnt the lessons of the Green Loans Program and that Green Start is going to be better managed. We certainly hope so. I do
not think that recommendation 41 recommending an extensive cost-benefit analysis is worth while at this point. I think it is unduly onerous, given that several programs in Australia and overseas have already demonstrated the value of programs such as Green Start. What we need to do is to make sure that it is rolled out effectively, that we have good governance arrangements and that we get the maximum benefit in the long term.

It is very clear to me that there was maladministration in the program and therefore many of the assessors—10,000 people around the country—deserve to be compensated because they went into this program believing that it would be a three- or four-year program and that there was a clear business case for them to pay for the training and go ahead. They were promised by the bureaucracy that they would have their training upgraded to certificate IV. That has not happened. In my view, the Auditor-General’s report into the Green Loans Program has established a clear basis for compensation for assessors. Therefore, we the Greens have put in our dissenting report that the committee recommends that the government offer all individuals who can provide evidence that they completed a training course to become a home sustainability assessor under the Green Loans Program be given the opportunity to be trained at government cost in the new certificate IV national qualification or that they be refunded the cost of their original training and any of the Association of Building Sustainability Assessors accreditation costs they incurred.

I think that is only fair. Once an Auditor-General says that a government department has maladministered a program, it will lead to legal action against the government anyway in terms of various claims. I think it would be much better now if the government acknowledged that there needs to be compensation and set out a reasonable scale of compensation to cover people’s expenses—and let us get on with making sure that some of the recommendations in this report as to process, oversight and governance are implemented so that we can see Green Start deliver the benefits to assist low-income households to reduce their demand for energy and therefore reduce and manage their costs. That is the critical thing. I do not believe in witch-hunts, but I do believe in identifying the problems in rolling out a program and I do believe in fixing those problems in the Public Service. I think the government owes the nation the responsibility of going out now and selling energy efficiency to the community and restoring the confidence that the community once had in the energy efficiency that they lost as a result of these debacles over the last few years. All in all, energy efficiency is a key part of the solution, and I welcome the Green Start program and want to see it rolled out. I hope that everybody concerned in the Public Service has learnt the lessons of what went wrong with the Green Loans Program.

Senator McEWEN (South Australia) (6.01 pm)—I too would like to take note of the report. I note also that government senators have tabled a minority report. The government welcome scrutiny of the Green Loans Program, and we note that there have already been a number of reviews and audits into the program, including the Faulkner review, a performance audit by the Auditor-General and a probity review of procurement practices.

The government has, on numerous occasions, readily acknowledged that there were problems with aspects of the Green Loans Program, and both Minister Garrett and Minister Wong dealt with those issues as they were raised with them. Government ministers have not only commissioned and supported reviews of the Green Loans Program; they have acted promptly on the recommen-
dations in the reviews and audits to which I have previously referred. For example, the departments concerned have addressed issues such as governance arrangements, procurement and contract processes, staff lines of responsibility and improvements to business and stakeholder interface systems.

The government has announced that over the coming months it will transition to the Green Start program, and the findings of the various inquiries into the Green Loans Program will inform the Green Start program. In a way, the Green Loans Program was a victim of its own popularity. The overwhelming support from householders to have a household audit undertaken is something the government wishes to build on in the future. There is no doubt that many, many Australians want to know what they can do in their own homes to save energy, to reduce greenhouse emissions and to be part of the battle against harmful climate change. Witnesses who appeared in the Green Loans inquiry, including assessors, field force, the banking industry and others, all noted how popular the concept was of having a household assessment done with a view to taking action on climate change. The unprecedented demand for household assessments was a key reason why the department found itself in difficulties delivering the program.

The government senators’ minority report addresses the recommendations made by coalition senators in their report and, in some cases, has made some amendments to proposed recommendations. These include urging the government to continue to respond in full to the findings of completed inquiries and to take into account the findings of all those inquiries, reviews and audits when framing the Green Start program. We do not believe there needs to be yet another investigation, as recommended by the coalition, nor do we believe that all the government’s environmental programs need further evaluations. These are just delaying tactics proposed by the opposition, which, as we know, is populated and controlled by climate change deniers and led by someone who thinks climate change is crap. The Australian public, unlike the opposition, demonstrated its commitment to energy efficiency and the war on climate change with a massive level of support for household assessments. The government is committed to assisting those members of the public to do what they can in the battle against harmful climate change.

I would like to conclude by thanking all participants in the inquiry, particularly the witnesses who made themselves available to senators, and by thanking the secretariat for their assistance.

Question agreed to.

MINISTERIAL STATEMENTS

Afghanistan

Debate resumed.

Senator McGURAN (Victoria) (6.05 pm)—I continue my address to the Senate, which I started just before question time and in which I made two points. The first point was that it had to be noted that in this parliament—that is, the House of Representatives and the Senate—a majority of greater than 90 per cent support Australia’s involvement in Afghanistan, regardless of the long and protracted and difficult engagement it has been. The second point was that this is very much an Australian fight. We are not just tagging along as an ally under ANZUS, although that is a factor, as I said. This is an Australian fight as much as any other country involved in Afghanistan, and so obviously why greater than 90 per cent support Australia’s involvement in Afghanistan, regardless of the long and protracted and difficult engagement it has been. The second point was that this is very much an Australian fight. We are not just tagging along as an ally under ANZUS, although that is a factor, as I said. This is an Australian fight as much as any other country involved in Afghanistan, and so obviously why greater than 90 per cent of the parliament support our involvement—all bar the Greens who,
united as they are, are against such involvement.

Australia has suffered from the direct hits by Islamic terrorists. Over the past decade, close on 100 Australians have been killed by terrorist attacks that were planned and executed from terrorist safe havens in the mountains of Afghanistan. On September 11, when the twin towers were brought down due to a terrorist attack by Islamic extremists and fundamentalists, this escalated what was already a low-lying, but certainly not a high-profile, war against terror. When those towers fell, some 15 Australians were killed. One of my most vivid memories of when those towers were under attack was of those that had to jump out of the towers in desperation, knowing they were jumping to their deaths. Some of them could well have been Australians.

Since then more lives have been lost in terrorist attacks. As we all know only too well, on 12 October 2002 in the Bali bombing, some 88 Australians were killed. I recall the ever-so-sad memorial here in the Great Hall of Parliament House, attended by the families of those killed by the bombing. No-one in public life could forget that day; it was such a moving ceremony. We have the responsibility to protect our citizens with all the force this country can provide, onshore and offshore. In 2004, we know the Australian embassy in Jakarta was bombed. While no Australian citizen lives were lost per se, although the attempt was real, nine Indonesians, who were working at the Australian embassy, lost their lives. Eleven Australians were injured and one died in the London bus bombings.

Throughout the world we have seen Australians threatened by terrorist attacks. Of course, there was a second bombing in Bali which killed four Australians and injured 19. At the Marriott and Ritz-Carlton hotels in Jakarta in 2009, three Australians were killed. All these terrorist attacks were coordinated or had links to the al-Qaeda terrorist organisation.

This is an Australian fight. I quote Vicki Hopkins, a widow, to give weight to my point. Vicki Hopkins’s husband, Matthew Hopkins, who was only 21, was a corporal in the 7th Battalion RAR. He was shot and killed on patrol with Australian troop-mentoring members of the Afghan National Army near a village in Oruzgan province. He was the ninth Australian killed in Afghanistan. Vicki said:

I knew that, with Mat, he was over there with a job to do and that was to make the world a safer place by getting rid of these evil people. And for that I am very, very proud of Mat. The army is not over there only to shoot and kill bad people; they are over there rebuilding the lives of the Afghan people.

People say this isn’t our war, but a lot of Australians have died as a result of the attacks on Bali and September 11. Afghanistan is the heart of where these people trained to do these horrible acts against the Western world. To pull the troops out now when the job isn’t done, then, really, all those guys did die in vain.

Vicki Hopkins mentioned the evil of the enemy and we should not forget just how evil this enemy is. They are more than just indiscriminate; they target citizens, men, women and children, in the markets, in the mosques and in the schools. In particular, in the case of Afghanistan, women and girls are cruelly mutilated and murdered, all in the name of some extreme Islamic belief—evil belief.

There have been many bloodcurdling examples of their cruelty against women and girls. Further, terrorist attacks continue to this very day on women and girls. That is why it was really so galling to hear the contribution of Greens senator, Senator Hanson-Young, attacking the efforts of the coalition forces over there to protect and educate
women in Afghanistan. How could she justify such criticism? What a limp and contorted rationale she came to for pulling out our troops. I refer to her speech just to point out to the Senate the senselessness of the Greens’ position. This is why she believes we should pull the troops out:

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?

So her answer is to pull out the troops. She fails to mention there was zero per cent education for women under the Taliban. This harebrained idea of hers, her solution to this problem, is to pull out the troops, the military presence, and to channel all this funding and goodwill to empowering community development through civil aid. That is the solution of Senator Hanson-Young, the Greens representative and aspiring deputy leader. What a dangerous solution. What a harebrained solution. What a comfort to our enemy. I would suggest that Senator Hanson-Young go to any one of the speeches on either side of the House, but I am going to single out Senator Kroger’s speech because she particularly researched the effect, the benefits, we are having on women’s lives in Afghanistan. Senator Hanson-Young seemed to think that 30 per cent of women being educated in Afghanistan was a failure and we ought to get out because we have not succeeded better. Senator Kroger tells us that, of the six million students who are attending school, a third of them are girls. I quote from Senator Kroger’s speech:

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.

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.

Senator Kroger goes on in her contribution to quote many of the good works that many of the women of Afghanistan are not only carrying out but are being allowed to carry out; this is their contribution. Senator Kroger cites the success and, more so, the hopeful future. That is a very good reason why Senator Hanson-Young ought to reverse her ridiculous rationale for why we ought to get out. She ought to have a better argument than that; it is so shallow as to be dangerous. What the allies have done ought to be lauded, not criticised. If the Greens cannot see the very evil in the Taliban and al-Qaeda and the threat that we are up against, not only in Afghanistan but across the globe, then they are blind, crazed and dangerous. Frankly, they are all three.

Dr 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:

Senator Nash, another representative from the coalition, put it very well when she imagined what she would tell her boys about September 11 and the growth of terrorism if we had done nothing to stop the evil. I thought that was a very succinct way of putting it—and that is what the Greens would have us do. They are mealy mouthed. They give ever-so-glib, if not slightly patronising, recognition to our soldiers—who, by the way, do not want that from the Greens, who want to pull them out. Each one of the Greens started their speech with: ‘This is not about the soldiers; this is about why they ought not to be there.’ That rationale is dangerous and
it is not in the interests of Australia. It is particularly shallow coming from someone like Senator Hanson-Young.

To pull out the troops now would weaken the international fight against terror, particularly given the supreme and invaluable effort by our troops to date and the 21 lives that we have lost. It would be an abandonment of the Afghan people and our commitment to building a better society. Moreover, it would be a signal to our enemies that we are beaten. It would embolden our enemies, setting up an even worse scenario where a nuclear armed Pakistan would come under even greater threat and attacks by Islamic extremists. To withdraw our troops is the nut of the debate here; that is why the Greens brought this debate on. It was an attempt to shift the debate out into the public. That is the nut of why they brought it on; there was no higher ideal than that. They have attempted to shift the debate to have Australia pull out of Afghanistan. But, if we did withdraw, how could Australia ask for future support from our allies in intelligence—we receive valuable intelligence from our allies—or even military backup if we were under threat of terrorism. If we left the field it would be pretty hard to ask for help from our allies. You might get some but you would not get enough. You have to be there supporting your allies as well as your own self-interest. We must be part of a worldwide fight, not only for our own interest but also the interests of Western liberal democracies. We are all interlinked.

Over the years I have seen the Greens undermine these greater objectives. Frankly, they have an aversion to Western liberal democracies founded on Judeo-Christian values. They are strangers in their own country and to the basics of Australian culture and beliefs. The Greens stood against the tougher security laws that the coalition brought in in government and, for that matter, the laws brought in under Labor too. They were laws designed to fight terrorism—to give no quarter to terrorists domestically. The Greens have always had a bad word for our relationship with the United States and their fight against terrorism, let alone the international community’s efforts to fight Islamic extremism. They tell us they have not had a bad word, but they have. They have certainly given no genuine support in the fight against terrorism.

I shudder to think of the consequences now that the Greens, who have been making all these attacks on our efforts in the war against terrorism, are closer to government. They are a new coalition with the government and they are a step closer to matters of national security. They are ‘in the tent’ with regard to what shapes national security matters. I shudder to think of the influence they will have on the government in such matters in the years ahead. The Greens cannot be trusted with such information or power. They cannot be trusted with matters of national security. They will weaken Australia’s effort against terrorism and security more than they will ever strengthen it. The Greens seem to have no concept of the hate these extremists have for our way of life. That is because the Greens are strangers in their own country. If these extremists are unchallenged, this hate will multiply and become even greater and more destructive. There will be worse attacks upon Australia citizens and the citizens of the world. (Time expired).

Senator JOHNSTON (Western Australia) (6.21 pm)—I thank the Senate for the opportunity to speak on our commitment in Afghanistan and to acknowledge the contributions of my leader, Tony Abbott; the Prime Minister; and the Minister for Defence. This debate within both the House of Representatives and the Senate has been a welcome restatement of Australia’s objectives and mission and also of our resolve and determination to stay the course in this crucial conflict.
It is significant that, of the 226 federal members and senators, I anticipate that there will be only approximately 10 parliamentarians who seek our immediate withdrawal. I feel it is very important to say that I respect their point of view and sincerely value their contribution on such an important subject for our parliament and for our country. While I understand their deep concerns, I cannot agree with them.

That our parliament is overwhelmingly in support of our mission and of our soldiers is in stark contrast with our coalition partners, particularly in Western Europe—particularly the Netherlands, Spain, France and Germany, where the deployment of those countries' forces has come under intense and sustained political pressure, with coalition governments falling and election campaigns having Afghanistan as a central issue. In opposition, we naturally have very limited impact on day-to-day public policy outcomes. However, that said, the coalition has in a considered and very deliberate way endeavoured to support the government in Australia’s participation in this conflict. We have tried to avoid injecting partisan politics into this issue. I point to the statements and speeches of the Prime Minister and the vast majority of Labor and coalition speakers as to the extent and success of this bipartisan stance by the coalition. The only caveat I put on this bipartisan support is with respect to the resourcing and protection of our soldiers. If soldiers in the field have and voice concerns, I will fiercely advocate for them and articulate those concerns.

The Prime Minister has said that our mission has two aspects, and I want to quote what she said:

… (1) to make sure that Afghanistan never again becomes a safe haven for terrorists, a place where attacks on us and our allies begin, and (2) to stand firmly by our alliance commitment to the United States, formally invoked following the attacks on New York and Washington in 2001.

Tony Abbott, our Leader of the Opposition, has said:

Australia’s mission in Afghanistan is still to suppress the threat of terrorism. It is still to be a reliable member of the Western alliance, but it is also to help build a society where merely to be different is not to risk death. By resisting those who would impose on all a particular version of Islam our soldiers are asserting the universal right to a society where women are not discriminated against, dissent is not a capital crime and religion is more a reproach to selfishness than an instruction manual for everyday life.

On 29 April last year, former Prime Minister Rudd said:

President Obama has defined the new mission in Afghanistan as, and I quote him “to disrupt, dismantle and defeat Al Qaeda in Pakistan and Afghanistan, and to prevent their return to either country in the future”. Australia concurs with this mission.

It intersects with our own definition of our own mission within Afghanistan, which is as follows: Strategic denial of Afghanistan as a training ground and operating base for global terrorist organisations; second, stabilisation of the Afghan state through a combination of military, police and civilian effort to the extent necessary to consolidate this primary mission of strategic denial; and third, in Australia’s case, to make this contribution in Oruzgan Province in partnership with our allies, with the objective of training sufficient Afghan National Army and police forces and to enhance the capacity of the Oruzgan provincial administration in order to hand over responsibility for the province in a reasonable time-frame to the Afghans themselves.

I accept all of those descriptions as legitimate and as defining our intent and purpose in Afghanistan. Our soldiers and their families should take some considerable comfort and great confidence from the fact that the Australian parliament is almost unanimously supportive of and committed to them and
their sons and daughters engaged in our cause in Afghanistan.

What has precipitated this conflict, and why are we so resolved? Obviously, the events of 11 September 2001 are the tangible and shocking results of a sovereign state failing to the accommodation of a terrorist organisation, al-Qaeda—an accommodation provided and sustained by the Taliban. Al-Qaeda’s currency of hatred and religious extremist inspired terrorism has a central tenet: the murder of innocent civilians both in the Islamic world and, especially, in the Western Hemisphere, particularly in the United States. We have observed this jihad in New York and Washington with the attack on the World Trade Centre in accord with al-Qaeda’s 1998 fatwa edict telling all Muslims to kill Americans. In 1996, Osama bin Laden was forced to leave the Sudan and relocate into Afghanistan. Al-Qaeda enjoyed the protection of the Taliban in Afghanistan and had an active role in their ministry of defence, although only Pakistan, Saudi Arabia and the United Arab Emirates recognised the Taliban as the legitimate government of Afghanistan.

Al-Qaeda has carried out six major terrorist attacks, four of them in its jihad against the United States. In addition to the September 11 attacks on the World Trade Centre and the Pentagon, on 7 August 1998, at the US embassy in Nairobi, al-Qaeda detonated a truck bomb, killing 212 people and injuring 4,000. At the same time, at the US embassy in Dar es Salaam, another bomb was detonated, killing 11 people and injuring 85. Of course, in the year 2000 there was an attack in Yemen on the USS Cole wherein 17 United States sailors were killed. Lastly, in Istanbul, Turkey on 15 November 2003, al-Qaeda perpetrated an attack resulting in 57 deaths and over 700 people being injured. Closer to home, of course, we are all familiar with and have heard members and senators talk about the Bali bombings and the hotel and embassy bombings in Jakarta. As recently as last year, the attempted bombing of Northwest Airlines flight 253 was linked to al-Qaeda. Also, the accused Fort Hood shooter, Nidal Hassan, has apparently had contact with al-Qaeda sympathisers and operatives.

The Taliban, similarly, has notoriously been associated with the most extreme atrocities against men, women and children, with children as young as 10 years of age being jailed and tortured. Frankly, the list and description of the atrocities, brutality and deranged barbarism of the Taliban regime in Afghanistan are so horrible as to make it inappropriate to recount them in this contribution. With a full understanding of al-Qaeda and the Taliban and their motives and methods, there can be absolutely no doubt that our cause in Afghanistan is just. Of course, the United Nations agrees with us and with our coalition partners.

We have lost 21 of our finest Australians in this conflict and had more than 150 wounded in action. I pause to acknowledge the bold and selfless way each one of them stepped forward without hesitation in our national interest, exemplifying the finest traditions of our Australian Army. I also pause to acknowledge the enduring grief their families and loved ones carry.

In the last four months I have been to too many funerals and too many RAN ceremonies and met many outstanding Australians—the mothers, fathers, wives and girlfriends of our fallen heroes. The loss to our Army of all those killed in action in Afghanistan is immense and a cause for sorrow and for tears. Every Australian shares that sorrow. Every Australian has a tear for the mother or the father, the wife or the partner of each of our gallant 21. Our 21 casualties also underline the extreme danger our soldiers face, with almost half being lost through the detonation
of improvised explosive devices. This is an insidious but simple and effective weapon and all of us are committed to the technological battle here at home to devise better levels of defence against this threat.

In 2009 there were 7,228 IED attacks in Afghanistan. Of the 512 coalition soldiers killed that year some 280 were killed by IEDs. Let no one be in any doubt—this is an incredibly dangerous place. Those we have lost shall never be forgotten. Our coalition allies have also made very significant sacrifices in pursuit of this mission. There have been as of 20 October some 2,095 coalition deaths in this conflict. The US has sustained 1,273 casualties; the UK, 341; Canada, 151; France, 50; Germany, 47; Denmark, 38; Italy, 34; Spain, 30; the Netherlands, 24—and I pause to acknowledge the trust and loyalty and the quite amazing relationship that the Australian defence forces had with our Dutch allies in Oruzgan province—Poland, 22; and of course our own, 21. Another 28 member countries have sustained various casualties below the Australian figure with the highest being Romania at 17.

The other countries to have lost soldiers are Norway, 9; Estonia, 8; Georgia, 5; Sweden, 5; Hungary, 4; the Czech Republic, 3; Latvia, 3; Portugal, 2; South Korea, 2; Turkey, 2; Belgium, 1; Finland, 1; Jordan, 1; Lithuania, 1; and our neighbour New Zealand, 1. I should also make mention of the loss of 62 Spanish soldiers who died in Turkey on 26 May 2003 when their plane crashed whilst returning home from this theatre. This is a special and unique commitment by so many countries and their soldiers. I also wish to honour their sacrifice.

I say again, there can be no doubt that this cause is good and that the cause is just. It is fashionable by those preoccupied with the negatives of this campaign to compare Afghanistan with Vietnam to exemplify the futility of our endeavours. Such a comparison misrepresents the topography, the climate and the consequences of failure. The terrain is extreme, the climate similar, the dust is choking and the extremist and fanatical enemy is immersed within the civilian population using human shields—often children—at every opportunity. We fight an enemy almost indistinguishable from ordinary innocent Afghans.

Our contribution of 1,550 troops is our most significant combat commitment since Vietnam. With our deployments in the Solomon Islands and East Timor, Afghanistan is a demanding and difficult undertaking, given the size of our Defence Force. Afghanistan is the second-least developed country in the world. As a battle space for a counterinsurgency this theatre cannot readily be compared with any other region in the world. The terrain alone is a major obstacle to operations, particularly helicopter operations with dust, heat and very high mountains causing special problems. Movement is restricted and predictable. Oruzgan is a province of 22,000 square kilometres with a population of about 300,000. It is about the same size as the federal seat of Hume.

Such are the circumstances within which we fight and seek to successfully complete our mission, a mission that is simply described but most difficult and complex to execute. There are, however, many positive signs. Travel between towns and cities is beginning again, particularly air travel. Markets and bazaars are functional and busy. Children and particularly girls are attending school and reconstruction of vital infrastructure is proceeding at a steady but increasing pace. Quite amazingly, there has been on average a 40 per cent electoral turnout for the rounds of voting that have gone on within the country.
Our soldiers have acquitted themselves very well in a large number of significant engagements in executing the intent of the Australian government and the Australian parliament. Three months after the Battle of Tora Bora in December 2001, members of our Special Air Service Regiment—in Operation Anaconda in the Shahi-Kot Valley, in March 2002—provided significant and timely intelligence to air support elements to relieve US and coalition forces pinned down on the floor of the valley by around 1,000 Taliban and al-Qaeda fighters. Signalman Martin ‘Jock’ Wallace received the Medal for Gallantry arising from this engagement. On 7 December 2004, in California, President George W Bush awarded our SAS Regiment a Presidential Unit Citation for action carried out between October 2001 and March 2002 in Afghanistan. This was only the third time such a citation had been awarded to an Australian unit, the first being in Korea and the second in Vietnam.

On 26 November 2006 a soldier identified only as Sergeant A from 4RAR (Commando) became the first recipient of the Star of Gallantry, our second-highest bravery award. Sergeant A was awarded the medal for his actions whilst assisting in the extraction of threatened coalition forces in Oruzgan province. Sergeant Matthew Locke of the SAS Regiment won the Medal for Gallantry, our third-highest bravery award, in October 2005 during Operation Spin Ghar, when his patrol came under heavy fire. Sergeant Locke, without regard for his own personal safety, led a two-man team to neutralise anticoalition forces to prevent the patrol from being overrun and repeatedly exposed himself to machine gun fire. He was awarded the medal in December 2006. It was less than one year later in October 2007 when Sergeant Matthew Locke, whilst on patrol, was fatally shot by small arms fire.

On 26 October 2007 4RAR (Commando) received a Unit Citation for Gallantry in action in Afghanistan for a period from 25 August 2005 to 2 September 2006 for being in operations fighting a series of battles and skirmishes against a resourceful enemy. The task group was able to neutralise the enemy on a number of occasions in previously impenetrable sanctuary areas. During the 374-day deployment, the combat element spent 309 days in the field undertaking over 100 missions resulting in 139 combat engagements. That was an absolutely amazing performance.

On 16 January 2009, Trooper Mark Donaldson was awarded the Victoria Cross, the highest award for bravery our country can bestow. Trooper Donaldson, an SAS trooper, during an operation without regard to his own safety sought to protect injured comrades and to rescue an interpreter under direct heavy enemy fire. He was subsequently named Young Australian of the Year in 2009.

Finally, Private S, Major M, Captain T and Lieutenant Colonel P were all recognised for acts of gallantry and service in Afghanistan in this year’s Australia Day honours list. Private S received the Star of Gallantry for his acts of conspicuous gallantry as a lead scout in Afghanistan. There are many more examples of outstanding bravery and courage by our soldiers in Afghanistan and I apologise to all of those that I have not mentioned. We can all take great confidence and satisfaction in the calibre and high quality of those in uniform who guard our best interests. I have had the honour and privilege of meeting many of them in Iraq and in Afghanistan and in my home state of Western Australia at Swanbourne. It is impossible not to be in awe of their skills and professional dedication. I know I speak for all parliamentarians when I say a heartfelt thankyou to all of them for their service.
I make one final observation. There is a flaw in our approach: there is a requirement for a broader range of thinking about what Australia can do in terms of work by NGOs and civilian contractors within this country. I know of a number of Australians working in Afghanistan providing assistance and support to the civilian population—yes, at some risk but nevertheless with some considerable measures of success. The Australian government must seek them out and take their advice and create another dimension to our task in Afghanistan—that is, a civilian dimension.

In an engagement such as this I am of the firm view that the only appropriate time to talk of withdrawal and exit strategies will be when it is obvious to all that the task and mission has been successfully completed, and not before. This campaign is tangled, intricate and lethal but we and our coalition partners are there for the right reasons and no-one should be in any doubt that we will prevail.

Senator FIELDING (Victoria—Leader of the Family First Party) (6.40 pm)—Firstly, I support our troops in Afghanistan because I believe it is still possible to ensure Afghanistan does not once again become a safe haven for terrorists. I believe that to pull our troops out of Afghanistan now would be an act of great betrayal. It would betray the lives of the 21 soldiers who have been killed in action. It would betray all those diggers who have been injured in action. It would betray the families and friends of those 21 soldiers who have been killed in action. It would betray the people of Afghanistan, who we have made a commitment to—to help them govern their country on their own. It would betray our close ally the United States, who we have committed to stand beside.

Does this mean that we can never withdraw our troops from Afghanistan? No. What is does mean is that we should be very careful about what we promise and about the scope of our commitment. Currently, we have committed to help the people in Afghanistan by strengthening their security and defence forces in Oruzgan province so eventually the Afghans can look after themselves. Yes, I know there are other commitments but that is the one that I will focus on.

Obviously, we cannot stay in Afghanistan forever, but to walk out now while the job is half done would be crazy. It would be an act of great betrayal. But obviously all Australians are concerned about the casualties arising from this war. Losing one Australian soldier is horrific and hard to take, and as the death toll rises, more and more Australians are becoming uneasy about our involvement in Afghanistan. In fact, as the death toll of Australian soldiers rises, along with the government stating it is only going to get worse, more and more Australians continue to question: ‘Why don’t we just pull out?’ especially when there is also a growing feeling we just cannot win this war.

I admit that I too had started to grow more and more uneasy with our involvement in Afghanistan. That was when I decided it was time to do what I have always done before reaching a conclusion on a significant issue: get out of my office and go to the coalface and find out firsthand what is going on. So I requested a trip to Afghanistan. Even though I was very unhappy about how long it took the government to arrange for me to visit Afghanistan, I am thankful to the government for finally arranging a visit for me three months ago.

My objective for the visit was to see firsthand the conditions and hear from soldiers and their commanders their views on two big questions. The first question was: is it realistic to expect that once Australia completes its training and mentoring role that the Afghan
army and security forces will be capable of operating effectively on their own? The second big question is: are we supporting our soldiers enough and ensuring we are not putting their lives at risk unnecessarily?

With regard to the first question, after talking with our soldiers, the Australian command, the US command, the Dutch command and the Afghan command, I do believe it is still realistic to conclude that our efforts in the training and mentoring of the Afghan army and security forces will allow the Afghan army and security forces eventually to operate effectively on their own. But I also acknowledge that the next two years is critical in determining whether Afghan army and security forces will eventually be able to operate effectively on their own. I believe they will, but the next two years is absolutely critical, and to pull out now would be crazy and a gross act of betrayal.

The second question, about support for our soldiers, is very tough because I was only with our troops in Afghanistan for a few days, but I do believe we can and should do more to support our soldiers and I will outline some specific recommendations that I hope the government will action with some priority. I am mindful that some may say it is inappropriate for me to make recommendations as I am not a defence expert and I have never served in the defence forces. I can understand those views. However, I make these recommendations based on personal observations, along with discussions with our soldiers and others. Before moving onto my recommendations, I would like to emphasise how impressed I was with the professionalism and commitment our soldiers have towards their task—especially given the extremely tough environment and the life-threatening intensity of operations.

My first recommendation is that the government should implement a comprehensive, ongoing plan that engages and informs the general public on why Australia needs to be involved in Afghanistan. I will say that again: the government should implement a comprehensive, ongoing plan that engages and informs the general public on why Australia needs to be involved in Afghanistan. The rationale for this recommendation is that our soldiers on the front line are burdened by the growing sentiment from the public that they should not be in Afghanistan. I feel the government could do more to keep the public more supportive of our involvement in Afghanistan. It is heart wrenching to think what it would be like to be on that front line. I know we pay them, but it causes them heartache to know that back in Australia there is growing public sentiment that does not support what they are doing there.

Even back in July this year the government conceded they did need to do more when they stated: …55 per cent of Australians were “not confident Australia has clear aims in Afghanistan”.

How can the Australian public be supportive of what our troops are doing if 55 per cent of Australians are not confident Australia has clear aims in Afghanistan? How could it be that 90 per cent of politicians are out of step with the community? Because what I have heard throughout this debate is, I would estimate, 90 per cent of MPs saying, without a doubt, ‘We’re doing the right thing,’ but in the community we have allowed it to prevail that 55 per cent of Australians are not confident Australia has clear aims in Afghanistan. That clearly is a responsibility of the government and it is very important. I know the government is doing a lot, but I make this first recommendation because I am burdened from what I saw over there talking to some of our soldiers.

Recommendation 2 is that the government should secure additional rotary wing capacity
to adequately support our troops in Oruzgan province. The rationale for this recommendation is that we are placing our soldiers’ lives at an unnecessarily greater risk because tasks that should be performed by rotary wing support are being carried out by road or delayed because of lack of rotary wing support.

My final recommendation, recommendation 3, is that the government should implement a 12-month trial appointment of an independent soldiers advocate that has the responsibility to make direct recommendations to the regional commander of the operations. The rationale for this recommendation is that I detected that some soldiers felt that their concerns were not taken seriously or actioned adequately or in a timely manner. The soldiers advocate would ensure confidentiality for soldiers at all times as they work with the command on resolutions. I am not saying that the command has to do what is recommended by the soldiers advocate, but it would at least assure our soldiers on the front line that the top level has heard directly from them about significant issues. I think it is worth a pilot. I detected quite seriously that some soldiers felt their concerns were not taken seriously enough, and that burdens me greatly.

So where do from here? This Afghanistan debate is important, but its value will be short-lived unless the government is prepared to take action on these and other worthy recommendations. It is worth stressing that again: this Afghanistan debate is important, but its value will be short-lived unless the government is prepared to take action on these and other worthy recommendations from this debate.

I conclude by sharing how much admiration I have for our soldiers, especially those who work outside the wire. We have seen the pictures, we have seen the conditions and we know what it is like to have a 40-plus degree day, but I did not realise how harsh the conditions are in Afghanistan. Your body has to operate in stinking hot temperatures of 40-plus degrees and a dusty environment not just for a few days but for months. Your life is at risk not just for a few days but for 24 hours a day, seven days a week for months. You are always on the edge and alert, not just while you are awake but also while you sleep. You are subconsciously aware that it is not safe and your life is still at risk.

Your emotions are numb. Death and injury are all around you, no matter where you look. You hear that another one of your fellow diggers has lost their life or been injured. This tugs at every human’s heart, and I cannot say how humbling it was to talk to our soldiers on the front line. I thank them for allowing me into their world. I remember standing on the training ground where the combat engineers train the troops in the finding of improvised explosive devices, and I was nearly in tears—one step and you are gone.

People in this Senate know me. I have not made these recommendations lightly, and I urge the government to think about whether we can support our troops more. I believe that we can, and I have made these three recommendations because my heart was torn. We need to do more and we should do more. I do not want to take anything away from the support that the government gives our defence forces, but there are questions that have to be answered, and the implementation of the three recommendations I have made would go a long way with our defence forces.

There is one other issue that I will raise. When you come back to civilian life after months outside the wire, it must be nearly impossible to feel like a human being again. From what I understand from talking to people, some soldiers would probably use some
of the services that we offer a lot more, but
they are worried about what would go on
their record if they used some of those ser-
vices. I do not know how to solve that one,
and that is why I have not put a recommen-
dation down, but it is something that I think
the government also needs to look at. I thank
the Senate.

Question agreed to.

DOCUMENTS

The ACTING DEPUTY PRESIDENT
(Senator Troeth)—It being after 6.50 pm,
the Senate will now proceed to the consid-
eration of government documents.

Australian Institute of Marine Science

Senator IAN MACDONALD (Queens-
land) (6.57 pm)—I move:

That the Senate take note of the document.

Five minutes is not sufficient time to speak
in depth about the great achievements of the
Australian Institute of Marine Science at
Cape Cleveland outside Townsville. It is one
of the scientific institutions of which Austra-
lia can rightly be very proud, and it gives
Australia a worldwide reputation in the area
of marine science. The institute has for many
years now been very ably led by Dr Ian
Poiner, the CEO of the Australian Institute of
Marine Science, and I was very saddened to
hear that, of his own volition, Dr Poiner will
not to continue as CEO when his current
term expires. I hope to have an opportunity
at some other time to speak more fully on
this, but I simply say in the short time al-
lowed me today what a tremendous leader
and scientist Dr Poiner has been in the area
of marine science and what a great manager
and CEO he has been for this institute over
the years that he has led the work there.

A quick look at the report shows that the
institute has been involved in a number of
very significant projects over the past year.
The fact that the prestigious national prize,
the Dorothy Hill award recognising young
female scientists, was won by an AIMS re-
searcher, Dr Nicole Webster, is really indica-
tive of the very high quality of work done by
AIMS generally. This is the second time in
five years that an AIMS scientist has won
this award, and I sincerely congratulate Dr
Webster, her colleagues and the institute on
her achieving that prize.

I note from the report that the institute was
very much employed in the investigation and
survey of damage in the aftermath of the
Shen Neng grounding in the southern Great
Barrier Reef and the Montana oil spill in the
far north-west of Australia. I also note that
AIMS has continued to do a lot of very good
scientific work on the crown-of-thorns star-
fish and some work that will in future benefit
the whole of the Great Barrier Reef.

I am pleased to note that I am proud of
this institute not only because it comes from
North Queensland, where I hail from, but
also in my great advocacy for Northern Aus-
tralia I am very pleased to note the Austra-
lia Institute of Marine Science is doing a
great deal of work right across the top of
Australia. Their snapshots of the year show
that a considerable amount of their work has
been done in Western Australia, with some
work in the Northern Territory as well.

I note that the institute’s aquaculturists
have successfully managed to rear lobster
larvae through the full hatchery cycle. I had
the privilege during one visit there to see
some of the work being done. It is thought to
be a world first in the work they have done
and a major step towards the development of
hatchery technology for the commercially
viable aquaculture of lobsters. I can assure
the Senate that if that does come to fruition
not only will this be fabulous for all of us
who love eating Australian seafood but it
will also be a very significant commercial
advance for Australia, particularly for the
north of Australia, if we can get aquaculture of those lobsters done in a commercially viable way.

In the very short time left to me, I also recognise the progress that has been made on the development of the $55 million Tropical Marine Research Facilities Project. The planning of the construction phase for the new aquarium facility, which is due for completion by 2012, is well underway. That project will guarantee Australia’s place as a leading centre for marine science around the world. I congratulate all of those involved in the great work that is done in marine science at the AIMS facility near Townsville. Well done, and thank you for what you do for Australia.

Question agreed to.

Consideration

The following government document tabled earlier today was considered:


Department of Foreign Affairs and Trade—Reports for 2009-10—

Volume 1—Department of Foreign Affairs and Trade.


ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Ludlam)—Order! It being 7.04 pm, I propose the question:

That the Senate do now adjourn.

St Mary of the Cross

Senator WORTLEY (South Australia) (7.04 pm)—I rise today to speak about a great woman and a tireless battler who courageously fought for the rights of the less fortunate and gave the gift of education to many poor young Australians. I refer, of course, to Australia’s first saint, Mary MacKillop, now known throughout Australia and the world as St Mary of the Cross.

Mary MacKillop’s recent canonisation in Rome created a surge of great interest and, for many, pride throughout the nation not just among Catholics but among all Australians who acknowledge her dedication to the underprivileged. It is fitting and a mark of respect that the Gillard government will provide special protection to control the use of names associated with Mary MacKillop. The Prime Minister has stated that this measure will provide the highest level of protection for any individual Australian’s name. To date, Sir Donald Bradman is the only other Australian to receive such protection.

Mary MacKillop is indeed a legend and her determination to bring education to the poor as well as her courage and endurance despite terrible times is inspirational to us all. Even temporary excommunication from her beloved church failed to dim Mary’s commitment and strength in battling the church hierarchy to maintain the independence of her religious order and to stand up for what is right.

In front of a large and enthusiastic Australian contingent in St Peter’s Square on Sunday, 17 October—the day of her canonisation
as Australia’s first saint—Pope Benedict praised Mary MacKillop for her:

... courageous and saintly example of zeal, perseverance and prayer ... She dedicated herself as a young woman to the education of the poor in the difficult and demanding terrain of rural Australia, inspiring other women to join her in the first women’s community of religious sisters of that country.

Many thousands of kilometres away from the pomp and ceremony of Rome, a no less enthusiastic crowd was gathering in the small South Australian country town of Penola—and a beautiful town it is too. They were there to witness the canonisation of ‘local girl’ Mary MacKillop live on a big screen television in a windswept paddock in Penola where Mary’s road to sainthood began. In the week of her canonisation I had the opportunity to visit the Mary MacKillop centre at Penola and to speak with some of the sisters and the volunteers there, and I would like to thank them for all of the work that they have done over the years so that Mary’s story could be told.

Mary MacKillop was not about recognition, accolades or power; her philosophy was to ‘never see a need without doing something about it’. As a governess in Penola, Mary had realised that rich squatters could educate their families but that the poorer classes could not find teachers for their children. Mary MacKillop and parish priest Father Julian Tenison Woods established Australia’s first free Catholic school in Penola in 1866. Its beginnings were humble; the school was in a stable but later moved to a more substantial stone building. From this small beginning sprang an educational movement which offered thousands of children an escape from poverty. Schools became the hallmark of her religious order and revolutionised a colonial Australian system of education so that it compared more favourably with education practices in Europe and Great Britain.

In 1867, Mary MacKillop and Father Woods formed the Sisters of St Joseph, a new religious order of nuns devoted to teaching the poor. By December 1869, 82 Sisters of St Joseph were running 23 schools and four charitable institutions in Australia. At the time of her death in 1909, Mary’s legacy included 750 sisters and 117 schools catering for 12,409 pupils. Today, there are 850 Sisters of St Joseph in Australia, New Zealand, Ireland, Peru, East Timor, Scotland and Brazil working in ministries and in schools.

Adelaide Archbishop Philip Wilson said in a special message recently that Mary MacKillop endured every human suffering, from mistrust, anger and bitterness on the part of others to betrayal and disappointment. Mary cared for and accepted all people regardless of race, religion or cultural differences. Her religious order went out into the streets and helped the poor and visited inmates in the Adelaide Gaol.

The Josephites order was autonomous, unlike religious orders back in Ireland, where the priests were in charge—an aspect of religious life which would cause great angst and eventually contribute to her excommunication. Mary MacKillop’s core strength in taking on the church hierarchy way back in the late 1800s is phenomenal. It is truly remarkable to think that a woman of that generation had the strength of character and fortitude to take on the church hierarchy. It was recently revealed that Mary was excommunicated in 1871 as a result of a series of events, including that members of her religious order reported a priest for sexually abusing children. The local bishop, advised by a priest who was implicated in the matter, decided to bring the overly independent Josephites into line. Mary MacKillop failed to comply and was excommunicated for insubordination. Mary and her Josephite sisters were put out into the street and a Jewish businessman in Adelaide took them in. After five months,
when the bishop realised his mistake and revoked the excommunication, the Josephites were reinstated in their habits during a ceremony at St Ignatius Church at Norwood in Adelaide.

In a lovely piece in the Age, journalist Martin Flanagan wrote that he was ‘barracking’ for Mary MacKillop, not because he was endorsing the papacy, miracles or the Catholic Church but because she had a rare and noble vision and pursued it regardless of the immense troubles that came her way. Flanagan went on to say:

I see MacKillop as one of those larger-than-life entities—the diggers at Gallipoli, Ned Kelly, Burke and Wills, Bradman etc—popularly recognised as Australian legends. They are, to state the obvious, all male. Now a female figure has emerged …

Today I would like to pay tribute to all of the Australians who worked tirelessly to bring the good work of Mary MacKillop to the stage of beatification and, finally, canonisation. The journey of this remarkable woman to her current status as St Mary of the Cross has been 85 years in the making, but finally Australia has its first saint.

Australians have always been inspired by tales of courage and battle within and against institutional hierarchies. We can learn so much from people like Mary MacKillop, who have achieved so much against the odds.

Senate adjourned at 7.12 pm

DOCUMENTS
Tabling

The following government documents were tabled:

Australian Radiation Protection and Nuclear Safety Agency—Quarterly report for the period 1 April to 30 June 2010.
Australian Taxation Office (ATO)—Report of the Commissioner of Taxation for 2009-10, including financial statements for the Australian Valuation Office.
Companies Auditors and Liquidators Disciplinary Board (CALDB)—Report for 2009-10.
Department of Foreign Affairs and Trade—Reports for 2009-10—
  Volume 1—Department of Foreign Affairs and Trade.
  Volume 2—Australian Agency for International Development (AusAID).
Department of Infrastructure, Transport, Regional Development and Local Government—Report for 2009-10, including report of Infrastructure Australia.
Department of Innovation, Industry, Science and Research—Report for 2009-10, including report of IP Australia.
Department of the Prime Minister and Cabinet—Report for 2009-10.
Office of the Official Secretary to the Governor-General—Report for 2009-10.
Privacy Act 1988—Report for 2009-10 on the operation of the Act, including financial statements for the Office of the Privacy Commissioner.
Tourism Australia—Report for 2009-10.

Tabling

The following documents were tabled by the Clerk:

Defence Act—Determinations under section 58B—Defence Determinations—
2010/50—ADF district allowance – amendment.
2010/51—East Timor and benchmark schools – amendment.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Veterans’ Affairs: Accommodation

(Question No. 46)

Senator Humphries asked the Minister representing the Minister for Veterans’ Affairs, upon notice, on 29 September 2010:

Do any of the departments or agencies within the Minister’s portfolio consider that new or additional office accommodation may be required in the next 2 years; if so, would that accommodation be provided in Canberra; and if so, approximately how many staff are estimated to need accommodation in the new or additional offices.

Senator Chris Evans—The Minister for Veterans’ Affairs has provided the following answer to the honourable senator’s question:

The Department of Veterans’ Affairs and the Australian War Memorial will not require new or additional office accommodation in the next two years.

Fair Work Ombudsman

(Question No. 149)

Senator Abetz asked the Minister for Finance and Deregulation, upon notice, on 28 September 2010:

How much interest has been earned from the monies held on trust for employees by the Fair Work Ombudsman

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

The Office of the Fair Work Ombudsman (OFWO) does not earn interest on money that it manages. The Commonwealth’s financial management arrangements provide that interest is not earned on individual agency bank account. Instead all agencies’ bank accounts are ‘swept’ overnight so that any interest is earned collectively at a whole of Commonwealth level.