COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES

Senate

Official Hansard

No. 3, 2010
Tuesday, 16 November 2010

FORTY-THIRD PARLIAMENT
FIRST SESSION—FIRST PERIOD

BY AUTHORITY OF THE SENATE
The Journals for the Senate are available at

Proof and Official Hansards for the House of Representatives,
the Senate and committee hearings are available at

For searching purposes use
http://parlinfo.aph.gov.au

SITTING DAYS—2010

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>2, 3, 4, 22, 23, 24, 25</td>
</tr>
<tr>
<td>March</td>
<td>9, 10, 11, 15, 16, 17, 18</td>
</tr>
<tr>
<td>May</td>
<td>11, 12, 13</td>
</tr>
<tr>
<td>June</td>
<td>15, 16, 17, 21, 22, 23, 24</td>
</tr>
<tr>
<td>September</td>
<td>28, 29, 30</td>
</tr>
<tr>
<td>October</td>
<td>25, 26, 27, 28</td>
</tr>
<tr>
<td>November</td>
<td>15, 16, 17, 18, 22, 23, 24, 25</td>
</tr>
</tbody>
</table>

RADIO BROADCASTS

Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

- ADELAIDE 972AM
- BRISBANE 936AM
- CANBERRA 103.9FM
- DARWIN 102.5FM
- HOBART 747AM
- MELBOURNE 1026AM
- PERTH 585AM
- SYDNEY 630AM

For information regarding frequencies in other locations please visit
http://www.abc.net.au/newsradio/listen/frequencies.htm
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
### Members of the Senate

<table>
<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Adams, Judith Anne</td>
<td>WA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Arbib, Hon. Mark Victor</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Back, Christopher John</td>
<td>WA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Barnett, Guy</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Bernardi, Cory</td>
<td>SA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Bilyk, Catryna Louise</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Birmingham, Simon John</td>
<td>SA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Bishop, Thomas Mark</td>
<td>WA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Boswell, Hon. Ronald Leslie Doyle</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>NATS</td>
</tr>
<tr>
<td>Boyce, Suzanne Kay</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Brandis, Hon. George Henry SC</td>
<td>QLD</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Brown, Carol Louise</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Brown, Robert James</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>AG</td>
</tr>
<tr>
<td>Bushby, David Christopher</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Cameron, Douglas Niven</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Carr, Hon. Kim John</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Cash, Michaelia Clare</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Colbeck, Hon. Richard Mansell</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Collins, Jacinta Mary Ann</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Conroy, Hon. Stephen Michael</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Coonan, Hon. Helen Lloyd</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Cormann, Mathias Hubert Paul</td>
<td>WA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Crossin, Patricia Margaret</td>
<td>NT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Eggleston, Alan</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Evans, Hon. Christopher Vaughan</td>
<td>WA</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Farrell, Donald Edward</td>
<td>SA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Faulkner, Hon. John Philip</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Feeney, David Ian</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Ferguson, Hon. Alan Baird</td>
<td>SA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Fielding, Steve</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>FF</td>
</tr>
<tr>
<td>Fierravanti-Wells, Concetta Anna</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Fisher, Mary Jo</td>
<td>SA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Forshaw, Michael George</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Furner, Mark Lionel</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Hanson-Young, Sarah Coral</td>
<td>SA</td>
<td>30.6.2014</td>
<td>AG</td>
</tr>
<tr>
<td>Heffernan, Hon. William Daniel</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Hogg, Hon. John Joseph</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Humphries, Gary John Joseph</td>
<td>ACT</td>
<td></td>
<td>LP</td>
</tr>
<tr>
<td>Hurley, Annette Kay</td>
<td>SA</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Hutchins, Stephen Patrick</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Johnston, Hon. David Albert Lloyd</td>
<td>WA</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Joyce, Barnaby Thomas Gerard</td>
<td>QLD</td>
<td>30.6.2011</td>
<td>NATS</td>
</tr>
<tr>
<td>Kroger, Helen</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Ludlam, Scott</td>
<td>WA</td>
<td>30.6.2014</td>
<td>AG</td>
</tr>
<tr>
<td>Lundy, Kate Alexandra</td>
<td>ACT</td>
<td></td>
<td>ALP</td>
</tr>
<tr>
<td>Macdonald, Hon. Ian Douglas</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Senator</td>
<td>State or Territory</td>
<td>Term expires</td>
<td>Party</td>
</tr>
<tr>
<td>--------------------------</td>
<td>--------------------</td>
<td>--------------</td>
<td>--------</td>
</tr>
<tr>
<td>McEwen, Anne</td>
<td>SA</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>McGauran, Julian John</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>McLucas, Hon. Jan</td>
<td>QLD</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Marshall, Gavin Mark</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Mason, Hon. Brett John</td>
<td>QLD</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Milne, Christine Anne</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>AG</td>
</tr>
<tr>
<td>Minchin, Hon. Nicholas</td>
<td>SA</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Moore, Claire Mary</td>
<td>QLD</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Nash, Fiona Joy</td>
<td>NSW</td>
<td>30.6.2011</td>
<td>NATS</td>
</tr>
<tr>
<td>O’Brien, Kerry Williams</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Parry, Stephen Shane</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Payne, Marise Ann</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Polley, Helen Beatrice</td>
<td>TAS</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Pratt, Louise Clare</td>
<td>WA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Ronaldson, Hon. Michael</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Ryan, Scott Michael</td>
<td>VIC</td>
<td>30.6.2014</td>
<td>LP</td>
</tr>
<tr>
<td>Scullion, Hon. Nigel</td>
<td>NT</td>
<td>30.6.2014</td>
<td>CLP</td>
</tr>
<tr>
<td>Sherry, Hon. Nicholas</td>
<td>TAS</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Siewert, Rachel Mary</td>
<td>WA</td>
<td>30.6.2011</td>
<td>AG</td>
</tr>
<tr>
<td>Stephens, Hon. Ursula</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Sterle, Glenn</td>
<td>WA</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Troeth, Hon. Judith</td>
<td>VIC</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Troodd, Russell Brunei</td>
<td>QLD</td>
<td>30.6.2011</td>
<td>LP</td>
</tr>
<tr>
<td>Williams, John Reginald</td>
<td>NSW</td>
<td>30.6.2014</td>
<td>NATS</td>
</tr>
<tr>
<td>Wong, Hon. Penelope</td>
<td>SA</td>
<td>30.6.2014</td>
<td>ALP</td>
</tr>
<tr>
<td>Wortley, Dana Johanna</td>
<td>SA</td>
<td>30.6.2011</td>
<td>ALP</td>
</tr>
<tr>
<td>Xenophon, Nicholas</td>
<td>SA</td>
<td>30.6.2014</td>
<td>IND</td>
</tr>
</tbody>
</table>

(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**

<table>
<thead>
<tr>
<th>Role</th>
<th>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>Hon. Julia Gillard MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Treasurer</td>
<td>Hon. Wayne Swan MP</td>
</tr>
<tr>
<td>Minister for Regional Australia, Regional Development and Local Government</td>
<td>Hon. Simon Crean MP</td>
</tr>
<tr>
<td>Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate</td>
<td>Senator Hon. Chris Evans</td>
</tr>
<tr>
<td>Minister for School Education, Early Childhood and Youth</td>
<td>Hon. Peter Garrett AM MP</td>
</tr>
<tr>
<td>Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate</td>
<td>Senator Hon. Stephen Conroy</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon. Kevin Rudd MP</td>
</tr>
<tr>
<td>Minister for Trade</td>
<td>Hon. Dr Craig Emerson MP</td>
</tr>
<tr>
<td>Minister for Defence and Deputy Leader of the House</td>
<td>Hon. Stephen Smith MP</td>
</tr>
<tr>
<td>Minister for Immigration and Citizenship</td>
<td>Hon. Chris Bowen MP</td>
</tr>
<tr>
<td>Minister for Infrastructure and Transport and Leader of the House</td>
<td>Hon. Anthony Albanese MP</td>
</tr>
<tr>
<td>Minister for Health and Ageing</td>
<td>Hon. Nicola Roxon MP</td>
</tr>
<tr>
<td>Minister for Families, Housing, Community Services and Indigenous Affairs</td>
<td>Hon. Jenny Macklin MP</td>
</tr>
<tr>
<td>Minister for Sustainability, Environment, Water, Population and Communities</td>
<td>Hon. Tony Burke MP</td>
</tr>
<tr>
<td>Minister for Finance and Deregulation</td>
<td>Senator Hon. Penny Wong</td>
</tr>
<tr>
<td>Minister for Innovation, Industry, Science and Research</td>
<td>Senator Hon. Kim Carr</td>
</tr>
<tr>
<td>Attorney-General and Vice President of the Executive Council</td>
<td>Hon. Robert McClelland MP</td>
</tr>
<tr>
<td>Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate</td>
<td>Senator Hon. Joe Ludwig</td>
</tr>
<tr>
<td>Minister for Resources and Energy and Minister for Tourism</td>
<td>Hon. Martin Ferguson AM, MP</td>
</tr>
<tr>
<td>Minister for Climate Change and Energy Efficiency</td>
<td>Hon. Greg Combet AM, MP</td>
</tr>
</tbody>
</table>

*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]
SHADOW MINISTRY—continued

Shadow Minister for Employment Participation
Hon. Sussan Ley MP

Shadow Minister for Justice, Customs and Border Protection
Mr Michael Keenan MP

Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation
Senator Mathias Cormann

Shadow Minister for Childcare and Early Childhood Learning
Hon. Sussan Ley MP

Shadow Minister for Universities and Research
Senator Hon. Brett Mason

Shadow Minister for Youth and Sport and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Indigenous Development and Employment
Senator Marise Payne

Shadow Minister for Regional Development
Hon. Bob Baldwin MP

Shadow Special Minister of State
Hon. Bronwyn Bishop MP

Shadow Minister for COAG
Senator Marise Payne

Shadow Minister for Tourism
Hon. Bob Baldwin MP

Shadow Minister for Defence Science, Technology and Personnel
Mr Stuart Robert MP

Shadow Minister for Veterans’ Affairs
Senator Hon. Michael Ronaldson

Shadow Minister for Regional Communications
Mr Luke Hartsuyker MP

Shadow Minister for Ageing and Shadow Minister for Mental Health
Senator Concetta Fierravanti-Wells

Shadow Minister for Seniors
Hon. Bronwyn Bishop MP

Shadow Minister for Disabilities, Carers and the Voluntary Sector and Manager of Opposition Business in the Senate
Senator Mitch Fifield

Shadow Minister for Housing
Senator Marise Payne

Chairman, Scrutiny of Government Waste Committee
Mr Jamie Briggs MP

Shadow Cabinet Secretary
Hon. Philip Ruddock MP

Shadow Parliamentary Secretary Assisting the Leader of the Opposition
Senator Cory Bernardi

Shadow Parliamentary Secretary for International Development Assistance
Hon. Teresa Gambaro MP

Shadow Parliamentary Secretary for Roads and Regional Transport
Mr Darren Chester MP

Shadow Parliamentary Secretary to the Shadow Attorney-General
Senator Gary Humphries

Shadow Parliamentary Secretary for Tax Reform and Deputy Chairman, Coalition Policy Development Committee
Hon. Tony Smith MP

Shadow Parliamentary Secretary for Regional Education
Senator Fiona Nash

Shadow Parliamentary Secretary for Northern and Remote Australia
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Local Government
Mr Don Randall MP

Shadow Parliamentary Secretary for the Murray-Darling Basin
Senator Simon Birmingham

Shadow Parliamentary Secretary for Defence Materiel
Senator Gary Humphries

Shadow Parliamentary Secretary for the Defence Force and Defence Support
Senator Hon. Ian Macdonald

Shadow Parliamentary Secretary for Primary Healthcare
Dr Andrew Southcott MP
**SHADOW MINISTRY—continued**

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

TUESDAY, 16 NOVEMBER

Chamber
Committees—
  Legal and Constitutional Affairs Legislation Committee—Meeting.......................... 1287
  Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010—
    Second Reading.............................................................................................................. 1287
    Third Reading............................................................................................................... 1291
  Australian National Preventive Health Agency Bill 2010—
    Second Reading.............................................................................................................. 1291
Questions Without Notice—
  Gillard Government........................................................................................................ 1305
  Climate Change............................................................................................................... 1307
  Water Infrastructure....................................................................................................... 1309
  Automotive Industry...................................................................................................... 1312
  Broadband.................................................................................................................... 1313
  Health: Disease Control............................................................................................... 1315
  Broadband.................................................................................................................... 1316
  Broadband.................................................................................................................... 1317
  Antisiphoning List......................................................................................................... 1319
Questions Without Notice: Additional Answers—
  Defence Procurement..................................................................................................... 1320
  Health: Disease Control............................................................................................... 1322
  Mining .......................................................................................................................... 1322
  Environment.................................................................................................................. 1323
Questions Without Notice: Take Note of Answers—
  Gillard Government........................................................................................................ 1324
  Health: Disease Control............................................................................................... 1330
Petitions—
  South Sudanese Referendum......................................................................................... 1331
Notices—
  Presentation ..................................................................................................................... 1332
  Leave of Absence.......................................................................................................... 1334
Committees—
  Rural Affairs and Transport Legislation Committee..................................................... 1334
  Environment and Communications Legislation Committee—Extension of Time ...... 1334
Notices—
  Postponement .............................................................................................................. 1334
Committees—
  Legal and Constitutional Affairs References Committee—Reference ..................... 1335
  Finance and Public Administration Legislation Committee—Meeting..................... 1335
  National Capital and External Territories Committee—Meeting................................ 1336
  Foreign Affairs, Defence and Trade Legislation Committee—Extension of Time...... 1336
  Corporations and Financial Services Committee—Meeting........................................ 1336
  Environment and Communications References Committee—Extension of Time ...... 1336
Productivity Commission Report—
  Order............................................................................................................................ 1336
  Language Rights of Tibetans ........................................................................................ 1338
  Mental Health............................................................................................................... 1339
CONTENTS—continued

Food Standards Amendment (Truth in Labelling—Genetically Modified Material) Bill 2010—
  First Reading .................................................................................................................. 1341
  Second Reading .............................................................................................................. 1341
Anti-discrimination Laws ................................................................................................ 1344
Business—
  Consideration of Legislation ....................................................................................... 1344
  Suspension of Standing Orders ..................................................................................... 1344
Matters of Public Importance—
  Youth Allowance ......................................................................................................... 1353
Documents—
  Coal Seam Gas Projects ............................................................................................... 1367
  Tabling .......................................................................................................................... 1367
Committees—
  Intelligence and Security Committee—Membership .................................................... 1367
Aviation Crimes and Policing Legislation Amendment Bill 2010—
  Report of Legal and Constitutional Affairs Legislation Committee .............................. 1368
Committees—
  Economics Legislation Committee—Report ................................................................... 1368
  Community Affairs Legislation Committee—Report ..................................................... 1368
Australian National Preventive Health Agency Bill 2010—
  Second Reading ............................................................................................................ 1368
  In Committee ............................................................................................................... 1375
Documents—
  Consideration ............................................................................................................... 1379
Adjournment—
  Support of People with Disabilities ............................................................................. 1380
  Mr Thomas Reid MBE ................................................................................................ 1382
  Volunteers .................................................................................................................... 1385
  Mr Andrew McLeod .................................................................................................... 1388
  Apology to the Forgotten Australians and Former Child Migrants ............................... 1390
  National School Chaplaincy Program ......................................................................... 1392
  Solar Cities Project ....................................................................................................... 1393
  Child Abuse .................................................................................................................. 1395
  Cunningham Dux Collection ....................................................................................... 1395
  Australian Greens ........................................................................................................ 1399
Documents—
  Tabling .......................................................................................................................... 1402
  Tabling .......................................................................................................................... 1403
Questions On Notice
  Innovation, Industry, Science and Research: Accommodation—(Question No. 31) ....... 1406
  Small Business: Accommodation—(Question No. 45) ................................................. 1407
Tuesday, 16 November 2010

The President (Senator the Hon. John Hogg) took the chair at 12.30 pm and read prayers and made an acknowledgement of country.

Committees

Legal and Constitutional Affairs Legislation Committee

Meeting

Senator Crossin (Northern Territory) (12.31 pm)—by leave—I move:

That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1.30 pm.

Question agreed to.

Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010

Second Reading

Debate resumed from 15 November, on motion by Senator McLucas:

That this bill be now read a second time.

Senator Abetz (Tasmania) (12.32 pm)—The coalition supports the Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010. Apart from some of the self-congratulatory assertions in the minister’s second reading speech in the House of Representatives, the speech outlined very well what the government is seeking to achieve. This is one of those bills that, since it is only four pages long, is fairly easy for us in this chamber to decipher, to understand and come to grips with on a relatively quick basis if we are so inclined.

The idea of this legislation is to assist long-term unemployed job seekers living in areas with high unemployment to relocate and take up a full-time job elsewhere. Funds for relocation on a reimbursement basis will be provided for job seekers with assistance for such things as airfares, removalists, temporary accommodation and post-placement support and mentoring. I understand that this is a trial targeted at the long-term unemployed.

We as a coalition have always believed in the concept of mutual obligation, that if a taxpayer is to make a contribution to a citizen for your assistance then there is an obligation for that citizen to acknowledge that to the community at large. As a result, the government is proposing that if a person fails to stay in employment without a reasonable excuse for six months and has received assistance from the Connecting People with Jobs relocation pilot program, they incur a wait of up to 12 weeks for more assistance.

The coalition had a virtually identical policy when we were last in government. It was condemned by Labor and now they are reintroducing it—a program that we implemented. It was a policy that was hollowly condemned by Labor, and now it is being adopted virtually in its entirety. So you have a government that does not have an agenda of its own and is unable to make the right calls and so, scratching around, once again goes to the coalition to adopt good, sound policy ideas for the future of our country.

I understand this is being sold as a trial, yet we had this scheme while we were in government and it was criticised by Labor as being non-effective. Indeed, when we announced our policies before the last election, I recall that one of the kingmakers—who I am sure Senator Arbib is well acquainted with—one of the faceless men in the Labor Party, Mr Paul Howes, branded this idea. Providing encouragement for the unemployed to move to find work in another area—relocation and retraining to find a job—especially when unemployment is low,
is not a new concept, but it did not stop the boss of the Australian Workers’ Union, Paul Howes, branding the idea as ‘crass politics’ and ‘Tony Abbott’s Sarah Palin moment’, which showed how ‘removed his thinking was from the real world of work’. That was said in April this year.

Having said that, Mr Howes has gone strangely quiet on the government actually adopting this as their policy and committing to our policy, which was designed to get people into work. It does seem somewhat incongruous that we pay unemployment benefits to those in high-unemployment areas and yet there are demands for labour in other areas of our great, large country where there is a shortage of employable people. Being able to match the unemployed with the jobs that are available in other parts of the country, especially where people are capable of moving, makes good sense from a social equity point of view and it makes good sense from an economic point of view. Let us keep in mind that the best social security policy any government can deliver to its people is a job through which they can become self-reliant. That is why we as a coalition have supported this concept for some time.

It is good to see the Labor Party coming on board and adopting our policy; it is good to see the Labor Party acknowledging that this is an area that needs to be addressed. Whilst this is a trial I do note that the Department of Employment and Workplace Relations made mention of relocation in its 2006-07 annual report under the section ‘Report on performance: workforce participation’. It was noted that it occurred largely in the construction industry or in the hospitality sector supporting the mining industry in Western Australia. The fact that we have been able to relocate unemployed people to where the jobs are in the past shows that it does work. It also shows, of course, that Labor’s criticism of our action plan that was delivering results in the run-up to the 2007 election was hollow rhetoric—they have now adopted our policy some three years later, having seen the social and economic benefits of our approach in this area.

As I said in commencement, the coalition supports the legislation. I will not bother to repeat the exact detail of the regime, which, I might say, the minister outlined so succinctly in her second reading speech on 21 October 2010 in the other place. The coalition supports the bill and commends it to the Senate.

Senator SIEWERT (Western Australia) (12.40 pm)—The Greens do not support the Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010 and I will articulate why. During the election the government announced the Connecting People with Jobs trial, which will allow long-term unemployed people—those who have been out of work for 12 months or more—to be eligible for reimbursement of up to $3,000 if they relocate to a metropolitan area for work or up to $6,000 if they relocate to a regional area for work, plus an additional $3,000 if they have dependent children. The trial, as we know, will provide a wage subsidy of $2,500 to employers as an incentive to employ these particular job seekers. The trial will be for two years and is aimed to assist 2,000 people.

I note that the funding for this trial is not new money but money already allocated to the Employment Pathway Fund. This bill allows for job seekers in certain circumstances to have their social security stopped for 12 weeks. The current legislation already provides for an eight-week non-payment period where a job seeker becomes unemployed as a result of a voluntary act or due to misconduct. This bill seeks to extend that period to 12 weeks where the job seeker has been paid relocation assistance. The Greens’ concern and opposition to the eight-week
non-payment period is well documented and we have articulated in this place on numerous occasions the impact that that eight-week non-payment period has had on people.

The Greens are supportive of measures to provide incentives for long-term unemployed people to find work, including through assistance with relocation costs. That is not what we have an issue with. We do not understand why we have to have the severe additional penalty contained in this bill. It is needless, in our opinion. The Greens do not support the current eight-week non-payment period and we do not, therefore, support its extension to 12 weeks. We believe that the impact that the eight-week non-payment period has had on people has been extremely severe. It has in fact led to people dropping out of the social security system altogether, which has meant that there have actually been rolling eight-week non-payment periods. This occurred more often before the government amendments bringing in a much better Employment Pathway Plan, a much better compliance process, a better examination of other options et cetera. Having said that, we are still concerned about the impact that the eight-week non-payment period has had, as I said, people dropping out of the system and rolling eight-week non-payment periods, and about the impact on certain groups of people and people in certain locations. We are concerned about the impact this much more extensive process could have.

Regardless of circumstances, three months is a long time for people to go without any financial support. We are concerned about the punitive compliance measures proposed to keep people in jobs, particularly when the incentives in this measure are aimed at those who have been out of work for 12 months or more. People who have been out of work for 12 months or more have significant employment barriers, and we are concerned that a significant employment barrier may be a reason why somebody may leave a job once they have started it. Some of those barriers, which may not have been addressed while those people were on income support, may not be acknowledged and may be a contributing factor to their unemployment.

I would also note in passing that we have some concerns that the funding for counseling through the JSA process will stop and that that counseling service will then stop, so that people will not even be able to access that type of service. In fact, we are concerned that the 12-week non-payment period may actually put people off accessing this incentive in the first place.

Voluntarily leaving a job can occur for a variety of reasons—including because of bullying, lack of support or personal circumstances—that we do not believe justify such a severe penalty. This is so particularly when you also take into account that people may be relocating a significant way from their current residence into regional areas and may not get the support they need to stay in a job—particularly, as I said, when we are aiming these incentives at those who have been out of work for a significant period of time. I am concerned that the support services that may be needed to keep people in employment, particularly in regional and more remote areas, may not be available.

We do support attempts by the government to assist people to relocate for work. As I have said, that is because we think that we need to be offering these sorts of incentives to encourage and support people back into the workforce. But just giving financial support is not necessarily addressing what are, for some people, very significant barriers to employment. While we support the attempts by government to assist people to relocate for work, we simply cannot support the provisions of this bill and what we think is the needless increase in the non-payment period.
An eight-week non-payment period, when you have no other source of income, is already a significant deterrent, in our opinion. Indeed, as I have said in this place many times, we believe that eight weeks is too severe—let alone going to 12 weeks. If we have to have a non-payment period, we believe the current, eight-week, period is enough of a deterrent. As I have already said, we have concerns about even the current period.

This bill is, in fact, not about connecting people with jobs; it is about punishing people who are in need of support. We believe we should be focusing our efforts on actually addressing the question: what are the barriers to long-term employment? We believe we should be putting a lot more into ensuring that the people who are in this program are supported to stay in work and into addressing some of the issues that may influence their ability to stay in jobs that they relocate for.

So we do not support this bill. We think it is unnecessarily harsh. We do not support the eight-week non-payment period, as I have said. Just in case people out there have not got that message: we do not like it. We believe is a significant barrier in itself and, therefore, unnecessary. We also believe, as I said, that it is counterproductive and does not consider adequately enough the reasons for which people may leave work. As I said, it may in fact act as a disincentive if people realise that they may then have a 12-week non-payment period. I realise that the two major parties agree on this bill, but we do not support it. We do support the incentives process in this approach, but we do not support the severe penalty that is introduced in this bill.

Senator ARBIB (New South Wales—Minister for Indigenous Employment and Economic Development, Minister for Sport and Minister for Social Housing and Homelessness) (12.48 pm)—I thank Senators Abetz and Siewert for their comments in the debate on the Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010. However, I reject Senator Abetz’s comments regarding the government’s agenda. The government has had an extremely strong agenda in terms of employment participation. The stimulus for nation building and jobs was targeted at keeping people in employment: 200,000 jobs were supported and protected by the stimulus package while, at the same time, workers, who otherwise may have lost their jobs, were kept in employment and could keep food on their tables and roofs over their families’ heads. That is what the government stands for.

This bill is a key component of the government’s Connecting People with Jobs trial. It aims to improve labour mobility and support for long-term unemployed job seekers. The Connecting People with Jobs trial will commence on 1 January 2011. It will provide support for long-term unemployed job seekers living in areas with high unemployment rates and keep them connected with jobs in other parts of Australia. Job seekers who relocate to take up an ongoing full-time position or apprenticeship will be reimbursed up to $9,000 for relocation expenses and other needed supports. Under the trial, job seekers will be eligible for reimbursement of up to $3,000 for relocating to a metropolitan area or $6,000 for moving to fill a job in a regional area. They may be eligible for an additional $3,000 if they are relocating with their family.

Relocation, as we know, often has high costs, especially when it involves moving interstate or even across the country. These job seekers will have sought employment in their current location for at least 12 months but may have lacked the resources to move to take up employment further afield. As part
of Labor’s election commitment, employers will also be eligible for a wage subsidy of $2,500 to create an upfront incentive for taking on these job seekers. This is in recognition of the additional support and assistance individuals will need in the early stages of their employment in the new location. While this trial will encourage the long-term unemployed to relocate to take up a job, this bill seeks to create an incentive for individuals to stay in their new location and to keep them in sustainable employment. Specifically, the bill seeks to strengthen associated compliance measures for job seekers who have been assisted to relocate to a job under the trial by extending to 12 weeks the period of non-payment of income support, should a relocating job seeker leave the job within the first six months as a result of a voluntary act or of misconduct.

We know that job seekers were previously subject to an eight-week non-payment period. In relation to Senator Siewert’s comments can I just say that under the trial, if a job seeker leaves their relocation employment without good cause within the first six months, the standard non-payment period will be increased from eight weeks to 12 weeks. The important point is that this will happen if they leave ‘without good cause’. Job seekers will of course have an opportunity to explain their situation to Centrelink.

The national unemployment rate currently sits at 5.4 per cent, which is down from 5.7 per cent a year ago. However, the truth is that the employment situation varies across the country. In the modern age there is a need for greater labour mobility—that is something we all accept—and relocating part of the workforce to meet employer demand is an effective measure of achieving this. The Connecting People With Jobs trial will enhance the flexibility of the labour market by encouraging additional relocation activity to help better match labour supply with demand. The funds for relocation will provide job seekers with assistance for things such as airfares, removals, temporary accommodation, post-placement support and mentoring. I think that is very important: it is not just about the relocation expenses; it is also about post-placement support and mentoring. It will also provide employers with the workers they need to grow their businesses and ensure that people have sustainable employment into the future.

Question agreed to.
Bill read a second time.

Third Reading
Bill passed through its remaining stages without amendment or debate.

AUSTRALIAN NATIONAL PREVENTIVE HEALTH AGENCY BILL 2010
Second Reading
Debate resumed from 15 November, on motion by Senator McLucas:
That this bill be now read a second time.

Senator FIERRAVANTI-WELLS (New South Wales) (12.54 pm)—I will start by making some general comments in relation to Minister Roxon’s comments about alleged delays and her attempt to attribute those delays to the coalition. The Australian National Preventive Health Agency Bill 2010 is based on a 2008 COAG agreement to establish an agency to coordinate preventive health measures between governments, and it has been in this parliament since 2009. There was a debate on this legislation in October 2009; indeed, this is one of the bills that has been sitting on my shelf since I took responsibility for health and ageing in the Senate in late 2009.

Senator Cormann represented the coalition’s position of support for preventive health but not support for another big bureaucracy. In his speech in the second read-
ing debate on 22 October 2009 he called for the government to respond to all the recommendations of the National Preventative Health Taskforce review. On 26 November 2009 Senator Cormann, on behalf of the coalition, again called for a response to that review to be tabled. In February 2010 the bill was again scheduled for debate—amendments were drawn up in preparation for the debate—and again it slipped sideways. Since then the bill has appeared on the Senate Notice Paper a number of times. For example, it was listed on 22 June as order of the day No. 7. If this is a government priority, the government should have ensured it had higher priority so that it could be reached; indeed, on 23 June it had slipped down to No. 8 and by 24 June it had completely disappeared. Instead, in a last-minute panic, the Senate had to deal with the health identifiers legislation on 24 June—at the death knell of the last parliament. That night the House had to be recalled just to pass Minister Roxon’s legislation because she and the government could not get their act together and get their programming right. Like the preventive health legislation this was shuffled down the list repeatedly.

I raise this because we have had to put up with repeated comments from Minister Roxon. She cannot get her facts right and she persists in putting out these silly press releases that tell us legislation is being blocked in the Senate by the opposition—despite my suggestions to the minister at the last debate that she ought to get a copy of the Senate procedures and understand them or go back to the people who put together the orders and procedures in the Senate and complain to them about the delay. I think it is time that Minister Roxon stopped having these hissy fits and unfairly blaming everyone but herself for her own delays. In this case the minister, not the opposition, is to blame. We put this down to her incompetence. She ought to stop blaming others and get on with the job.

I now turn to the matter before us. Approximately 32 per cent of Australia’s disease burden is attributable to modifiable risk factors. Investing time and energy into preventing chronic or life-threatening disease will obviously assist. At the moment, we are sitting third from the bottom of the OECD list for obesity, we compare poorly with other OECD countries in terms of diabetes and we are mid-ranking on alcohol consumption. Having said that, our tobacco rates are amongst the lowest in the world. The combined efforts of national and state governments over 30 years have seen the incidence of smoking falling from 36 per cent of the adult population in 1977 to 19 per cent in 2007. We have seen a series of long-term successful public health campaigns by various governments. It is now possible to travel on an aeroplane or eat a meal in a restaurant without having somebody breathe smoke in your face. Having said that, that is impossible when you walk past buildings in the CBD, because smokers are standing outside smoking. Smoking rates are too high but the numbers are dropping. The coalition believes preventive health should be on the national agenda because treating people with chronic preventable diseases leads to a substantial reduction in economic and social costs.

Chronic disease is a significant burden on our healthcare system. This leads to substantial economic and social costs for all Australians. If we can manage these costs then it will raise a significant burden from Australia’s healthcare system—a system that is already under a lot of pressure. Increased focus on preventative health—keeping people healthy and out of hospital—is a very important goal for any government. Of course, we agree with provisions to this effect.
Ten years ago, in the context of tax reform, the Howard government responded to the advocacy of many health groups to move the taxation of tobacco to a per stick excise rather than on the basis of weight. I would like to focus, if I could for a few minutes, on the coalition’s record on preventative health. Two years ago the coalition proposed an increase in the level of tobacco excise as part of the budget-in-reply debate, recognising that cigarette smoking still represents the biggest burden of disease and preventable death in Australia.

There have been lifestyle campaigns, anti-alcohol-abuse campaigns and anti-drug campaigns. For example, there was Measure Up, a coalition government measure in 2006, as part of the Australian Better Health Initiative. The aim with that campaign was to reduce the risk factors associated with chronic disease such as type 2 diabetes, heart disease, cancer and other diseases.

I tell you this because, if it was left to Minister Roxon, she would totally—utterly—forget everything that the coalition ever did on preventative health. It is as if before she came nobody even talked about preventative health—as if nobody ever did anything. This is really the hypocrisy of Minister Roxon. Of course preventative health is a goal for everyone. We continued when we were in government to support and encourage healthy lifestyles to reduce the risks of many chronic diseases. It is a no-brainer. As conceived, the agency will conduct social-marketing campaigns and research into preventative health—something that has occurred under successive governments since at least the Fraser years. How could we forget the Life Be in It campaign featuring Norm? So, Minister Roxon cannot seriously be believed when she suggests that nobody has mounted campaigns in the past.

I will just make some comments in relation to the coalition’s concerns about the bill. The original bill raised a lot more questions than it answered. Indeed, in three years, the government engaged in a lot of talk but did not achieve much. Certainly the functions of this agency as provided by the bill are far reaching, to say the least. In summary, the agency’s objectives—through its CEO—are (1) to analyse and disseminate information on preventative health to the public, business and government; (2) to make recommendations and provide policy advice on preventative health matters; (3) conduct awareness and education campaigns; (4) make financial assistance grants on behalf the Commonwealth; and (5) develop national standards and codes of practice.

Our concern all along has been that this bill would add yet another layer of bureaucracy without any assurances of real results for the health sector. Like a lot of things that this government has done, or has sought to turn its attention to, it sounds good but in the delivery there are problems. We only have to look at the Building Education Revolution, pink batts or the cash for clunkers to see that this government does not have a good history in relation to detail. Our concern was to ensure that this agency will be a transparent body with a purpose. That is what we have sought to do all along.

The changes that have been proposed by the coalition would mean that the CEO must publish on the agency’s website a copy of any advice or recommendations. We will be proposing some amendments, and I note that Senator Xenophon is also proposing an amendment in the same terms. We will come to those in the committee stage. For us, these amendments are about open government—the transparency of this process. Regrettably, since the introduction of the original bill in the previous parliament the government has
restricted the extent to which there is public information available on the proposed body.

The explanatory memorandum of the original bill provided a breakdown of fund allocations over the forward estimates. That breakdown has not been provided in this current bill, and we would like to know why it has been left out. The explanatory memorandum, in addition, restricts social-marketing campaigns to those that target only obesity or smoking. Is this deliberate or simply an error in the drafting of the explanatory memorandum? Will the problems, for example, of teenage binge drinking and harmful drinking be getting a social marketing campaign?

Social marketing is an important focus of the agency and we would like to get some clarity as to the intended scope of the social marketing. Research shows that social marketing carried out in isolation is inadequate in influencing behavioural change. It would be more effective to broaden the scope of social marketing in order to integrate other measures such as telephone counselling or online tools. For example, the Quit campaign is a good campaign, where taking a collaborative, holistic approach ensures that the message can be sold a lot more successfully.

The degree to which this agency can be successful will depend on the degree to which they successfully engage with all stakeholders. Most Australians have paid a visit to their GP sometime in the previous 12 months. GPs are geared up to provide assistance to help people give up smoking or make lifestyle changes. The agency cannot operate in isolation and must ensure that there is strong engagement with all the stakeholders to achieve behavioural change across the Australian community. There are existing awareness campaigns. We want to know whether the social marketing campaigns proposed will supplement or be a substitute for previous campaigns. In similar terms, what about the research that is already occurring in the areas of obesity, drug and alcohol abuse and cigarette smoking? Will what is proposed for this agency supplement or simply be a substitute for those activities?

The over-$100 million for the national social marketing campaign is significant. We need to have further clarification as to where this money will be spent. It has become evident after consultations that, whilst the broad functions of the CEO and the agency are far-reaching, the extent to which the CEO or the agency can conduct educational awareness programs relating to mental health is limited and the agency can only conduct programs—alcohol, tobacco use and other substance abuse and obesity—as drafted in the bill. This does not provide the opportunity to achieve broader community benefits than those otherwise focused on in the bill.

We support a greater focus on the health system in its moves towards prevention and practical outcomes that can have a lasting and overall effect on the lives of Australians. As I said, preventative health measures cannot be taken in isolation. Early detection and intervention to avoid disease progression are just as important. And, of course, the innovations of computerisation and practice nurses over the last decade mean that family practices now are much better placed to lead the preventative health effort and to encourage individuals to change their behaviour. The bottom line is that there is general consensus for an increased focus on preventative health. We all know this, except that it is not enough that we simply agree on the importance. We need to have a viable and transparent body with clear objectives. It must be well governed. We need to be assured of positive practical results in the area of preventative health.

We see the establishment of the Australian National Preventive Health Agency, regrettably
bly, as adding another layer of bureaucracy without any assurance of positive health outcomes. Being seen to be taking action is not the same as actually taking action. The Prime Minister and the Minister for Health and Ageing say that the government will allocate $17 million to establish and operate the agency if this legislation is passed. While the object of the bill is to establish the agency to advise on the managed national preventative health outcome, to be truly effective the agency must be viable and transparent.

The coalition during the committee stage will be proposing some amendments. In the House, Dr Southcott proposed five amendments. There were two sets of amendments. The amendment relating to the objects and functions of the agency was accepted and I commend the government for accepting our amendment in the other place. The bill that is before us includes that amendment in clause 2A. Another amendment proposed by the coalition in the House related to the functions of the CEO. We moved to expand those functions. Again, that has been included in the amended bill. As I said earlier, health groups were concerned that the agency would be restricted to addressing only alcohol, tobacco use and other substance abuse and obesity. The coalition’s amendment ensures that other areas of preventative health—but most importantly the promotion of a healthy lifestyle generally—can form and are part of the functions of the CEO.

The amendments proposed by the coalition, first of all, go to the inclusion of a definition of an industry representative. It is important that there be appropriate industry representatives who have commercial expertise in manufacture, distribution or marketing of foods or beverages, including of alcohol beverages. You cannot seriously contemplate preventative health measures without taking into account food and beverages, including of course alcohol beverages. I think it is important in developing a collaborative approach that they be included as part of this process. We will also be, as I foreshadowed earlier, proposing an amendment with Senator Xenophon relating to publication. This amendment will obligate the CEO to provide details of any recommendations made to the government. It also goes part of the way to addressing the concerns about lack of independence and transparency. It also increases public engagement through further dialogue between the public health and industry sectors and, of course, it is about public scrutiny and debate.

We also have another amendment which goes to the membership of the advisory council of the agency and the inclusion of industry representatives and other representatives from consumers or consumer health organisations. It is vitally important that the advisory council has broad representation, not just from government health experts but from industry and consumer groups, so that it can truly have a balanced approach to how it looks at preventative health.

I mentioned the issues relating to the breakdown of fund allocations over forward estimates. Other issues that we would like some explanation of include, as I have indicated, our concerns about the limited scope of social marketing campaigns. Social marketing campaigns have not been defined in the legislation and we really would like to have some clarification as to the scope of social marketing. I will leave further comments for the committee stage.

Senator SIEWERT (Western Australia) (1.14 pm)—The Greens believe that the real challenge for our health system, now and into the future, is managing illness in a way that keeps people out of hospital and well. We believe the evidence is overwhelming that our health policies should focus on keeping people well, preventing illness and better...
managing illness in the community. We very strongly believe in preventative health measures—and, of course, helping to keep people well is where preventative health comes in.

The Greens believe strong leadership is required if preventative health activities are to get the attention and the funding that they need. Short-term political cycles encourage governments to favour what most of us see as quick fixes, things such as more hospital beds. That is not to say we do not believe hospital beds are important, but often the solution to the crisis in our health system is to provide more hospital beds without actually looking at the overall health of the health system itself. Other quick fixes are used, but quite often these are put in place ahead of long-term preventative health strategies that require more complex approaches and cross-portfolio coordination where the benefits are in fact deferred for many years and so are not accountable in short-term decision making in short-term budget cycles. Investing now in our health system will pay off in the future.

The Australian National Preventive Health Agency Bill 2010 has been a long time coming to the Senate. I must say that I share Senator Fierravanti-Wells’s concerns around the fact that there seems to have been a bit of finger-pointing about the Senate. We had dialogue around the need for some amendments, and I should say here that we are very pleased that the government has in fact adopted into this bill most of the amendments that we put up last time. I do acknowledge that, but it was after we had that discussion and indicated our concerns about the bill; we were ready to debate it a long time ago. It is not the Senate’s fault that the government chose not to prioritise this bill and bring it on earlier. I have been receiving emails, and I am sure Senator Fierravanti-Wells has too, from people saying, ‘Please support the Preventive Health Agency; it is way over time that we had such an agency,’ so we have been ready to debate this for some time. People are waiting for action in building—I emphasise the word ‘building’—Australia’s preventative health capacity.

The Greens’ vision for health reform is to transform the costly hospital based sickness system to a wellness system that promotes and supports good health and early intervention approaches. The Greens believe that spiralling health costs can be contained and reduced by this approach, but, most importantly, people will be healthier and feel better and so will be better off. The Preventative Health Taskforce report made a number of recommendations, but the focus was on alcohol, tobacco and obesity. They are rightly seen as key areas of action, although there are other areas that we obviously need to focus on—and I say again that I am pleased the government accepted the amendments broadening the scope of the agency.

We know that most interventions to prevent harm caused by alcohol, tobacco and obesity attempt to change consumer behaviour. A common approach to attempt to change consumer behaviour has been to run social marketing campaigns. These have been effective in some areas but less so in other areas; attempts to change consumer behaviour need a fairly complex and focused long-term approach.

Successive governments have run advertising information campaigns to promote, for example, improved diet and increased physical activity, with the aim of preventing or reducing obesity. Despite these campaigns, obesity rates have continued to rise. Despite campaigns to reduce alcohol consumption, alcohol abuse continues to rise. Evidently these campaigns have not adequately achieved their aims and we still have a long way to go. This suggests that to change behaviour we need a much more strategic ap-
approach and not merely provide information and adjust economic incentives. We need a greater understanding of consumer interaction and what drives behaviour change and we need a variety of approaches. There is no silver bullet—if there were, hopefully we would have used it. The antitobacco campaign was a very strategic, long-term campaign using a variety of approaches. The same is true of campaigns addressing alcohol abuse. We have debated this in the chamber and we know very well that price is a very important part of the strategic approach, but we also know that opening and closing hours and social marketing campaigns—all these strategies—need to be part of the approach.

This conclusion is supported by research in behavioural economics, which has shown that in many cases, even when consumers have ready access to understandable information, they may still fail to choose the product or service that best suits their needs. This is because they may ignore or misinterpret relevant information or fail to act on that information because of other barriers to them changing their behaviour.

It is generally considered that the tobacco cessation program has been successful in Australia. The 30 per cent decline in smoking rates between 1975 and 1995 prevented over 400,000 premature deaths and saved over $8.4 billion, which is more than 50 times the amount spent on the antismoking campaign over that time. As I said, this was achieved through a variety of measures. Price signals, higher tobacco taxes and information programs were part of this. However, restrictions on the advertising, sale and consumption of tobacco have also been very important elements. Concerted efforts over more than 20 years have changed community attitudes towards smoking. This change in attitude is also likely to have contributed to a further reduction in smoking rates as smokers have felt increasingly ostracised. Again I point out that this has been a long-term campaign that took a multiple-strand strategic approach involving long-term investment. I think it reflects well on successive governments that they have kept investing in and maintaining the campaign, but we need the same sort of long-term strategic approach to other areas of preventative health such as obesity and alcohol abuse.

To some extent, the lessons from tobacco cessation can be applied to junk food and alcohol; however, of course, we know there are key differences in the products. There is no safe or healthy level of tobacco use, but the same is not true for alcohol or junk foods. And there is no way that I want anybody saying that we want to take the same approach to tobacco, in saying no use, in terms of alcohol or junk foods. Clearly, we should not be using tobacco because it has any level adverse health outcomes. The same cannot be said for junk foods or alcohol. Instead, consumers are advised to limit or moderate their consumption. It would not be possible to make unhealthy eating or excessive consumption of alcohol socially unacceptable behaviours to the same extent that tobacco has been. So we need to look at other ways of behavioural change.

The task force noted in relation to obesity that a major action should be to embed physical exercise and healthy eating in everyday life through social, community and workplace programs. We believe these types of programs will be effective because they would be easy to access and could involve commitments to peers and colleagues. However, as noted previously, information, education and social marketing alone have not been and will not be sufficient to bring about sufficient changes to consumer behaviour or the rates of overweight, obese and diet related diseases associated with alcohol consumption and unhealthy eating.
Figures from the Australian Institute of Health and Welfare tell us that in 2008 only 2.5 per cent of Australia’s health budget was allocated to public health, with the remainder spent on care and treatment services. We believe that, at the very least, this should be raised to four per cent of the health budget. Preventative success should benefit us all through future savings in healthcare expenditure on treatments for preventable diseases, increased taxation transfers from high individual incomes and fewer welfare payments. Businesses should benefit from reduced absenteeism from work and fewer recruitment and training costs associated with placing staff who have to retire early or have substantial time off due to ill health. Individuals should benefit from an increase in income, reduced absenteeism from work or time spent out of the role at home and, of course, increased quality of life from reduced levels of ill health.

According to the figures in a recent report published by VicHealth, *The health and economic benefits of reducing disease risk factors in Australia*:

In Australia, 13% of adults drink alcohol at a risky or ‘high risk’ level long term.

Annually, Australians drink more litres of alcohol per capita (9.8) than Americans (8.4), Canadians (8.0), Swedes (6.6) and Norwegians (6.4).

Alcohol contributed a net 2.3% to the overall health burden in Australia, with alcohol dependence (39%), suicide and self-inflicted injuries (14%), and road traffic accidents (13%) the major consequences.

Brief alcohol interventions in primary care can reduce alcohol consumption by around 10% (approximately 4 standard drinks of alcohol per week), but other interventions have not demonstrated long-term change.

Drinking alcohol heavily over a period of time can increase the risk of developing cirrhosis of the liver, cognitive problems, dementia and alcohol dependence ... High risk consumption has also been associated with oral, throat and oesophageal cancer ... and breast cancer in women.

A review of community-based initiatives restricting alcohol availability in remote Australia identified reductions in consumption ... These reductions ranged from 0.2% ... to 7% in Halls Creek and even up to 60-80% in Curtin Springs, where the restrictions were comprehensive.

Having said that, I would also point out that the way that you introduce restrictions in consumption is very, very important. We have seen a great resistance in communities where restrictions have been imposed externally but, where you work in cooperation with community and drive them from a community decision-making basis, they have been much more effective. Again, it is another important part of how we start addressing and taking preventative health measures.

The Greens have indicated in the past and have highlighted in a number of our policies and initiatives in-principle support for taxation measures that increase the cost of the activities that are incurring a cost for society by causing people harm and doing damage to our environment. We believe these are also very important tools, and I have already highlighted the role that price signals play, for example, in alcohol consumption. We believe such price signals could also play a role in addressing issues around junk food.

These examples all highlight the need for a strong agency that really builds Australia’s capacity in preventative health. The Greens have been strongly supportive of the concept and were supportive of the agency from the start. But we were concerned with the previous bill and believed that a number of changes needed to be made. As I said earlier, I am pleased that the government took those changes on board in the drafting of this bill. I am also very pleased that they have agreed
that the $50 million that they are putting aside from the alcopops tax—put aside to address the alcohol voluntary sponsorship fund, the social marketing campaigns and the hotline—will be overseen by the agency or be part of the agency’s activities. We believe that makes much more sense, given that that was about preventative health—and, of course, this agency is about preventative health. We are very pleased, and I thank the minister for indicating that that will happen.

We want to be assured that the agency will have powers that ensure all relevant government agencies across jurisdictions are coordinating, engaging and active in prevention strategies. It is particularly important that this should include a cross-sector commitment of state and territory governments and their agencies, acknowledging that primary prevention goes far beyond health departments and requires support and leadership from multiple agencies. We want an all-government action at Commonwealth, state and territory levels and evidence gathering on current jurisdiction programs so that effective measures can be rolled out nationally. It is very important that we measure the effectiveness of various measures.

We have been calling for a long time for allocation of specific funding to local areas for prevention activities. In particular, we believe that we need to focus on preventative health in Aboriginal and Torres Strait Islander communities. That is extremely important. Just this morning Transplant Australia had a function here in Parliament House and talked about Indigenous health, the escalating rate of kidney disease in Aboriginal communities and the increasing need for dialysis. But, of course, that means that we have to have strong prevention programs as well. We believe that this agency can and must play an essential role in driving preventative health strategies in this country.

We are pleased that the opposition moved the same amendments in the House of Representatives that I had planned to move in the Senate. We supported those amendments because they were basically the same amendments that the Greens had articulated on several occasions. I tabled them during debate of the last bill. Missing from this bill were clear objectives for the agency. As I said, we are pleased that the opposition jumped in before us and moved those amendments in the House of Representatives. It was essential that the bill had those objectives. We also supported the coalition’s amendments on better defining the role of the CEO. Having said that, the Greens in the House of Representatives did not support coalition amendments for industry representatives. We think that the agency plays a very significant role in the way tobacco, obesity and alcohol are used in this country. We believe we need to have an agency that is independent of industry influence. We have been very clear about that from the start. We will not be supporting industry representation in the agency.

The Greens are attracted to the amendment on the role of making advice available. We did not support the amendment that the coalition put up last time which required disclosure within 14 days. We thought that time period was too short. Senator Xenophon and the coalition have put up an amendment around provision of advice and recommendations by the agency to government. The Greens are attracted to that because, if the agency is very clear about the advice that it is providing and they believe it is strong advice, we do not see why that advice should not be made available. If that advice is controversial, I reckon Australia needs to know about it. It may mean that we need to take a more radical, far-reaching approach. As I said, we are attracted to it. We are not necessarily convinced about the six-month time
frame, although it is much better than 16 days. There is merit in providing that sort of information to the community so that we can get an idea around the approach the agency is taking on these very important issues.

The Greens are pleased that the government has finally brought this piece of legislation in for debate. We are very supportive of the agency. We are pleased the government has supported our amendments. We would like to see the agency getting on with the job of promoting and developing preventative health strategies for this country.

Senator BARNETT (Tasmania) (1.33 pm)—I am pleased to stand in the Senate to speak to the Australian National Preventive Health Agency Bill 2010 and support it. I am aware of the amendments put forward by a number of senators on behalf of the coalition. The government, through this bill, is addressing concerns in the three areas of obesity, tobacco and alcohol. Many of the objectives and the substance of the bill came out of the National Health Preventative Taskforce report. I want to commend Professor Rob Moodie, Professor Paul Zimmet and members of that task force for the work that they did. This is important work. Many of their recommendations have not been adequately responded to by the Labor government in terms of action. It appears to me that the government is in a policy paralysis position at the moment. I will explain why.

I would like to address my remarks in particular to concerns addressed in this bill about the obesity epidemic in Australia. I acknowledge the work that will have to be undertaken with respect to tobacco and alcohol, but my remarks will relate to obesity and the health complications that flow from that—for example, type 2 diabetes, cancer, heart disease and a whole range of other health complications. Prior to the 2007 election, the government made obesity a national health priority. That was strongly welcomed. They adopted a recommendation that I set out in my book entitled The millennium disease: responses to Australia’s obesity epidemic, edited by me and launched by the Hon. Tony Abbott in December 2006. They adopted my policy and I am very pleased about that. Since then there has been little action in addressing this epidemic. They have made it a national health priority but there has been little action.

In terms of the cost of obesity in Australia today, Access Economics released a report. It was about three years ago at one of my healthy lifestyle forums—I have had 10 since 2002—which are held annually in Canberra or in Tasmania. That report said that the cost is some $58 billion a year—$8.3 billion directly and then there are indirect and lost productivity costs. That is a huge amount. This is not just a health concern; this is a concern for the economy. This is a concern for all levels of government and, in particular, the federal government. Dr Lynne Pezzullo from Access Economics presented that report and it has been used and referred to consistently, month after month, year after year, since it was released some years ago. It was updated as well.

I also refer to the Medibank Health Solutions research report, Obesity in Australia: financial impacts and cost benefits of intervention, of March 2010—a more recent report which stated that it is estimated that 7,200 Australians die each year due to obesity and obesity related illness. That is serious. Those are big numbers. Fellow Aussies are dying every year as a result of this epidemic. Of course, this does not refer to the health complications that flow through; I am simply referring to the number of deaths. The report states that obesity intervention policies aimed at reducing the prevalence of obesity in Australia will yield strong benefits for the economy. I congratulate Medibank on that
research and for the work that has been undertaken. There is clearly a whole lot more work to do.

The aggressive effort by the former Howard government was initiated at my healthy lifestyle forum in June 2004, where the Howard government announced four key initiatives: two hours of PE in schools per week, a $15 million incentive to clean up our tuckshops—there is still a lot more work to do on that all around Australia—and the Active After-school Communities program, which is a fantastically successful program that has, sadly, not been fully extended by this federal Labor government. When obesity and diabetes are national health priorities, why don’t they extend that successful and popular program? It is a great shame and a great sadness. Under public pressure, including from Tasmania and all across the country, the Active After-school Communities program has now been extended by one year, but they refuse to extend it further into the future, and that is a great disappointment.

Back in 2004 there was, I think, over $11 million for an education and awareness campaign, and the initiative before us in this bill will increase that substantially. For that I am very grateful. I believe that it is so important to get the message out, particularly among our young people, in terms of improving healthy lifestyles, the way we live our lives, healthy eating and regular exercise.

In Australia today, we are looking at 60 per cent plus of our adult population in terms of people being obese or overweight. Those numbers are tragically high and, sadly, they are increasing, not decreasing. They have been increasing for some decades now, but they seem to be going up and up and up. This has an impact on all parts of our lives. For example, just a month or so ago in Senate estimates the Australian Defence Force updated their figures and confirmed that 14 per cent of the Australian Defence Force were obese. That is just one per cent below the US, which is the fattest nation on the face of this earth. Depending on which review you look at, Australia is in the top four or the top six, behind the US, the UK and Mexico. That is not good enough. This government are on notice. They are aware of these concerns, they are aware of the cost to the community—not just the health costs but the economic costs—and they have done very little. They need to do a lot more.

I want to draw attention to the disgraceful decision made by Nicola Roxon on behalf of the government last Friday. That decision was to totally can the $449 million funding promise, which was to be implemented, for people with diabetes around Australia. This is another broken promise by the Labor government. It happens again and again. Remember that there are 1.5 million Aussies with diabetes—140,000 or thereabouts have type 1—and they would have benefited big time from that. There were concerns from the AMA and others, and I acknowledge that, but the government promised that money. They promised the $449 million. They promised it would happen.

Last month at Senate estimates I asked about the progress of the funding. The government were setting up advisory committees and there were some concerns there. Those concerns were highlighted, but there was not an inkling that that promise would be killed off, that that money would be taken away from care for people with diabetes in Australia. That decision was made last Friday—two days before 14 November, World Diabetes Day. What could be worse? What a cruel hoax on the people of Australia, particularly those 1.5 million Aussies and their families. They were advised that they would be getting support through their GP, through the practice nurse, through the diabetes educators, through the physiotherapists, through
the podiatrists and others, and that has been taken away. What has been offered in the place of this funding? A $30 million pilot program. They call it a ‘pilot program’ which will take not one year but three years—maybe four years, according to the minister’s press release of last Friday. That is not good enough. That money has been reduced. I draw this to the attention of all senators and members and also members of the public who may have an interest—and there are many out there who do. They have been swindled.

The government have not made any commitment to say, ‘Yes, that money was directed and will be allocated to people with diabetes.’ In her media release Ms Roxon said that that money will be affecting the forward estimates. That means the money will go into a big black hole in Canberra and will not be reallocated to people with diabetes for their care and attention. The government made a promise on the advance side of the federal election to try to get the votes of the people with diabetes all around this country. Whether it worked or not, I do not know, but maybe it did to some extent. They made that promise and then—bang—two days before World Diabetes Day, 14 November, they say it will be reduced. World Diabetes Day is in honour of the birthday of Frederick Banting, who, along with Charles Best, first conceived the idea which led to the discovery of insulin in 1922. World Diabetes Day is a very important day. Judi Moylan is doing a great job as chairman of the Parliamentary Diabetes Support Group, and I am proud to say that we have had an influence on this government and on the former government. We met with Alexander Downer and we encouraged the government at the time to support the UN effort to get a world diabetes day, and we succeeded. We got a UN General Assembly resolution in support of having diabetes considered as one of the key priorities around the world. That is a very key achievement and I am very thankful for that. But this government has not responded in kind and it is a great disappointment.

At this point, I want to acknowledge the great work of Judi Moylan as chairman of that group. It is a bipartisan group, with Labor and Liberal members. As an executive member of that group I am very pleased to acknowledge my colleagues who work on the Parliamentary Diabetes Support Group. They do a great job and will continue to support the people of Australia who have diabetes and their families. I have already acknowledged the fantastic work of Professor Paul Zimmet. He advocates for people with diabetes all around the globe—not just in Australia—and is an expert in the field of obesity and diabetes.

It is important that this government acknowledge that we are now living in an obesogenic environment. One-off initiatives, one-off task forces and one-off pilot programs—whether they be $30 million or otherwise—are simply not good enough. We need a total paradigm shift in this country in supporting health prevention measures. I am pleased to say that this bill goes some way to starting that effort and making a difference.

The issues include: advertising to children; getting the healthy eating message out; nutritional labelling on restaurant menus and processed foods; and saturated fats, trans fats, salt and sugar, particularly in processed foods. We also need a healthier food supply—particularly, obviously, for our Indigenous communities. I went to a Transplant Australia breakfast this morning addressing the impact of the food supply on Indigenous communities around Australia, and I commend them on that. The situation is absolutely tragic. We need to make healthier food more affordable and accessible for not just our Indigenous communities but all Austra-
lians. We need to build an environment that is not so obesogenic and that is friendly to walking, riding and other regular exercise. We can make a difference. In that regard, Greg Johnson, chair of the Australian Chronic Disease Prevention Alliance and Acting CEO of Diabetes Australia, wrote a very good letter to the editor which appeared in the Sydney Morning Herald a few weeks ago. I commend him for that, although I would like to see the diabetes community be more proactive in their advocacy for people with diabetes around this country. There is still a lot more work to do.

There is action happening on the international front on non-communicable diseases. That is encouraging news. As we speak, a meeting is occurring in Beijing with representatives of the International Diabetes Federation. They are doing good work in advocating for UN support and a resolution to encourage all countries to say, ‘Yes, communicable and infectious diseases are important and we need to address them, but non-communicable and chronic diseases are a burden that need to be borne by all of us, a burden that we need to share.’ We need to address the epidemic all around the world. It is not just happening in Australia and the Western world; it is happening in India, China and many parts of the Third World. There will be a special conference in September 2011—and I hope that Australia and the Australian government will play its part—advocating for proactivity and action to promote healthy lifestyles all around the world.

We want this country to lead by example. I was saddened by the decision last Friday which confirmed that this government is in a policy paralysis. It confirmed that we are in limbo in terms of plans for the future for addressing chronic disease, whether it be diabetes, heart disease, cancer or any chronic other disease. Certainly the diabetes community thinks that this government is sitting on its hands and is in limbo. There will be a special policy forum this Thursday and Friday night in Canberra hosted by Diabetes Australia. I congratulate them for that; that is a good initiative. They need to do that more often—to advocate and develop policies that will promote disease prevention and healthy lifestyles all around Australia. I want to commend and thank Peter Dutton, Andrew Southcott and Andrew Laming in the House of Representatives, and Connie Fierravanti-Wells in the Senate, who are doing a great job to promote these important issues. On behalf of many in this great country of ours, I call on the government to rethink its priorities and to put action behind its words. It let the people of Australia down last Friday with that shocking, disgraceful decision to can a promised $450 million diabetes initiative. That will now not be delivered. We are all scratching our heads and wondering what we will get next from this government.

This bill has a lot of merit. It reflects what I called for in part of my 10-point plan released in December 2006. Interestingly, the first point of that plan was the recommendation to classify obesity as a national health priority. The government accepted that prior to the 2007 election, for which I am very thankful, but there is a lot more work to do in this space. I draw those points to the attention of the government and I hope that those matters will be addressed as a matter of urgency. I thank the Senate.

Senator XENOPHON (South Australia) (1.51 pm)—I support the Australian National Preventive Health Agency Bill 2010. I believe it is vital that we promote healthier lifestyles and address issues of obesity, substance abuse, tobacco use and the harmful drinking of alcohol. Australia is in the grip of an obesity epidemic. I should disclose that I could do with losing seven or eight kilos, and I am working on it.
According to the National Health Survey published by the Australian Bureau of Statistics more adult Australians were overweight or obese in 2007-08 compared to 1995, when the previous study was conducted. The survey found that 68 per cent of adult men and 50 per cent of adult women were overweight or obese. This shows a growing incidence over 12 years, as only 64 per cent of men and 49 per cent of women were overweight or obese in 1995. Of most concern, the survey found that there was a significant increase in the proportion of children who were obese, from 5.2 per cent in 1995 to 7.8 per cent in 2007-08.

Alcohol consumption in Australia is also at scarly high levels. The ABS says that one in eight adults, approximately two million people, drink at risky or high levels, and this has increased significantly since the 1990s. Fifteen per cent of adult males and 12 per cent of adult females drink at risky or high-risk levels; meanwhile, 25 per cent of 14- to 19-year-olds report drinking alcohol on a daily or weekly basis. We need to tackle alcohol abuse in Australia—it is as simple as that. Do not get me wrong—alcohol is a safe product if used safely, but we have to stop kidding ourselves that it is being uniformly used safely throughout our community.

There is also the whole issue of the effect of alcohol advertising. As I was driving down North East Road in suburban Adelaide not long ago, I saw a bus shelter with a big poster ad for alcohol. I cannot remember which brand—I think it was for whiskey or bourbon—but the slogan was, ‘Are you ready yet?’ I think many would find that to be an irresponsible form of alcohol advertising.

The rate of non-alcohol substance abuse in Australia is frightening, especially when we compare ourselves to a country such as Sweden, which has had a number of policies in place to reduce substance abuse by focusing on prevention, treatment and control. On the whole, those policies aim not to punish drug users but to offer help and rehabilitation.

It is interesting that, according to the 2009 UN World Drug Report, Australia’s consumption of opiates such as heroin is at 0.4 per cent of the population aged 15 to 64. While the percentage might sound low, this equates to around 90,000 Australians each year using heroin compared to a country such as Sweden in which 0.17 per cent of its population uses opiates each year. Almost 2½ million Australians use cannabis every year. That is 10.6 per cent of our entire population, so it is much higher amongst 15- to 64-year-olds. Again, compare this to Sweden, where just 2.1 per cent of its population uses cannabis. Finally, in Sweden it is estimated that 0.4 per cent of the population consumes amphetamines such as crystal meth each year compared with a staggering 2.7 per cent of Australia’s population—almost seven times more. For those who are aware of the effects of crystal meth, it is an evil drug that causes enormous harm in the community. It is a source of great violence and mental illness.

Sweden’s policies focus on prevention, treatment and control through mandatory rehabilitation. That seems to be an approach that is working and that ought to be looked at in debates here in Australia. We are not doing the right thing by those who are in the grip of an addiction and we need look at better ways to more effectively treat these destructive addictions.

There is also tobacco, perhaps the most insidious product foisted on an unsuspecting public.

Senator Boyce—Hear, hear!

Senator XENOPHON—I am looking forward to Senator Boyce’s contribution. There is no question now that tobacco has
killed millions of people, and I have never met a smoker who on some level did not want to give it up if they had the right support. It pains me to see people I know and care about killing themselves one cigarette at a time because this unsafe product is so addictive. We have done a lot to help reduce smoking so far, but so much more needs to be done. We need to seriously look at these issues and come up with evidence based, effective recommendations to government about what can be done.

The role of this agency will be to support the Australian Health Ministers’ Conference and, through this conference, COAG to address the challenges associated with preventable health issues and with other chronic illnesses. The ANPHA will be a statutory body; therefore, I believe it is crucial that this body provide independent advice and that any recommendations made by this agency are taken seriously.

Australia does not need another layer of health bureaucracy without more information and better advocacy. That is why I support the intention behind establishing this agency but I do not support a bureaucracy without accountability not just to the government but, more broadly, to the people of Australia. That is why I will be moving an amendment to this bill, calling for the advice and recommendations made by the agency, to be published on its website on a timely basis. Six months was my initial view, but I understand that the Greens will look to amend this to 12 months, and I indicate that I am supportive of that amendment as long as it is on at least an annual basis.

I note that the government is concerned that the agency may feel constrained by such a requirement to publish its advice and recommendations and that the government may be hesitant in what it requests the agency to investigate. I believe that if agencies such as this are to be truly independent and if the recommendations are to be given the authority they deserve, then they need to be made public, and ministers and governments must not have the capacity to ignore or reject out of hand important research-based preventative health recommendations without providing their reasons for doing so. After all, are we not trying to achieve a healthier Australia?

The agency will also provide leadership on preventative health surveillance and data, promote standards and codes for preventative health, collate evidence of preventative health and report biannually. These are important tasks. The agency will also manage schemes rewarding preventative health strategies, provide grounds of financial assistance to health ministers, support cooperation and action leading to better preventative health, and promote behavioural change. Promoting behavioural change is very important in getting a good outcome. I support all of these goals and I look forward to the committee stage of this bill.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Gillard Government

Senator FIFIELD (2.00 pm)—My question is to the Leader of the Government in the Senate, Senator Evans. Will the minister please inform the Senate of the government’s legislative and work program for the next two weeks?

Senator CHRIS EVANS—I thank Senator Fifield for the question. I suspect it is probably better directed to the Manager of Government Business, Senator Ludwig, in terms of the detail, as he manages the program and seeks, as I understand it, to work very cooperatively with you, Senator Fifield, in your new role as Manager of Opposition Business. But the legislative agenda is reflected in the red. I see today the orders of
the day are the social security bill, the Australian National Preventive Health Agency Bill and the national health amendment bill, and we obviously have the ongoing debate on the Governor-General’s opening speech. So, Mr President, I am not sure what Senator Fifield’s point is. No doubt, there is a cunning plan that will be revealed in the supplementary questions—the usual cunning plans! But, Senator, as you understand, legislation that is passed in the House of Representatives is then forwarded to the Senate for consideration. There are a number of bills that they are considering at the moment that we hope to get to the Senate and through the Senate in the next couple of weeks. There is an important piece of legislation for my portfolio, to do with student services, which will come into the House of Representatives, hopefully, in the next day or so.

Senator Abetz interjecting—

Senator CHRIS EVANS—I would like to thank Senator Abetz. I tuned into his speech when he supported the Social Security Legislation Amendment (Connecting People with Jobs) Bill 2010—

Senator Abetz—But that has been done.

Senator CHRIS EVANS—Well, I am just acknowledging that that is something that we achieved today, with the support of the opposition. So there is a full legislative agenda that will come before the parliament over the next couple of weeks, and we look forward to the cooperation of the opposition in ensuring that work is completed.

Senator FIFIELD—I am surprised that the Leader of the Government in the Senate could take such a casual interest in the agenda of the parliament and his government, but I do thank him for again confirming that the opposition to VSU is the most pressing issue facing this parliament and nation. Mr President, I ask a supplementary question. Given the fact that the Senate ran out of government business yesterday, is this not further evidence that the government has no agenda, no plans and no direction and has lost its way?

Senator CHRIS EVANS—Far from what Senator Fifield claims, I think it shows the opposition has run out of questions. Yesterday looked like the closest thing to a Thursday question time I have ever seen—

Opposition senators interjecting—

The PRESIDENT—Senator Evans. Senator Evans!

Senator CHRIS EVANS—You limped in here without a strategy or any idea what you wanted to do.

Opposition senators interjecting—

The PRESIDENT—Senator Evans, just resume your seat. When there is silence, I will ask you to continue. Senator Evans.

Senator CHRIS EVANS—On yesterday’s evidence, I thought the opposition had lost the will to live or had already packed up and gone on Christmas holidays. Far from it being the government that has lost energy and direction, I think it is the opposition that ought to look at its performance. We are absolutely committed to finalising the legislative agenda we have in the remaining two weeks of parliament.

Senator Fifield—What is it?

Senator CHRIS EVANS—The bills are all on the agenda. There are some very important pieces of legislation. The government yesterday scheduled, I think, two or three bills, which were passed by the Senate. (Time expired)

Senator FIFIELD—Confirmation from the other side that they have run out of legislation, that they do not have an agenda. Mr President, I ask a further supplementary question. Is it not a fact that it costs around $1 million a day to run the Senate, and is this
not further evidence of the government’s mismanagement and lack of leadership?

Senator Conroy—Merry Christmas! If you want to go on holiday early, just say so!

Senator CHRIS EVANS—The suggestion seems to be that Senator Fifield is too tired to turn up and he would rather save the taxpayers the money it costs for him to attend parliament. What a ridiculous assertion.

Honourable senators interjecting—

Senator Fifield—Mr President, on a point of order on relevance: we are still waiting to hear from the minister what their agenda is. But my point is that these guys are being paid for doing nothing.

The PRESIDENT—There is no point of order. Senator Evans, you have 52 seconds remaining to answer the question.

Senator CHRIS EVANS—As I say, it seems that Senator Fifield is too tired to attend parliament and he would rather we went home early for Christmas. I know you are not known for your work ethic, Senator, but even by your standards this is rather slack. We have seen it in the Senate estimates; you do not have—

Honourable senators interjecting—

Senator Abetz—Mr President—

Honourable senators interjecting—

The PRESIDENT—Order! Senator Abetz is on his feet and is entitled to be heard in silence on both sides.

Senator Abetz—Mr President, on a point of order: I am sure all honourable senators are well aware, as is the Leader of the Government in the Senate, that comments should not be directed personally across the chamber, as the leader did quite unfairly and quite inappropriately to the Manager of Opposition Business.

The PRESIDENT—Comments should be directed to the chair. Senator Evans, you have 33 seconds remaining.

Senator CHRIS EVANS—Thank you, Mr President. I welcome the opportunity to continue. The assertion that, somehow, parliament should not sit because the opposition is tired and is perhaps losing its will to live is quite ridiculous. There is legislation on the agenda for the parliament which has been provided to the opposition in advance. We are dealing with that quite adequately, as I understand it—with reasonable speed. I appreciate that from the opposition. We have a large number of bills we would like to bring back in if we could get some cooperation on them. *(Time expired)*

Honourable senators interjecting—

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

Climate Change

Senator MOORE (2.07 pm)—My question is to the Minister representing the Prime Minister, Senator Evans. Can the minister advise the Senate why it is important for Australia to introduce the most economically efficient way to tackle climate change and how is the government planning to achieve this? Also, how has this approach been received—

Honourable senators interjecting—

The PRESIDENT—Order! Keep going, Senator Moore.

Senator MOORE—How is this approach being received and are there any alternatives?

Honourable senators interjecting—

The PRESIDENT—Order! If the interjections from both sides continue, I don’t feel we are going to get too far down the question list today, which will be unfortunate.
Senator CHRIS EVANS—I thank Senator Moore for her question. Both sides of politics have committed to making a significant reduction in the carbon emissions of the Australian economy, but of course there are sharp differences in how we go about achieving those reductions. The first option is to introduce an explicit carbon price and allow individual businesses and households to choose the best way to cut emissions. The second option is for the government to choose how to reduce emissions through subsidies and more red tape—what those opposite call direct action. The most economically efficient way of tackling climate change is through the establishment of a carbon price via a market mechanism. This is the view of the mainstream businesses, most economists and the premier economic institutions, both here and overseas. It is a unanimous position.

I am asked about the alternatives. In its latest economic survey of Australia, the OECD said that the costs of regulatory approaches to reduce emissions can ‘be more than twice as high as the cost of market based approaches’. Why would we want to pay twice as much to achieve at best the same outcome? We should not just rely on the OECD’s views regarding the opposition’s policy of direct action, because on 22 July this year the member for Wentworth also told ABC News—

Senator Bernardi interjecting—

Senator Sterle interjecting—

The PRESIDENT—Order! Senator Bernardi and Senator Sterle, if you want to have a private conversation you can go outside.

Senator CHRIS EVANS—As I was saying, the member for Wentworth told ABC News earlier this year:

The Coalition’s policy is not the ideal from my point of view I grant you that—I’d like to see a market-based solution.

Of course he is right. The coalition stand outside mainstream economic and business thought on these issues. The coalition’s so-called direct action policy fails to guarantee the transformation of our economy that we need. The overwhelming consensus of Australian business and economists is that a carbon price is the most economically efficient way to tackle climate change and that is why we are committed to it. (Time expired)

 Senator MOORE—Mr President, I ask a supplementary question. Can you please inform the Senate of the economic justification for the introduction of a carbon price and the economic risk of failing to deal with this issue?

Senator CHRIS EVANS—The government believes that the most efficient and cost-effective way to achieve reductions in carbon pollution is through a price on carbon. The economic and environmental case is clear. A carbon price will create an incentive to reduce pollution, drive investment in renewable and low-emission technologies, create certainty for business investment and ensure our economy remains internationally competitive in the longer term. A carbon price will therefore create jobs, strengthen the economy and build a sustainable environment. Importantly, a carbon price will provide businesses with investment certainty—a very important thing. Business needs to know the form of a carbon price; otherwise, it must build more risk into its investment calculations. A lack of a carbon price leads to investment in Australia being more expensive than it needs to be, leading to less investment and fewer jobs. This is very important economic reform. (Time expired)

Senator MOORE—Mr President, I ask a further supplementary question. Can the minister outline to the Senate why it is in
Australia’s national interest to take action on climate change?

Senator CHRIS EVANS—Many other countries are taking action to reduce carbon pollution and it is in Australia’s interest to do the same. We recently made public a paper on the extensive action that is being taken by countries around the world. Many states of the United States are moving ahead with their emissions trading schemes. The EU has been pricing carbon in Europe for over five years. China and India are also taking action. It is very clear that countries around the world accept the economic reasons for taking action on climate change.

Our recently announced Productivity Commission study will provide more information about what the effective price is that already exists in our major trading partners. It is in our long-term economic interest to reduce the emissions intensity of our economy. In a carbon constrained future, clean energy technology will be in greater and greater demand. Innovation and investment in clean energy will ensure our long-term competitiveness. A carbon price will be a fundamental transformation of the way we produce. It is important that we get this economic reform. (Time expired)

Water Infrastructure

Senator BIRMINGHAM (2.13 pm)—My question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, Senator Conroy. Will the minister tell the Senate how much of the $5.9 billion budgeted in 2007 for water-saving infrastructure projects has been spent and will he further advise the Senate what volume of entitlements has been transferred to the Commonwealth Environmental Water Holder as a result of these projects?

Senator CONROY—I thank Senator Birmingham for his question. The Australian government believes in a sustainable Australia. We are committed to supporting our rural and regional communities in adjusting to a future with less water and to restoring the health of the Murray-Darling Basin. The government is trying to achieve three key outcomes, as we have talked about before, Mr President, to deliver a healthy river system, acknowledging the importance of food production and delivering strong regional communities. The government is investing more than $12 billion in the Water for the Future initiative to help communities adjust to a future with less water. The government has committed $5.8 billion in funding for water infrastructure and efficiency measures under the SRWUJP. Of this, around $4.9 billion is currently committed for the Murray-Darling Basin. The investment will help place irrigation communities on a better footing to deal with climate change that will reduce water availability. It will contribute substantially to closing the gap to achieve the new sustainable diversion limits under the MDB plan.

Senator Brandis—Mr President, I rise on a point of order. While the minister is addressing generally the topic, he was asked two very narrow questions, the answer to each of which is to give us a quantity: how much has been spent and what volumes have been transferred? He has not attempted to address either of those questions. He cannot be directly relevant in failing to provide the two quantities sought. You should direct him to the question or require him to resume his seat.

Senator Ludwig—Mr President, on the point of order, the minister was answering the question. Clearly, the question went to the program Water for the Future, and in dealing with the question the minister was responding and he was directly relevant to the question. The minister was going to the issues of water for the future and, within the
Murray-Darling, how much was being spent as a water-saving initiative. That is what the issue was about and the minister was being directly relevant on that issue.

What we now have as a point of order are two specific issues that were within the question. Those opposite are entitled to have the remaining 48 seconds that the minister has got to complete his answer. Mr President, I ask you to then to rule them as having no point of order.

The PRESIDENT—Senator Brandis, I am listening closely to the minister’s answer. The minister has 48 seconds remaining.

Senator CONROY—Thank you, Mr President. Key programs within the SRWUIP include 16 state priority projects, SPPs, as well as the Menindee project, up to $400 million; the On-Farm Irrigation Efficiency Program, $300 million—you are taking notes, are you, Rumpole?—the Strengthening Basin Community Program, $200 million; and $140 million for irrigation efficiency upgrades in Tasmania. A major state priority project, the Northern Victoria Irrigation Renewal Project, stage 2, was announced on 6 November 2010.

Senator Birmingham—I have a point of order, Mr President. It goes to the changes to the standing orders that this chamber passed in relation to the change from relevance to direct relevance. The minister is talking about water projects and infrastructure projects and that might be relevant. But the minister was asked very specifically for two pieces of information. He has now taken one minute and 53 seconds and, given that neither of those two specific pieces of information has been supplied, if direct relevance is to mean anything in this chamber the minister’s attention needs to be brought to those two specific pieces of information or he should be sat down.

The PRESIDENT—On the point of order, I have been listening to the minister’s answer and the minister has been detailing a number of amounts of expenditure.

Opposition senators interjecting—

The PRESIDENT—Order! Excuse me. I am not in a debate. If you want a ruling, you will get a ruling, but I am not going to debate it with you. I am listening to the minister’s answer very closely. I said that in response to Senator Brandis’s earlier point of order. I cannot instruct the minister how to answer the question that you have asked. I am listening to see that the question that you have asked is being addressed, but it might not be addressed with the specific answer that you want and in the specific way you want the answer to be delivered. That is my difficulty. I have explained that as previous presidents before me have explained it.

Senator Brandis—As you have not ruled yet, I wish to speak to Senator Birmingham’s point of order.

The PRESIDENT—I am ruling at this stage that I am listening to the response that has come forward and the minister still has seven seconds remaining. At this stage I cannot say that the minister has not been answering the question. He might not be answering the question in the terms that you desire but I cannot instruct the minister, and if you read the precedents of this chamber you will find that that is the case.

Senator Abetz—If I may briefly, Mr President, the precedents in relation to the points of order and all the previous rulings that you refer to refer to different standing orders. We actually amended the sessional orders in this place to require ministers to be directly relevant. That was a specific change made by this chamber to ensure that ministers were relevant. To now rely on previous precedents absent of the change made to the sessional orders is, with respect, Mr Presi-
dent, not to understand or give fulfilment to the changes that the Senate voted on specifically to overcome the shortcomings of ministers such as Senator Conroy.

The PRESIDENT—I will go out and I will review what has transpired, but I believe that the ruling that I have made is the correct ruling, and I call Senator CONROY.

Senator CONROY—Thank you, Mr President. At 31 October 2010, $437 million of administered funding had been spent under SRWUIP. (Time expired)

Senator BIRMINGHAM—Mr President, I have a supplementary question. I thank the minister for getting to half of the question eventually. It would have been far easier to do that in the first place. Is the minister aware that in every year Labor have been in office they have underspent the budget on water-saving infrastructure projects? Given that, will the minister confirm that this trend is set to continue under Labor, with the MYEFO document exposing a further delay in delivering water-saving infrastructure by pushing $450 million out beyond the forward estimates?

Senator CONROY—Projects under the $300 million On-Farm Irrigation Efficiency Program will help irrigation communities in the Lachlan and southern connected MDB. In principle, funding of up to $100 million has been announced for six applicants under round 1 of the On-Farm Irrigation Efficiency Program. These projects will provide water savings of up to 60 gigalitres. To date, four funding agreements have been signed. Round 2 will be launched in due course. Administered expenditure under the On-Farm Irrigation Efficiency Program as at 31 October was $11.1 million. There has been $44 million in grants committed for 75 projects under the Strengthening Basin Communities Program. This will involve 60 per cent of the local government authorities in the MDB. There is $3.7 billion provided for the SPPs, of which $3.2 billion is funded from the SRWUIP. (Time expired)

Senator BIRMINGHAM—Mr President, I ask a further supplementary question. Can the minister explain, given all that he has hailed, why the government has once again failed to meet its own deadline of 30 October in relation to progress on the Menindee Lakes redevelopment? Can the minister also explain how it is that Labor can waste billions of dollars on dodgy government programs yet is unable to deliver projects that would provide water savings to help the environment without crippling farmers? With the lack of direction and no agenda from this government, how will this latest deferral of spending in MYEFO build any community support for Murray-Darling reform?

Senator Bob Brown—Mr President, on a point of order, I ask you to look at that question and the first two questions of this question hour to see if they conform with standing order 73 and report back to the chamber, if you would.

The PRESIDENT—I will look at that, Senator Bob Brown.

Senator CONROY—I am glad that Senator Birmingham wants to discuss community support because just recently, on 10 November this year, the Bendigo Advertiser, on page 29, stated:

Stage 2 of the food bowl project gets the nod.

Victorian Farmers Federation President, Andrew Broad, said:

The practical impact this announcement will have on-farm should not be underestimated.

The National Farmers Federation media release on 19 March 2010 on the government’s $300 million on-farm water efficiency project stated:

This important program is a victory for the future of many irrigation communities, assisting irri-
tors to produce more food and fibre with less water, and to align on-farm infrastructure with irrigation delivery system investment.

The *Australian* of 11 October stated on page 5:

THE National Farmers Federation has called for greater investment in water efficiency across the Murray-Darling Basin.

Ms Kerr said many of the state governments had already flagged “priority projects” where—

(Time expired)

**Automotive Industry**

Senator MARSHALL (2.25 pm)—I have a question for the Minister for Innovation, Industry, Science and Research, Senator Carr. I ask the minister if he can inform the Senate on the progress of the New Car Plan for a Greener Future?

Senator CARR—I thank Senator Marshall for his timely inquiry. We have just passed the second anniversary of the New Car Plan for a Greener Future. This plan is a 10-year strategy to transform the Australian automotive industry. It is a plan for innovation. It is a plan not just to save the car industry but to actually change it. We are building a greener, more globally competitive industry for the benefit of all Australians. This is about ensuring we have high-wage, high-skilled, green jobs in manufacturing in Australia. It is about rolling out cars that are easier on the environment and easier on the pocket.

The key to transformation is new investment. The government provides its support on a co-investment basis. When the global economic crisis hit, car makers across the world went to the wall. The plan was instrumental in Australia in maintaining and building our advanced manufacturing capabilities. Yesterday Holden resumed its second shift operation at Elizabeth with the new production of the Cruze and export orders. That means jobs for another 165 workers. This is good news for the industry. Of course, it also builds upon the support we have seen through Ford’s $230 million investment in EcoBoost technology and advanced liquid injection LPG systems for the Falcon, not to mention Toyota’s investment in bringing the Camry and the Hybrid Camry to Australia with a new engine plant.

We have seen with the new plan the component sector also improving its global competitiveness. We are providing the technology and the products for the car industry in China and increasing exports to the United States. The new car plan is bringing investment to Australia and innovation to the automotive industry. (Time expired)

Senator MARSHALL—Mr President, I ask a supplementary question. I thank the minister for that answer. How does the minister respond to suggestions that the plan should be scrapped?

Senator CARR—The investments I have just described are a massive vote of confidence in the Australian auto industry. It is a shame, as we have just heard from the interjections today, that the Liberal Party are walking away from that investment. The member for Indi, for instance, has said there are ‘more worthy and more needy causes’. The member for Goldstein has called for the green car fund to be scrapped. As Victorians you would have thought they would have known better. Will they go down to Altona, Geelong or Glen Huntly and tell those Victorian workers: ‘Go home. You’re not needed. There are more worthy causes’? Will they go to Elizabeth or to Launceston and tell workers in the factories: ‘Go home. You’re not needed. There are more worthy causes’?

The Toyota investment at Altona will lead to dramatic expansions and renewal of capacity and anchor Toyota’s Australian investments for years to come. If we look at...
what is happening with Ford, which is supported by the Brumby government, we see great news for workers in that company. (Time expired)

Senator MARSHALL—I thank the minister for that answer. Mr President, I have a further supplementary question. Can the minister explain the sort of technology the green car plan is delivering?

Senator CARR—Thank you, Senator Marshall. Australia now has the capacity to develop exciting new generations of green technologies. If we take the new body shop at Holden’s plant at Elizabeth in South Australia, it is amongst the most advanced and most flexible in the General Motors world. It lends itself to fuel systems such as LPG, natural gas and ethanol. It could even be adapted in the future with a business case to develop hybrid or electric drive trains. The Australian firm Orbital Corporation is developing direct injection technologies for the lucrative Chinese market. CSIRO has just signed a technology transfer agreement with a leading Australian company, Marand, to enable solar car motors to be manufactured in Victoria. The transformation of this industry and its technology is well underway. I just hope the Liberal Party is prepared to stand by that industry, change its negative attitude and actually defend green jobs in Australia.

Broadband

Senator BERNARDI (2.30 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Given that the government is sending to the Productivity Commission a carbon tax that it promised not to introduce, why does it continue to refuse to ask the Productivity Commission to examine the NBN, which it did promise to introduce, and in particular ask the Productivity Commission to prepare a cost-benefit analysis?

Senator CONROY—I want to congratulate Senator Bernardi for asking this question. I am sure that he has had a discussion with Senator Joyce, sitting beside him. Senator Joyce’s views on the Productivity Commission are well known, so I was just wondering whether, in this morning’s tactics committee meeting when they raised this Malcolm Turnbull demand for a cost-benefit analysis, they sought the views of Senator Joyce. I have here from the Australian of 31 March—

The PRESIDENT—Senator Conroy, address the question.

Opposition senators—Hear, hear!

Senator CONROY—I am addressing the Productivity Commission issue. Senator Joyce stated:

People actually do read the Productivity Commission reports.

I don’t, I use them when I run out of toilet paper.

So those opposite who suddenly want to demand that we actually hold—

Opposition senators interjecting—

The PRESIDENT—Senator Conroy, continue.

Senator CONROY—The coalition’s introduction is just another of a long line of stunts designed to cover up their failed 20th broadband policy and their lack of a current broadband policy by demanding that we send the NBN off for a cost-benefit analysis. If the federal Liberals were serious about ensuring that Australians got access to the world’s best-class broadband network they would be supporting the National Broadband Network, not—as they have been doing—moving to defer, moving to delay, seeking to use the Senate to block. What have you got against the people of Willunga? Why don’t you want the people in Willunga, Senator Bernardi, to
have a world-class broadband system? Why do you hate them so much?

Senator Brandis—Mr President, I rise on a point of order. More than a minute ago you insisted Senator Conroy address the question. He is defying your ruling. On any view, nothing he is saying by way of abuse of the questioner is responsive to the question. You should insist that he obey your ruling.

Senator Chris Evans—Mr President, on the point of order, that is just absolutely not true. What Senator Conroy is doing is replying to Senator Bernardi’s question about why the Labor government refuses to refer the NBN to the Productivity Commission. That is what the question was about. That is what Senator Conroy’s answer is about—directly to the point. If your search for relevance involves taking spurious points of order, Senator, I do not understand that. The minister was clearly on the topic of the question asked of him.

The President—I believe the minister is answering the question. The minister has 12 seconds remaining.

Senator Conroy—Thank you, Mr President. As I was saying, those opposite who are demanding a cost-benefit analysis are simply seeking to delay, and to ensure that residents of towns like Willunga, residents of towns like Mundingburra—(Time expired)

Senator Bernardi—Mr President, I ask a further supplementary question. I refer the minister to yesterday’s release of the OECD economic survey, which highlights the limits on local access competition under the NBN, saying it will ‘eliminate competition’, represents ‘a de facto restoration of a public monopoly’ and ‘could forestall the development of superior technological alternatives’. Isn’t it true that consumers are going to end up paying for Labor’s NBN through higher prices, lost competition or both?

Senator Conroy—It is fascinating that those opposite cling to this ambition that there is some new technological development that is going to be able to be used on copper. Let me explain to you the laws of physics yet again. If you live in Willunga, you need to live within four kilometres of the exchange to get ADSL. If you live in Willunga and you want to get ADSL2+, you have to live within 1.5 kilometres of an exchange. And if you want the next generation of technology, called VDSL, you have to live
Within 900 metres. Those on the opposite side who keep clinging to this new technological development they are about to invent—

Senator Bernardi—Mr President, I raise a point of order on relevance. I asked specifically for him to respond to the claims made in the OECD report and he has not addressed that at all.

The President—I believe the minister is answering the question. Proceed, Senator Conroy.

Senator Conroy—Those opposite, who cling to the OECD report about new technological inventions, want to try to claim that you can use copper to match the services of fibre. But the Chief Technology Officer of Telstra has put—(Time expired)

Health: Disease Control

Senator Milne (2.37 pm)—My question is to the Minister representing the Minister for Health and Ageing, Senator Ludwig. Given that climate change and the increasing movement of people, animals and goods around the world are increasing the risk of outbreaks of diseases—everything from Hendra virus to swine flu—in both human and animal populations, does the government intend to maintain a national disease intelligence capacity and Australia’s ability to respond quickly and effectively across state boundaries to such outbreaks?

Senator Ludwig—I thank the senator for her question. The research around all of these issues certainly has been an area where the Commonwealth has done a significant amount of work. The research has dealt with H1N1—swine influenza—and of course the government continues to ensure that it has an emergency response to that. Through the Department of Health and Ageing, the government has been coordinating and working with the state and territory organisations to ensure that we do have a coordinated response to issues such as the Hendra virus outbreak in Queensland. The government takes seriously the issues around this because they are potentially significant and go to health and health related matters. They pose issues not only for human health but also, as in that instance, for animal health.

The Australian and Queensland governments have each provided $300,000 to the Australian Animal Health Laboratory for the development of a Hendra virus vaccine for horses because through that virus there is a vector to humans. The government remains at the forefront of ensuring, both in terms of the H1N1 outbreak and other examples such as the Hendra virus, that we do lead on key research issues. I will ensure that if the health minister has any additional information she wishes to bring forward to the Senate—(Time expired)

Senator Milne—Mr President, I ask a supplementary question. I thank the minister for his assurances that the government remains on the front line. Can the minister please tell the Senate why the government has decided not to renew the federal funding for the ANU’s Master of Applied Epidemiology program, which is, in the absence of a national centre for disease control, Australia’s only front line flying squad of doctors, vets and nurses to protect the Australian people and animal populations from epidemics of communicable, infectious disease?

Senator Ludwig—in response to that question from Senator Milne, I say that of course the government remains committed and at the forefront of ensuring that we continue research and development within the health and hospital area. I will seek further and better information from the Minister for Health and Ageing to provide a response to the specifics of that question, but bear in mind that this government does spend significant amounts in the area of health and
hospital reform. The government does continue to ensure the health of the Australian population, and it does continue to ensure that research and development within the health and hospital area is maintained. For example, we have recently made significant announcements to ensure mental health issues are being addressed. In terms of dealing with broad responses around emergencies such as the H1N1 virus—swine influenza—I am sure those people here in the chamber would be—(Time expired)

Senator MILNE—Mr President, I ask a further supplementary question. Given what he has said, I ask the minister to explain to the Senate, perhaps through the Minister for Health and Ageing, why the termination of this funding has occurred. Was there a deliberate intention to remove the funding or was that an unintended consequence of the government’s decision to terminate the Public Health Education and Research Program? Will the minister come back and tell us whether the government has found alternative sources of funding to continue the operation of the ANU program, which has been so successful in stemming the spread in Australia of about 200 epidemics—(Time expired)

Senator LUDWIG—It was a very long question, and I would like to have the same amount of time to reply. Funding to support the national centre for this area, including epidemiology and population health, was provided through the Department of Health and Ageing. In 2010 the government provided research funding for the ANU through a range of sources, as I think Senator Milne outlined, including research block grants and the Australian Research Council’s competitive grants program, and this amounted to $139,000. The Australian government also supports research into infectious diseases directly through CSIRO. CSIRO spends approximately $73 million annually on these activities. CSIRO provides a Commonwealth vehicle for spending in this area of research and development. It is not the only area that we spent in, but I use it as a way of highlighting an example of where the Commonwealth does lead research in this area, does spend significant—(Time expired)

Broadband

Senator KROGER (2.44 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. Can the minister please inform the Senate of the lifespan of a fibre-optic cable?

Senator CONROY—I congratulate Senator Kroger on her question and for other matters. I am sure Senator Kroger is referring to the issue of the life of fibre. As I have said many times, fibre-optic cable can last for between 30 and 50 years and in recent times newer fibre cable can last even longer. I am sure Senator Kroger will next quote the new member for La Trobe, Ms Smyth, who got, can I say, a little tongue tied. She has clarified her comments today—Senator Kroger may not have been given the update. She has clearly indicated that she was talking about the delays that your party have been pushing to ensure that Australians do not get faster and more affordable broadband.

Yes, to be absolutely clear, fibre-optic cable when laid can last for 30 to 50 years and the more recent fibre deployments can last even longer. But it will not last long enough to outlive what will probably be the opposition’s 50th or 60th failed broadband plan by the time a piece of fibre gets to the end of its life. Let us be clear: the properties of fibre-optic cable are that it moves at the speed of light, unlike HFC, unlike copper and unlike wireless. But those opposite want to condemn the Australian public—they want to condemn the people of Willunga, they want to condemn the people of Brunswick, they want to condemn the people of Tasmania—to
a second-rate network while the rest of the country—(Time expired)

Senator KROGER—Mr President, I thank Senator Conroy for trying to pre-empt my supplementary question, although like many things they do not exactly get everything right. Can the minister inform the Senate what costings of the maintenance of the NBN have been included in the modelling of the NBN or is this just another example of one of Labor’s famous back-of-the-envelope costings designed to waste billions of hard earned taxpayer dollars?

Senator CONROY—You really should not use Piers Ackerman as your laws-of-physics source, because Mr Ackerman continues to be completely wrong. He is wrong in his claim about fibre, because he is one who has also made that claim. He is actually dead wrong. He could not be more embarrassingly wrong except if you read his next paragraph. Each one gets more embarrassing as it goes along, but he has made this ludicrous claim about the cost of maintenance of fibre. It lasts past 30 years and in many cases the latest fibre lasts past 50 years.

Yes, there is some maintenance, but let me tell you it is an awful lot less than the maintenance program for the deployed copper network that Telstra have to pay. The cost of maintaining that copper network approaches nearly $1 billion a year. We are all familiar with the stories about Telstra having to use a gel in the more humid areas of Queensland because the copper is literally degrading in the ground. So, when it comes to the cost of maintenance, copper far exceeds that of fibre-optic cable. (Time expired)

Senator KROGER—Mr President, I ask a further supplementary question. It has been reported that emergency call centres will not be able to identify where a triple-0 call was placed on the VOIP model. Can the minister guarantee that under the NBN the location of all emergency calls will be able to be identified automatically without the call centre having to rely on all the information being provided by the distressed caller?

Senator CONROY—Again, the opposition is operating under a misapprehension. If people want an analog phone, we will continue to provide exactly what people want. So people will have the capacity to maintain their existing phones if they want. The only way that it can be given up is if they decide it should be given up, but the NBN does not require this. The NBN will allow the capacity for an analog phone exactly as is used today, in exactly the same way that it is used today, if people so choose. There is no suggestion the NBN is forcing people to give up their fixed line, their analog phone. That is again another of those furphies that those opposite are trying to use to try to discredit the National Broadband Network. What you have to continue to understand is the NBN is a wholesale-only company. It does not provide retail services. (Time expired)

Broadband

Senator STERLE (2.50 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy, Senator Conroy. In addition to services that have already been delivered in Tasmania, services are shortly to go live in five first-release sites in mainland Australia—

Honourable senators interjecting—

Senator Conroy interjecting—

The PRESIDENT—Order! Senator Conroy, I am waiting to hear the question that is being asked of you.

Senator STERLE—and are to commence in a further 19 second-release locations early next year. Can the minister inform the Senate what other progress has been made in construction of the National Broadband Network on the mainland?
Senator CONROY—I thank Senator Sterle for his ongoing interest in this nation-building initiative. Just eight months ago I was in Mount Isa in Queensland to mark the start of the work to lay 6,000 kilometres of optical-fibre backbone links targeting six priority regional areas that were identified by the ACCC as having the least competitive backhaul across Australia. These links, coordinated under the $250 million Regional Backbone Blackspots Program, provide the communications links that connect our towns, our cities and our rural areas to each other and the world. It is a critical input for the delivery of affordable broadband services to residents and businesses in regional Australia and represents the first building blocks of the NBN on mainland Australia.

I am happy to announce that, last Thursday, I celebrated the halfway mark in the delivery of this important infrastructure. In fact, to be accurate, we have now completed 60 per cent of this fibre rollout, and the first links are scheduled to be completed on time and on budget in March next year. This demonstrates that the Gillard government is getting on with delivering the National Broadband Network for all Australians, no matter where they live, and that the Gillard government is serious about closing the digital divide, while those opposite—and some should know better if they listen to their electorate—seek only to delay and demolish this essential national infrastructure. Those opposite who continue to try to delay this, who continue to try to delay the people of Geraldton in Western Australia—(Time expired)

Senator STERLE—Mr President, I ask a further supplementary question. Can the minister identify any alternative plans for getting on with the job of providing critical backbone infrastructure in regional Australia?

Senator CONROY—It is a difficult question to answer which Senator Sterle has just posed, because I can in fact identify 19 alternative plans that those opposite had from opposition. Their 19th plan did make a commitment to a backhaul program, a commitment for which 98.5 per cent of funding was not available until June 2013. Let me repeat that: those opposite made a big song and dance that they had a broadband plan and a plan for regional Australia, and 98.5 per cent of the funding they promised was not available in the entire first term of their would-be government. In contrast, we will...
be lighting up links in March next year. However, I cannot tell you what their possible 20th broadband plan might hold for regional Australia. Their credentials will soon be put to the test. *(Time expired)*

**Antisiphoning List**

Senator COONAN (2.56 pm)—My question is to the Minister for Broadband, Communications and the Digital Economy. Has the minister mentioned the value of television licence fees, the rebate of such fees or the review of such fees in any discussions with free-to-air television networks or their representatives about the future of the antisiphoning list?

Senator CONROY—I thank the author of at least 14 of the 19 failed broadband plans for finally having a question and joining in the debate in the Senate. Only 14 are her fault, to be fair.

The PRESIDENT—Order! Senator Conroy, address the question.

Senator Coonan—Mr President, on a point of order: My question relates to the antisiphoning scheme, not to broadband. I ask the President to require the minister to be directly relevant.

The PRESIDENT—Your point of order is quite correct. Senator Conroy, you have heard the question; you need to address the question.

Senator CONROY—I accept your admonishment, Mr President. I will be directly relevant to the question. The source of this question is an inaccurate report in the *Age* newspaper. While I admit it is not the paper of choice for those opposite, it is unfortunately not an accurate representation of any discussions that took place. There have been some very lively discussions around the issues of the antisiphoning list. There have been claims from one group, claims from another group and claims from the sporting associations. Some of that has been ventilated recently in the newspapers. But to try to quote and claim that a report in one newspaper is an accurate depiction probably does not stand up to scrutiny when, clearly, what is going on in this debate is that some players in this debate have been trying to influence the outcome by going to the newspapers. I am not going to have a discussion about private discussions. If other people choose to go to newspapers and put misreports in them that they think help their case then so be it; they are welcome to. But I will not be drawn into a discussion about private discussions around sensitive issues in the public sphere. I will continue to maintain a dignified approach by not describing what goes on in private meetings.

Senator COONAN—Mr President, I ask a supplementary question. I was wondering whether, in the lively discussions the minister referred to on this important matter of public interest, the minister can guarantee to the Senate that he has never suggested or implied that decisions on the value of television licence fees or rebates of such fees will be influenced in any way by how the free-to-air networks publicly respond to any changes to the antisiphoning list.

Senator CONROY—I can guarantee that, unlike in the times when Senator Coonan was minister for communications, there is not a situation where a TV mogul picks up the phone and says, ‘This is what the policy’s going to be.’ We are driven by what is in the best interests of the public. We are interested in protecting Australian content and guaranteeing that Australian voices are going to continue to be heard in this ever-increasing diversity of media—from the internet, from newspapers, from radio and from the television sector. We are going to continue to develop policy in the best interests of the Australian public, and we are not going to be intimidated as were those opposite, who said,
Okay, we’ll start digital broadcasting in the year 2000, and by the time we get to, maybe, 2013 we might have a switch-off date for analog TV—13 years late. (Time expired)

Senator COONAN—Mr President, I ask a further supplementary question, because Senator Conroy seemed to be trailing off there a bit. Given that the minister has pointedly failed to guarantee that he has not suggested or implied to free-to-air networks that the value of their licence fees could be impacted by how they publicly respond to changes to the antisiphoning list, does the minister truly believe it is justifiable to use threats that could cost networks millions of dollars to try to silence criticism of his decisions? Doesn’t this just amount to a form of blackmail? (Time expired)

Senator CONROY—It is quite open to others to accuse a minister of the Crown of blackmail, but the former minister over there used to cower at the ring of a phone in case it was a mogul, and she managed to say from the year 2000 to the year 2013: ‘We might switch off; we just might switch off. Oh, my goodness; some of those TV moguls don’t want us to switch off, so we’d better just have a target. We’ll have a target.’

Senator Bernardi—You know all about moguls, Stephen, don’t you? You go skiing with them.

Senator Coonan—Mr President, I rise on a point of order. Once again, it is on relevance. The minister must be made to be relevant to the supplementary question. He is now going off into switching off the analog signal and other timetables. We are talking about antisiphoning, just to remind him—antisiphoning and nothing else. I would ask you, Mr President, to require him to be relevant instead of raving.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Defence Procurement

Senator Chris Evans (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations)

Mr President, I seek leave to incorporate an answer to a question asked by Senator Johnston of me in my capacity representing Mr Smith, the Minister for Defence, yesterday. I have a response, which is in the form of a letter to Senator Johnston.

Leave granted.

The document read as follows—

Senator the Hon D Johnston
Shadow Minister for Defence
I refer to the questions you asked yesterday in the Senate of my colleague, Senator Evans, regarding the Middle East Area of Operations (MEAO) Air Sustainment Services contract.

The Department of Defence (Defence) entered into a contract with Adagold Aviation for MEAO Air Sustainment Services on 22 October 2010. This contract takes effect on 23 November 2010. The value is estimated to be $96m over the two year period of the contract.

Adagold Aviation was selected as the preferred tenderer based on a superior Value for Money assessment and its bid met all of the Commonwealth commercial, technical and airworthiness requirements. This includes meeting the requirements of the Civil Aviation Safety Authority and Defence for Regular Public Transport (RPT) operations.

As you know, this issue was raised by you in the most recent Senate Estimates hearings. The questions you asked at Estimates were answered at length. You have since placed other similar questions on notice which are in the process of being answered.

In the Senate yesterday, you raised specific issues in relation to the aircraft available to Adagold, namely the employment of Australians, whether or not the Portuguese charter operator, HiFly, has a regular Australian operator passenger licence, whether HiFly has a regular Australian passenger operator licence, and the cost and purpose of the Deloitte Touche Tohmatsu (Deloitte) review. Each of these is addressed below on the basis of advice I have received today from Defence.

In relation to access to aircraft, the tenderers for the MEAO contract, which were selected from an existing Defence standing offer panel, comprised a mix of aircraft owner-operators, operators and broker companies. Adagold Aviation is a broker utilising the Portuguese based company, HiFly, as its air operator. The tender panel conducted a thorough risk assessment including investigation of the financial viability of Adagold and HiFly as well as assessments to confirm that both companies are ‘fit and proper’ entities. The tender panel confirmed that all the tenderers were able to deliver the services required.

In relation to the employment of Australians, under the terms of the contract, HiFly is required to provide Australian crew within six months of the contract commencement. I am advised it is not expected that there will be a significant loss of Australian based jobs in the transition from Strategic Aviation to Adagold. Tenders for provision of services to the Australian Government or the Department of Defence are determined on the basis of value to the taxpayers’ dollars, not just on the basis of local employment.

In relation to the question about a regular Australian operator passenger licence, it is not necessary for HiFly to have such a licence. It holds an equivalent certification to a Civil Aviation Safety Authority (CASA) issued Air Operator’s Certificate (AOC). This certification is issued by the Portuguese aviation authorities. The certification gives the authority to conduct “scheduled and unscheduled services for both passengers and cargo”.

CASA has provided HiFly a foreign AOC which endorses the certification issued by the Portuguese authorities. Accordingly, HiFly is not required to obtain an Australian RPT certification. Regarding Adagold certifications, Defence has advised that no further certifications or licences beyond those obtained by HiFly, as the aircraft operator, are required.

This tender has been subject to extensive review by Defence. In response to concerns raised by Strategic Aviation (the then operator under the contract), the Defence Chief Audit Executive conducted an independent probity review of the tender process which was completed in August 2010. The Chief Audit Executive’s review concluded that the tender process was fair and complied with Commonwealth and Defence procurement policy. PricewaterhouseCoopers independently reviewed Defence’s probity review process and concluded that the review was carried out in a complete and impartial manner.

As you know, Defence subsequently engaged Deloitte and the Australian Government Solicitor to conduct additional independent assessments to address specific concerns raised by you regarding the financial viability of the preferred tenderer.
Adagold Aviation (and its partner Hi Fly Aviation), and the overall selection process. The Terms of Reference were agreed with both the then Minister for Defence and with you during the caretaker period.

The Deloitte review took place over the period 2 to 10 September 2010 inclusive and the report was finalised and provided to Defence on 15 September 2010. You were fully briefed on this by Defence and Deloitte on 15 October 2010.

The final cost of the Deloitte review was $597,000. Deloitte was cognisant of Defence’s desire to complete their review as expeditiously as possible in order to avoid disruption to critical air sustainment services and to minimise the additional costs associated with an interim solution. In response to these concerns, Deloitte deployed a large team, which included a significant number of Partners and Directors, to undertake the review. Their fee represented virtually 1,000 direct man hours of effort and significant on-costs.

Deloitte were aware that their report would have an audience beyond Defence and therefore appreciated the need to very clearly differentiate between what they were requested to do in the Terms of Reference and what was out of their scope. Accordingly, the caveats attached to the review clarify that their work was not to duplicate work already done by the Defence Chief Audit Executive or the Australian Government Solicitor. These caveats in no way affected the completeness or thoroughness of their work as outlined in the Terms of Reference.

Defence’s view is that the expenditure on the reviews conducted by Defence, Pricewaterhouse-Coopers, Deloitte and the Australian Government Solicitor is justified considering the serious nature of the matters raised, the operational criticality of the contract, the cost of the contract and the extent of public comment and criticism (however unfounded) made about this tender.

The external reviews all supported the conclusions of the Chief Audit Executive’s probity review.

I am satisfied that Defence has taken appropriate action to review the concerns that have been raised in regard to the MEAD Air Sustainment Services Contract.
Minister for Sustainability, Environment, Water, Population and Communities.

Leave granted.

The document read as follows—
THE MINISTER FOR SUSTAINABILITY, ENVIRONMENT, WATER, POPULATION AND COMMUNITIES
(Senate Question without Notice)
Response to questions asked by Senator Bob Brown of Senator Conroy, the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, on 15 November 2010, relating to that portfolio.

I am advised that, according to the company’s documents, the indicative disturbance area of the proposed mine and infrastructure is approximately 11,000 hectares. In addition to the open pits, this includes spoil areas, roads, rail, infrastructure and creek diversions. I am further advised we do not have enough information to compare this project to others in other countries.

The matters that are within the Minister’s portfolio relate to the environmental assessment of this proposal for its impacts on matters of national environmental significance, that are protected under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). Specifically for the Wandoan project, those matters are nationally listed threatened species and ecological communities, and listed migratory species.

The statutory timeframe under the EPBC Act for a decision on whether to approve the proposed Wandoan mine is currently 29 December 2010, which the Minister is contemplating extending.

As this proposal was assessed under a bilateral agreement with the Queensland Government, the timeframe for the Minister’s decision commenced on the day the Minister received the Queensland Coordinator-General’s assessment report on 15 November.

With regard to greenhouse gas emissions, this was a matter assessed in the Queensland Coordinator-General’s report and in the proponent’s environmental impact statement. The report contains estimates of the direct greenhouse gas emissions of the proposal. Under the EPBC Act, the Minister is required to consider all impacts on matters of national environmental significance, and this would include any impacts of greenhouse gas emissions if relevant.

In relation to studies on natural heritage, cultural heritage and water systems of the Surat Basin relating to the proposed Wandoan mine, the Queensland Coordinator-General was required to assess and report on all the relevant impacts of the proposal. That report included an assessment of heritage issues and matters relating to water systems, such as aquatic ecology and water supply and management. The Coordinator-General’s report is currently being considered by the Commonwealth, and no decision has been made on whether any further studies are required.

Environment

Senator WONG (South Australia—Minister for Finance and Deregulation) (3.06 pm)—I have some additional information in relation to a question asked of me by Senator Ludlam in the last session, on 27 October, which I seek leave to incorporate.

Leave granted.

The document read as follows—
ADDITIONAL INFORMATION FOR Senate Hansard For A Question On Notice Taken By The Minister Representing The Minister For Climate Change And Energy Efficiency On 27 October 2010
Mr President, I seek leave for additional information provided to me by the Minister for Climate Change and Energy Efficiency, the Hon Greg Combet, to be incorporated into Hansard.

On 27 October 2010, Senator Ludlam asked me to verify his estimate that 80 million tonnes of emissions will arise as a result of new plants and projects proposed in WA between now and 2016.

Question—taken on notice
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 emis-
sions 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?

Senator Wong —In relation to the first, I am happy to take that on notice and refer that question to Minister Combet.

Answer

In answering Senator Ludlam’s question, the Minister for Climate Change and Energy Efficiency has supplied the following answer:

As Senator Ludlam is no doubt aware, emissions estimates are highly sensitive to assumptions about which projects go ahead, their emissions intensity and their start dates—all assumptions that are subject to significant uncertainty.

It is not possible to verify Senator Ludlam’s estimate without knowing the exact projects and the assumptions he has included in his estimate.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS

Gillard Government

Senator FIFIELD (Victoria) (3.06 pm)—

I move:

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

I think you will recall that the Australian Labor Party fought like no other before the last election, during the last election and after the election to retain office. They did something unprecedented: they tore down—they decapitated—a first term Prime Minister. They fought a tough and tenacious election campaign, post-election, they hopped into bed with the Greens and they wooed and courted the Independents in the other place. You fight so hard, so long and so desperately to retain office for a reason. You do that because you have an agenda, you do that because you have a plan and you do that because there are things in Australia which you think desperately need attention and change.

And so during the campaign the nation assumed that there would be a major agenda on offer—perhaps a plan to reform the tax system? But, no. Perhaps a plan to tackle climate change? No. Perhaps even a plan to help take the pressure off interest rates? No. So we waited during the campaign for the grand plan and the grand agenda; they did not come. Perhaps, we thought, the Labor Party may at least have had a secret agenda which they were not sharing with the Australian people? And so we waited for the parliament to sit; we waited for the legislative agenda and we waited for the grand plan.

What was the reason that the Australian Labor Party sought the glittering prize of commanding the confidence of the House of Representatives? Why was it that the ALP sought a governing pact with the Greens in the Senate? What was the purpose? Again today, for the second time, Senator Evans confirmed the reason for seeking the glittering prize of commanding a majority and the confidence of the House of Representatives. The reason was to introduce legislation to wind back voluntary student unionism. That is what it was all about. That was the only policy, the only plan and the only agenda that Senator Evans, desperately grasping in question time, could lay his hands upon.

That is pathetic. That is an indictment on the Australian Labor Party. This government has no reason for existing. It has no agenda. This government is like that great Peter Sellers movie, the title of which was Being There. That is what it is about for this government: it is just about being there. Senator Evans is a bit like Chauncey Gardiner, the hero of the movie. Chauncey Gardiner liked to watch; he did not do much he just liked to watch. And that is what this government does; that is what Senator Evans does and that is what the Prime Minister does—they just sit back and watch.
We know this government has no agenda. It was confirmed yesterday when the government ran out of legislation and they sought the assistance of minor parties and of the opposition to bring in legislation, which had not been flagged, immediately from the House of Representatives.

We have been incredibly cooperative as an opposition.

Senator Jacinta Collins interjecting—

Senator FIFIELD—We have. In the week during the Afghanistan debate we facilitated a range of non-controversial legislation outside of that time. We have been extremely cooperative.

Despite that, this government is still running out of legislation. And despite the fact that the Senate has had its time taken up and the House has had its time taken up with the debate on Afghanistan and the address-in-reply, this government is still running out of legislation. No doubt as we approach the final week of the parliament, according to the government it will be this side of the chamber’s fault when there is a bit of a logjam. But the fact is there is nothing of substance that this government has introduced. They have no plan, they stand condemned and they have no reason for being.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (3.11 pm)—What we have now heard is not only misinformation but also an outrageous hypocritical contribution in relation to how this place is managed from those opposite, who seek to upend the program and who seek to try to manage the program from afar without an understanding of how the program actually works—without even an understanding of how the Senate actually operates.

It operates most efficiently and effectively by cooperation between all the parties in here. What I have not heard from the opposition is an undertaking or a guarantee—and they have got the opportunity to give it with the remaining speakers—that we will get through the program that has been outlined. Of course it is misinformation provided by those opposite to say that they did not have a clear picture of what the program for this week was about. It was provided to all parties in the week leading up to this week. That program sets out what we expect to get through in the Senate this week.

I ask the opposition to consider providing that guarantee that we will finalise those pieces of legislation on that list this week. What is disappointing to see is that cheap politics are being played by those opposite with the legislative program, probably because they have nothing else to talk about other than the processor itself—which is disappointing in itself. But the management of the program within the Senate is a serious matter that all parties have agreed to and continue to agree to, except when it does not suit those opposite.

We also have an outrageous position being adopted by the opposition in relation to the program. It is one where it does not want to finalise the address-in-reply—that is an interesting position. We do need to finalise the address-in-reply within this fortnight so that we can provide it to the Governor-General in February when we come back. That is a matter that always happened during this period. If you are blind to that then you have not been following the program particularly well over the last couple of years. Perhaps Senator Evans’s comments about your inability to stay awake in this place are apt.

We do have a range of other matters that we then need to deal with as part of the legislative program. To ignore that we need to have these debates around a whole raft of things, including legislation, committees and the address-in-reply, is to ignore how the
program works in the Senate. It is completely baseless to try to fashion an argument that this government is not managing its program well. In addition to that, many of the bills have also been referred—by agreement and not opposed by this government—off to Senate inquiries to be dealt with by Senate committees so that time spent in this parliament in committee stage and also in dealing with second readings will be reduced to assist those making those contributions.

Of course, many of those inquiries are being pushed back because of the number that have been sent. Be that as it may, the reporting dates on that available legislation will fall in the second week that we are here in parliament. I also want the opposition to commit to finalising those bills that the government needs before we go to the end-of-year break. If you are going to complain about the lack of legislation available then I assume you will also agree to additional hours when we require time to finalise the program. I assume that you will also agree to ensuring that we can facilitate debate to ensure we can complete the legislative program as outlined and given you to a week earlier. In addition, I assume that in the second week you will also cooperate in ensuring that we can finalise that legislative program.

It would be stunning to me if you did that, because you have not been doing that in the last three years that we have been in this place and you have been in opposition. This is not only an act of all of those who sit opposite; they are the acts of both the manager and the previous manager, who have not ensured that they provide additional hours of work. They have not ensured additional provision of time to provide for the legislative program to be dealt with in this place. Why? It is because they do not want to be here. That is the only conclusion that I can come to: they do not want to contribute to debate in this place. (Time expired)

Senator Ryan (Victoria) (3.17 pm)—I almost feel sorry for the Manager of Government Business, Senator Ludwig, when he has to come here and defend this government’s management of the legislative program—that is, until he starts talking about the opposition. I think it was in the last session, in the days when the government was knifing the then Prime Minister, the member for Griffith, that this opposition facilitated the transaction of nearly two dozen pieces of legislation in almost a single Senate sitting day.

The mismanagement of this chamber falls squarely at the feet of this government. You cannot bring in reams of legislation in the last fortnight and expect them to be given due scrutiny. It may be easy to manage members on the other side, but on this side individual senators take their responsibility seriously. What we are truthfully seeing here, despite the rather half-hearted defence of the government by Senator Ludwig, is that this government has simply no agenda.

The only thing that holds this government together is the pursuit of power. Since being returned several weeks ago in what had to be the most humiliating and embarrassing judgment on a first-term government in seven decades, they have drifted from disaster to broken promise to backflip, and a lack of a legislative program indicates this. The contrived empathy that so encapsulated the former Prime Minister has now been replaced by the new Prime Minister with obfuscation and euphemism. The strict promise hours before polling day that there would be no carbon tax has been replaced by the euphemism of a so-called price on carbon, as if when the government collects a revenue from the consumer that it is somehow not a tax. Hours before polling day that promise was made, and hours after taking office the Prime Minister broke that promise and tried to justify it with an Orwellian euphemism.
The broken promises and backflips of the Labor Party cannot hide the fact that the Labor Party is nothing more than a decoy for the pursuit of power. There is no agenda; there is only a commitment to process absent of an outcome. The process itself has become important to this government in order to create the illusion of activity and the illusion of substance. We saw this today, when the Leader of the Government in this place said that the repeal of voluntary student unionism legislation was somehow meant to be taken as a sign of this government’s legislative agenda. Well, if that is your agenda for Australia then I am looking forward to the next election in this place.

The process has become an end in itself for the Labor Party. They simply aim to fill the pages of a newspaper and confect a sense of empathy with the Australian people. They constantly say, ‘We feel your pain,’ but they never actually want to commit to doing anything about it. We saw Fuelwatch, we saw GroceryWatch and we saw the illusion of health reform, but we did not see commitments that could actually be measured. Did any of them impact on fuel prices? No. Did any of them impact on grocery prices? No. They were contrived, confected and simply political stunts. The Prime Minister tries to create the illusion of substance. She makes speeches about reform as if uttering the word alone is enough to justify one’s existence in office. She calls upon the ghosts of Hawke and Keating for strength, but the comparison illustrates that she is really the successor to Rees, Keneally and Bligh—not only in the way in which she took office but also in that her only reason to be in office is to stay there.

The Prime Minister may like to talk about the Hawke and Keating governments and, in comparing this Labor Party to those, so do we. The Hawke and Keating governments, with the support of the opposition, undertook a reform program. They had an agenda. They actually undertook some tax reform, although they baulked at the end of indirect tax and left that for the coalition government and then opposed it. They reformed the Australian economy with the support of the opposition, yet the only things this government can commit to are to somehow increase the size of government and to impose a new tax without any consideration of reducing taxes on consumers in other ways.

You will remember, Mr Deputy President, as you were here, that when the coalition government put up its tax reform agenda there was a tax trade-off. When the previous Labor government, under Prime Minister Hawke, introduced superannuation, there was a wage-tax trade-off. This is the first government in decades in this country that has proposed new taxes to fill its deficit without any consideration of the burden that places on people or business and without any proposal to reduce the taxes people otherwise pay. People do not often speak of legislative programs; they are not always the first thing on people’s minds. But if they want to look at how empty this government’s soul is then they need to look at the fact that there is no serious legislation; there are only broken promises and the only thing the Leader of the Government in this place could say was that he wanted to make students pay compulsory union fees again.

Senator POLLEY (Tasmania) (3.22 pm)—What remarkable contributions from those opposite. I have been in this place serving the Tasmanian community for five years now and it is a great privilege to do that. But to come in here today and to stand up and talk about a legislative program of the nature that the opposition were trying to assert quite frankly does them no favours at all because this is no different to any other time of the year. I want to reiterate, as the minister did in his comments, that on every occasion when
we have tried to increase the amount of sitting time or to extend the sitting time those opposite are the first ones out the door.

If we want to talk about the legislation that is on the program for this week it includes the Tax Laws Amendment (2010 Measures No. 4) Bill. The Higher Education Support Amendment Bill, if I recall, was debated last night. There is the Social Security Legislation Amendment (Connecting People with Jobs) Bill. We also have the National Health Amendment (Pharmaceutical Benefits Scheme) Bill and the Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Bill. I think the contributions that senators make in relation to the address-in-reply to the Governor-General’s speech are significant. It was a very important speech that was delivered in this place outlining the program that this government has. Obviously, it really narks those opposite because they cannot come to terms with the fact that the Australian community rejected them. Why did they reject them? It was because they had no plan.

Senator Abetz—You got a great majority.

Senator POLLEY—We had the minister in question time today talking about the National Broadband Network. Senator Abetz, I will take your interjection because you know very well that the leader of the opposition in Tasmania, Mr Will Hodgman, supports the National Broadband Network—I know you do not always get on with him but he did get something right in recent years. Even your good, very close colleague Senator Barnett has come out publicly and said that the National Broadband Network was a contributing factor as to why the Liberals did so very poorly in Tasmania in all five electorates. In your own area in southern Tasmania you should hang your head in shame as to how poorly the Liberals did in Denison.

If we want to talk about our program, let us talk about the economy and let us talk about jobs. Let us talk about the opposition’s record on those in the way you voted and opposed every stimulus package in this place. The Australian community saw through that. They appreciate the fact that this government stood up to ensure that Australian families had jobs and that there was job security. We have things already in place that we have already built on since 2007, one of which is the way we have looked after Australian pensioners. We have given them a pension increase. We have actually delivered tax cuts. We have done more to encourage and support small business than those opposite. When you talk about the government not having any agenda for climate change, I think that is just hilarious. Those sceptics opposite are talking about the government not having a program. Those on this side of the chamber at least are prepared to put the facts on the record in terms of what we are doing.

The most important thing that the Australian people want is a strong economy. They need to know that their representatives are listening to them. We are delivering on the economy. We have done better than any other developed country in the way that we have been able to come out of the global financial crisis. With respect to having no agenda it is us on this side that are ensuring that Australian taxpayers get value for their investment in what the mining tax will deliver. There is also the National Broadband Network and what that will do for health, education, productivity, tourism and small businesses. There are also the jobs that will create. The list goes on and on.

There is what we are doing for education. It was this government that actually invested in infrastructure—the Building the Education Revolution. There are a lot of Liberals turning up at all these school openings. They are
the ones who want to have their photos in the school newsletters because they know, as the Tasmanian community knows only too well, particularly in the building industry, what that investment has done. (Time expired)

Senator BACK (Western Australia) (3.27 pm)—I am delighted to contribute to this debate. It was only in June of this year that the Labor Party advised us that they had lost their way and on that occasion had to get rid of their Prime Minister. At least on that occasion they had a way. The simple fact of the matter is that this current Labor government does not know the way. It has no way; it has no direction. Anybody who succeeds in business knows very well that to actually establish and run that business, as indeed government, you need a vision. You need to know what the perfect world is for the people in that country or the business. You need to have a mission that will get you there. You need to have objectives and, heaven forbid, you actually need targets upon which the community can measure you.

This Gillard Labor government can best be described as an LFG—a legislation-free zone. For those who come into this place and wonder what legislation is, it is designed to give effect to the vision and mission of the government—if only they had one. Legislation is the foundation or the building block upon which the edifice will be constructed. It is in anatomical terms the skeleton around which the body will be formed. If you have legislation, if you have a vision and a mission, if you have objectives and if you have those foundations and skeletons, then you can develop the regulations, the policies, the procedures, the practices and the directives to the civil servants and others that will complete that dynamic entity which we would normally expect to be a successful country. Regrettably, this particular government has none of those.

This government has not participated, for example, in a process of consultation and dialogue. Have we not seen evidence of that around Australia with the failed border protection policies and the failure to consult with communities? It has no structure. This government is moulding nothing to give to the people of Australia on which historians will be able to look back and say, ‘The Gillard government stood for something.’

It was towards the end of the financial year last year and again this year that I recall our whip and those on this side managing the business of the Senate going to the government managers and saying, ‘There is legislation that you’ve got to get passed by 30 June because it has effect in the new financial year.’ So for the government to stand here and say that we have in some way obstructed the management of this place is a joke. I know in June this year they did have other priorities on their minds: getting rid of someone who at least had a way, even if he had lost it. The simple fact of the matter is that this is a formless government. It is an amoeba. It is without spine or structure. It is ground feeding instead of reaching for the stars as we would expect. It is no wonder that this government in fact was not elected.

If I think of the concepts of vision and mission and business planning, there is no better illustration of the failure of this government than the NBN. In my own speech on the NBN last year, I tried to impress on Senator Conroy that the starting point of any venture, let alone the biggest in Australia’s history at $43,000 million, is a business plan, and within that business plan you would create the vision and mission—and, amongst other things, you would have a cost-benefit analysis. Senator Conroy, in his usual way, stood there and derided us. Here we are, 12 months later, and there still has been no business plan released. And, if in fact there is no cost-benefit analysis within that business
plan, it speaks simply to the incompetence and arrogance of the government.

Even in Senator Conroy’s own answer today to Senator Birmingham, taking two minutes with all of the interjections, all the points of order and with his ministerial colleagues around him, he still could not answer the question. When he actually mentioned it, in the final seconds before his time expired, the figure was $437 million of infrastructure at 30 June; in fact, the figure is $453 million. If he had spent more time actually addressing himself to the issue and if this government spent some time addressing itself to legislation, we would not find the amoeba like condition and performance of the Gillard government.

Question agreed to.

Health: Disease Control

Senator MILNE (Tasmania) (3.32 pm)—

I move:

That the Senate take note of the answer given by the Minister representing the Minister for Health and Ageing (Senator Ludwig) to a question without notice asked by me today, relating to the lowering of Australia’s defence against infectious disease.

At a time when we have record numbers of people, goods and services moving around the world, not to mention the pressures of climate change, I am very concerned that there would be any suggestion in Australia about reducing our capacity to respond to the outbreak of disease.

We are one of the few developed countries in the world that does not have a central agency for disease control as such. The United States has the famous Epidemic Intelligence Service. In Australia we do not have anything like that, except the Master of Applied Epidemiology program that currently operates at the ANU. Basically, the federal government has decided not to fund that epidemiology program, which is run out of the National Centre for Epidemiology and Population Health at ANU. A report was published this week in the *Medical Journal of Australia* which shows quite clearly that this is a disaster for the nation. It is leaving us vulnerable.

I do not accept Minister Ludwig saying that the government has supported a number of other programs and therefore this one at ANU can go, because it provided a flying squad which could leave at any stage and go around the country to address any outbreak of a communicable, infectious disease, and that relates to human and animal health. The people doing the program were hand picked, if you like. The program is at the ANU but these people are placed all around the country in Public Service agencies where they can respond to a crisis very fast. Now the government has decided to de-fund this capacity at the ANU.

I note that the article in the *Medical Journal of Australia* is by people such as Emeritus Professor Douglas, Fiona Stanley, Rob Moodie and others. They say:

We need to maintain a national field-based postgraduate epidemiology program.

I do not accept what the government is saying; I do not believe there is anything to replace it. A review of the program commissioned jointly by the government and the ANU in February this year was unequivocal in recommending that it should continue as a key element of Australia’s disease control activity. So why, when the government has a report showing that this program should remain as a key element of controlling disease outbreaks, is it de-funding the program? Let us face it; we are vulnerable to pandemics. You know what the national fear is once you get one of these outbreaks of infectious disease. We must maintain the capacity to respond quickly and effectively, with the best-trained people. But we are going to lose that
as a result of the government de-funding this program, and it will be a tragedy for the nation if that actually occurs.

The article in the *Medical Journal of Australia* points out:

Over two decades … trainees—

from the program—

have played central roles in stemming the spread of about 200 epidemics, including severe acute respiratory syndrome (SARS), pandemic (H1N1) 2009 influenza, Hendra virus, food-borne infections, and many others.

It also notes that their work has resulted in many academic publications. It is essential that this program continue. I am concerned that what we are going to have is a range of health departments around the country, supposedly able to be at the beck and call of the federal department, and suddenly that will be enough. I do not believe it is enough. I think this is a unique program. It was set up to respond to the lack of national coordination, flexibility and speed that is required, as well as having people with expertise in the area. These are highly qualified doctors, vets and nurses who go to the ANU for this block program and are then placed all around the country. There is nothing that the government is doing that replicates that program.

I call on the minister to go back and re-think this because the nation is getting a very good deal out of this program. Essentially, it has been a bargain for the government with a budget under $2 million per year, which meets these trainees’ stipends and supports a small team of academic supervisors. For $2 million a year, we have a capacity to respond quickly and effectively to a national disease outbreak. The government is taking that away and the community will not tolerate this if indeed the academics are correct and we see a lack of capacity as a result of this change. I call on the minister to take this back to the Minister for Health and Ageing and to come back to the Senate and tell us why the government has rejected the report that it commissioned earlier this year, which was unequivocal in recommending that it should continue as a key element of Australia’s disease control activity. It is wrong to undermine that and we want an answer as to why the government has done that.

Question agreed to.

**PETITIONS**

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

**South Sudanese Referendum**

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

The petition of the undersigned shows:

That the South Sudanese community of Western Australia is being denied the right to vote in their January 9 referendum, which will determine whether South Sudan becomes an independent country.

Centers have been established in Canberra, Sydney and Melbourne for South Sudanese nationals to register to vote between 15 November and 1 December 2010. However, due to distance and financial capacity this means the thousand of South Sudanese who live in Western Australia will be unable to register to vote, and therefore unable to vote in the referendum.

Your petitioners ask/request that the Senate:

Make favourable representations to the South Sudanese Referendum Commission to establish a registration and voting center in Perth Western Australia and ensure that the South Sudanese community in Western Australia is not excluded from this critical vote in their nation’s history.

by Senator Pratt (from 216 citizens)

Petition received.
NOTICES

Presentation

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

That the Senate—

(a) recognises the damage to our marine species caused by discarded non-biodegradable plastic bags;

(b) congratulates the Tasmanian Parliament on its decision to ban non-biodegradable plastic bags throughout the State; and

(c) urges states that are yet to ban non-biodegradable plastic bags to adopt this sensible waste management practice.

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

That the Senate—

(a) notes that the Prime Minister of Papua New Guinea, Sir Michael Somare, has announced he will table a constitutional amendment in the week beginning 14 November 2010 that will reserve 22 seats for women in the nation’s parliament; and

(b) congratulates the Papua New Guinean Parliament for seeking to redress the poor representation of women in the parliament, the current parliament having only one female member of 109 members.

Senator Siewert to move on 17 November 2010:

That the Senate—

(a) notes the passing of activist, writer and poet Dr Roberta ‘Bobbi’ Sykes on Sunday, 14 November 2010;

(b) acknowledges the huge contribution Dr Sykes made to Aboriginal politics and Aboriginal rights in Australia, from the early days as the Secretary of the Aboriginal [tent] Embassy in Canberra in 1972 to the way in which she paved the way for Aboriginal women in writing and in higher education, obtaining Masters and Doctorate degrees in Education at Harvard in 1981 and 1984; and

(c) expresses its condolences to the members of Dr Sykes’ extended family and community on the passing of this dedicated, compassionate and outspoken black woman.

Senator Cormann to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Government, as part of its changes to the health system, is proposing to fundamentally alter the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations (1999 GST Agreement) with the clear opposition of at least one state – Western Australia, and

(ii) clause 44 of the 1999 GST Agreement states: ‘All questions arising in the Ministerial Council will be determined by unanimous agreement unless otherwise specified in this Agreement’; and

(b) orders that there be laid on the table by 5 pm on Thursday 18 November 2010, any advice (including legal advice and advice from the Solicitor General or the Australian Government Solicitor) to the Department of the Prime Minister and Cabinet or the Department of the Treasury, or advice from these departments to their respective Ministers, concerning the need for unanimous agreement to vary the GST Agreement.

Senator Trood to move on the next day of sitting:

That the time for the presentation of the report of the Select Committee on the Reform of the Australian Federation be extended to the last sitting day in May 2011.

Senator Crossin to move on the next day of sitting:

That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 18 November 2010, from 3.45 pm, to take evidence for the committee’s inquiry into the Evidence Amendment (Journalists’ Privilege) Bill
2010 and the Evidence Amendment (Journalists’ Privilege) Bill 2010 (No. 2).

Senator Crossin to move on the next day of sitting:

That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Human Rights (Parliamentary Scrutiny) Bill 2010 and a related bill be extended to 7 December 2010.

Senator Barnett to move on the next day of sitting:

That the time for the presentation of reports of the Legal and Constitutional Affairs References Committee be extended as follows:

(a) review of government compensation schemes—to 6 December 2010; and
(b) donor conception practices in Australia—to the Wednesday of the first sitting week in February 2011.

Senator Heffernan to move on the next day of sitting:

That the time for the presentation of the report of the Rural Affairs and Transport References Committee on pilot safety, including consideration of the Transport Safety Investigation Amendment (Incident Reports) Bill 2010 be extended to the second sitting day of March 2011.

Senator Siewert to move on 18 November 2010:

That the Senate—

(a) recognises that 19 November 2010, is World Toilet Day – a day to acknowledge the importance of sanitation and raise awareness of the 2.6 billion people, two-fifths of humanity, who lack access to basic sanitation,

(b) notes that on 24 August 2010 the United Nations General Assembly formally recognised the right to water and sanitation as a basic human right (resolution 64/292);

(c) expresses concern that more than 1.4 million children die each year as a result of unclean water and poor sanitation and that diarrhoea is the leading cause of death in Africa and the second leading cause of child death globally;

(d) notes that access to clean water and sanitation are the foundation for progress on other development outcomes, especially child health and education;

(e) acknowledges the positive step taken by the Australian Government in 2007 with the implementation of a 3 year water and sanitation initiative; and

(f) calls on the Government to:

(i) continue and increase aid funding for water, sanitation and hygiene in the 2011-12 budget and beyond, and

(ii) report annually on the proportion of development aid spent on sanitation and the success of its water and sanitation program, as it already does for its health and education programs.

Senator Ludlam to move on the next day of sitting:

That there be laid on the table by the Minister for Broadband, Communications and the Digital Economy (Senator Conroy), by 17 November 2010, the following documents relating to the National Broadband Network:

(a) the National Broadband Network Business plan; and

(b) the Government’s response to the McKinsey and Company and KPMG Implementation Study.

Senator Milne to move on the next day of sitting:

That the Senate—

(a) notes the report by CHOICE, Credit card surcharging in Australia, commissioned by the New South Wales Office of Fair Trading, and its findings that:

(i) there has been a significant increase in the rate of merchants charging credit card transaction fees with 20 per cent of small merchants and 40 per cent of very large merchants now imposing surcharges on their customers,

(ii) 88 per cent of the respondents to the CHOICE survey reported paying a
credit card surcharge in the previous year; and
(iii) there is evidence that there are retailers
who charge far in excess of the mer-
chant service fees they are required to
pay to the credit card companies; and
(b) calls on the Government to ensure there
can be no profiteering from credit card
surcharges, including as a first step requir-
ing disclosure of merchant service fees.

Senator Ludlam to move on the next day of sitting:

That the Senate—

(a) welcomes the release of Daw Aung San
Suu Kyi from house arrest on behalf of the
Australian people;
(b) congratulates the Burmese pro-democracy
movement for its steadfast resistance to
military rule and ongoing campaign for
democracy;
(c) calls for the immediate and unconditional
release of more than 2 000 political pris-
oners still detained in Burma;
(d) calls on Burmese authorities to embark on
a genuine process of national reconcilia-
tion and engage in dialogue with all of
Burma’s ethnic groups; and
(e) calls on the Australian Government to:
(i) make the most of this opportunity to
bring about lasting reform for Burma
and its people,
(ii) investigate all options for progressing a
United Nations commission of inquiry into human rights abuses and war
crimes in Burma,
(iii) reinforce the campaign for political
reform in Burma with increased en-
gagement through government and dip-
lomatic channels,
(iv) maintain efforts to enforce a universal
arms embargo against Burma, and
(v) support at the highest levels of gov-
ernment the efforts of Daw Aung San
Suu Kyi and her colleagues to restore
democracy and peace in Burma.

Senator Ludwig to move on the next day of sitting:

That the Social Security Amendment (Income
Support for Regional Students) Bill 2010 be re-
ferred to the Education, Employment and Work-
place Relations Legislation Committee for in-
quiry and report by the second sitting day in Feb-
ruary 2011.

LEAVE OF ABSENCE

Senator PARRY (Tasmania) (3.41 pm)—by leave—I move:

That leave of absence be granted to Senator
Minchin for the period of yesterday and today on
account of personal reasons.

Question agreed to.

COMMITTEES

Rural Affairs and Transport Legislation
Committee

Environment and Communications
Legislation Committee

Extension of Time

Senator McEWEN (South Australia)
(3.41 pm)—by leave—On behalf of the
chairs of the Rural Affairs and Transport
Legislation Committee and the Environment
and Communications Legislation Commit-
tee, I move:

That the time for the presentation of the re-
ports of the following committees be extended to
17 November 2010:
(a) Rural Affairs and Transport Legislation
Committee on the provisions of the Airports
Amendment Bill 2010; and
(b) Environment and Communications Legisla-
tion Committee on the provisions of the Na-
tional Broadcasting Legislation Amendment
Bill 2010.

NOTICES

Postponement

The following item of business was post-
poned:

General business notice of motion no. 76
standing in the name of the Leader of the
Australian Greens (Senator Bob Brown) for today, proposing an amendment to standing order 104, postponed till 23 November 2010.

COMMITTEES
Legal and Constitutional Affairs
References Committee
Reference
Senator Barnett (Tasmania) (3.42 pm)—I seek leave to amend general business notice of motion No. 1 by inserting after paragraph (m) a new paragraph (n).
Leave granted.
Senator Barnett—I move the motion as amended:
That the following matter be referred to the Legal and Constitutional Affairs References Committee for inquiry and report by 30 June 2011:

The Australian film and literature classification scheme, with particular reference to:

(a) the use of serial classifications for publications;
(b) the desirability of national standards for the display of restricted publications and films;
(c) the enforcement system, including call-in notices, referrals to state and territory law enforcement agencies and follow-up of such referrals;
(d) the interaction between the National Classification Scheme and customs regulations;
(e) the application of the National Classification Scheme to works of art and the role of artistic merit in classification decisions;
(f) the impact of X18+ films, including their role in the sexual abuse of children;
(g) the classification of films, including explicit sex or scenes of torture and degradation, sexual violence and nudity as R18+;
(h) the possibility of including outdoor advertising, such as billboards, in the National Classification Scheme;

(i) the application of the National Classification Scheme to music videos;
(j) the effectiveness of the ‘ARIA/AMRA Labelling Code of Practice for Recorded Music Product Containing Potentially Offensive Lyrics and/or Themes’;
(k) the effectiveness of the National Classification Scheme in preventing the sexualisation of children and the objectification of women in all media, including advertising;
(l) the interaction between the National Classification Scheme and the role of the Australian Communications and Media Authority in supervising broadcast standards for television and Internet content;

(m) the effectiveness of the National Classification Scheme in dealing with new technologies and new media, including mobile phone applications, which have the capacity to deliver content to children, young people and adults;

(n) the Government’s reviews of the Refused Classification (RC) category; and

(o) any other matter, with the exception of the introduction of a R18+ classification for computer games which has been the subject of a current consultation by the Attorney-General’s Department.

Question agreed to.

Finance and Public Administration
Legislation Committee
Meeting
Senator McEwen (South Australia) (3.43 pm)—I move:
That the Finance and Public Administration Legislation Committee be authorised to hold a public meeting during the sitting of the Senate on Thursday, 25 November 2010, from 5 pm, to take evidence for the committee’s inquiry into the exposure drafts of Australian privacy amendment legislation.

Question agreed to.
National Capital and External Territories Committee Meeting

Senator McEWEN (South Australia) (3.43 pm)—I move:

That the Joint Standing Committee on the National Capital and External Territories be authorised to hold a public meeting during the sitting of the Senate on Wednesday, 17 November 2010, from 12.30 pm to 2 pm.

Question agreed to.

Foreign Affairs, Defence and Trade Legislation Committee Extension of Time

Senator McEWEN (South Australia) (3.43 pm)—I move:

That the time for the presentation of the following reports of the Foreign Affairs, Defence and Trade Legislation Committee be extended to the last day of the second sitting week in February 2011:

(a) provisions of the Defence Legislation Amendment (Security of Defence Premises) Bill 2010; and

(b) provisions of the Autonomous Sanctions Bill 2010.

Question agreed to.

Corporations and Financial Services Committee Meeting

Senator PARRY (Tasmania) (3.44 pm)—I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 18 November 2010, from 11.30 am.

Question agreed to.

Environment and Communications References Committee Extension of Time

Senator PARRY (Tasmania) (3.44 pm)—I move:

That the time for the presentation of the report of the Environment and Communications References Committee on the adequacy of protections for the privacy of Australians online be extended to the second sitting day of the second sitting week in March 2011.

Question agreed to.

PRODUCTIVITY COMMISSION REPORT Order

Senator CORMANN (Western Australia) (3.44 pm)—I seek leave to amend general business motion No. 84 standing in my name relating to the production of a Productivity Commission report on the selection of default superannuation funds and the modern awards by omitting 30 April 2011 in paragraph (c) and substituting 31 May 2011.

Leave granted.

Senator CORMANN—I move the motion as amended:

That the Senate—

(a) notes that:

(i) the current process to select default superannuation funds under modern awards is not transparent, not objective or evidence based, not competitive and not subject to systematic review,

(ii) the top ten most commonly listed default funds under modern awards are all union based industry super funds, with these ten funds listed as default super funds in modern awards 330 times,

(iii) the Cooper Review into superannuation also confirmed that current default superannuation fund arrangements undermined competition as new employees typically become a member of a default fund, and
(iv) a competitive, transparent and efficient superannuation industry is critically important to maximise value for all superannuants;

(b) endorses the Labor Party’s commitment before the 2010 election to instruct the Productivity Commission to design a process for the selection and ongoing review of the superannuation funds to be included in modern awards or enterprise agreements as default funds; and

(c) orders that there be laid on the table, no later than 31 May 2011, a report by the Productivity Commission on the design of a process for the selection and ongoing review of the superannuation funds to be included in modern awards or enterprise agreements as default funds, with the requirements that:

(i) the process is to be based on objective criteria and evidence and be subject to systematic review, so that the selection and ongoing review of eligible default funds is transparent and competitive,

(ii) the process is to help maximise employees’ retirement incomes by ensuring that only those superannuation funds that deliver – and continue to deliver – the best results to their members are able to be included as default fund options in modern awards and enterprise agreements, and

(iii) in designing the process the Productivity Commission make reference to the existing sophisticated system of superannuation fund ratings which has evolved over the past 20 years and is already used widely by employees, employers and financial planners in making decisions on fund selection.

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (3.45 pm)—by leave—I see that Senator Cormann has amended the motion to add one month. I am advised that, given that the Productivity Commissioner’s existing workload, it is not possible for them to complete the new report. I have got 30 April 2011, but I am sure that an additional one month would make very little difference to that position, and it would likewise be the case for the end of May 2011.

Senator CORMANN (Western Australia) (3.45 pm)—by leave—It has been pre-election policy from the Labor Party to ensure that there is a competitive, objective, transparent process to select the default superannuation funds under modern awards. For the last two years, default superannuation funds under modern awards have been identified by the Australian Industrial Relations Commission, first, and then Fair Work Australia, without following an objective, transparent, competitive process. The result is that there is a closed shop, anticompetitive arrangement which is not in the best interest of employees and superannuants across Australia. It is not giving them the best possible value in terms of their retirement incomes.

It is absolutely time to act. The opposition advised the government two years ago that this would be a problem, and it has become a problem. There is a closed shop, a captive market, which this government is protecting especially for union superannuation funds. Minister Shorten is very reluctant to act on this pre-election commitment of the Labor Party. He wants to protect for as long as possible the closed shop, anticompetitive arrangement that currently exists. That is why he does not want to act on this Labor Party pre-election commitment until 30 June 2013.

Mr Deputy President Ferguson, it is very important that this process gets underway as quickly as possible. It is very important for the Productivity Commission to do this work. Much of this information is already available through the superannuation ratings agencies like Morningstar, Chant West and Standard & Poor’s. This is a comparatively
easy piece of work to do. It is important for the minister to start acting in the public interest on these sorts of issues rather than letting his union bias get in the way.

Question agreed to.

LANGUAGE RIGHTS OF TIBETANS

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (3.47 pm)—I move:

That the Senate—

(a) supports the right of Tibetans to:

(i) be educated in their own language, and

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

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

Senator LUDWIG (Queensland—Minister for Agriculture, Fisheries and Forestry) (3.48 pm)—by leave—The government recognises the importance of language in a people’s social, cultural, religious, academic and artistic endeavours. Every human being has the right to take part in cultural life and enjoy and develop their own identity, including their own language. We continue to urge China to protect the economic, social and cultural rights of ethnic minorities, including Tibetans, in accordance with the International Covenant on Economic, Social and Cultural Rights.

We are aware that the Qinghai education department issued a new education reform plan in September stipulating that Mandarin become the medium for instruction in 2015 at all primary schools, which would mean that in the Tibetan area of Qinghai province Tibetan would be a subject in the curriculum rather than the medium of instruction. According to Chinese media, the purpose of this bilingual education reform is to bridge the education gap between China’s various ethnic groups and to promote development in ethnic minority areas.

Some ethnic Tibetans, however, are concerned about the implication of this policy for their linguistic heritage. Any reform like this needs to be carried out in close consultation with local communities and with respect for the linguistic heritage. At the same time we need to recognise that there is another issue here: the right of ethnic minorities to have equal access to education and employment opportunities and improving their livelihoods as a result. Bilingual education reform is one way of addressing that issue.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (3.50 pm)—by leave—That is extraordinary. That is the government endorsing this motion but, in a spineless display of forelock tugging to Beijing, saying that it will not vote for it. The ethic and the moral compulsion are very clear in the motion: that the Tibetan people have a right to be educated in their own language. The government accepts that but is going to vote against it. Have you ever, Mr Deputy President, seen a greater display of cowardice on principle than the one the government is currently flagging before this chamber?

It is well known that the death of language is the death of culture. There has been not just an edict from authorities in Qinghai overruling the Tibetan people but a response which has seen riots, extensive repression of the Tibetan people, including schoolchildren, a great deal of cruelty and the loss of their rights. You would think that the Australian parliament, which believes in a fair go and free speech, and an elected government Australians thought would stand up for those principles, would be endorsing a motion like this because it is a simple message to Beijing to treat the people of Tibet with a little bit more not just common sense but morality.
But we are not seeing that from this government. I find that disgusting and I ask the government to change its thinking on this. We have not heard from the opposition yet, but I hope the opposition and the crossbench will join the Greens in supporting this motion so that the message can go to Beijing. 

(Time expired)

Question put:

That the motion (Senator Bob Brown’s) be agreed to.

The Senate divided. [3.56 pm]

(The Deputy President—Senator the Hon. AB Ferguson)

Ayes............. 6
Noes............. 39
Majority........ 33

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

NOES
Adams, J. Bilyk, C.L.
Bishop, T.M. Boyce, S.
Brown, C.L. Bushby, D.C.
Cameron, D.N. Cash, M.C.
Colbeck, R. Collins, J.
Cormann, M.H.P. Crossin, P.M.
Evans, C.V. Farrell, D.E.
Faulkner, J.P. Feeney, D.
Ferguson, A.B. Fielding, S.
Fierravanti-Wells, C. Fifield, M.P.
Forshaw, M.G. Furner, M.L.
Hurley, A. Kroger, H.
Ludwig, J.W. Marshall, G.
Mason, B.J. McEwen, A. *
McGauran, J.J. Moore, C.
Nash, F. Parry, S.
Polley, H. Pratt, L.C.
Ryan, S.M. Stephens, U.
Sterle, G. Troeth, J.M.
Wortley, D.

* denotes teller

Question negatived.
that supports ‘stepped’ (two-staged) prevention and recovery care,

(ii) establish a:

(A) dedicated Mental Health Commission to oversee the development of appropriate mental health services and transparent accountability at arms length from government, such as exists in New Zealand and Canada, and

(b) national network of one-stop shop community mental health centres accessible by public transport and centrally located, and

(iii) provide additional training for general practitioners and nurses to triage mental health appropriately; and

(c) send a message to the House of Representatives informing it of this resolution and requesting it concur.

Question negatived.

Senator FIERRAVANTI-WELLS (New South Wales) (4.00 pm)—Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT—Senator, normally that would be done before we take the vote. Leave is granted for two minutes.

Senator FIERRAVANTI-WELLS—The coalition has not supported this motion. I am sorry to say that this is a case of the Greens trying to play catch-up. The Greens had the opportunity on 26 October to support the coalition’s motion that called on the government to expand mental health services but failed to do so. That motion passed the Senate thanks to the support of Senators Fielding and Xenophon. Senator Siewert’s excuse was that our motion had no costings; but, as the senator is well aware, the coalition’s motion was a mirror of our mental health policy, which was fully costed at $1.5 billion. The coalition policy has been endorsed by leading mental health practitioners, while the Labor Party has failed to act on mental health in its first term. Labor promised to make mental health a second-term priority, but all we got were certain cuts. Thanks to a backflip this week, the Better Access initiative funding has been reinstated.

Can I also say it is a bit rich of the Greens to now call on the Senate to support a motion on mental health so that they can save face with their constituents after the public backlash they received for not supporting the coalition’s motion on 26 October. GetUp! has an automatic email on its website urging the Greens to support the same coalition motion in the lower house. I ask the Greens: how many emails did you get funnelled through GetUp! which have now pushed you to put forward this motion?

The Greens have used as an excuse to not support the coalition’s motion that there were no costings. The motion today asked for $450 million a year for four years, but where is the money coming from? There are no costings for the dedicated mental health commission, no costings for the one-shop community mental health centres and no costings for the additional training for GPs. This is a double standard by the Greens. We believe in real action and call on the government to act on the motion already passed by the Senate on 26 October.

Senator SIEWERT (Western Australia) (4.02 pm)—Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT—Leave is granted for two minutes.

Senator SIEWERT—At the time the coalition put their motion on mental health, I indicated that there was no costing and also that the fundamental problem with it was that it dealt with one area of mental health, which was early intervention. At that time I made it clear that the Greens support a comprehensive approach to mental health funding and the provision of mental health services which not only includes early intervention, head-
space and the EPPIC model for centres but also deals with the issue of finding alternatives to emergency departments, as well as a commission for mental health et cetera. We were really clear on that.

Contrary to what was said about my motion being in response to GetUp!, I tabled the motion on Thursday so that it could be dealt with today. I am happy to say that we received over 6,000 emails from GetUp! I put that on the record. But do you know what? When I responded very comprehensively to those emails, I got an overwhelming response saying, ‘Well done, the Greens, because you are taking a comprehensive approach to mental health funding and not just focusing on early intervention.’ In fact you, Senator Fierravanti-Wells, would probably have got emails as well—

The DEPUTY PRESIDENT—Order! Senator, address the chair.

Senator SIEWERT—I am sorry. Through you, Mr Deputy President, I am sure Senator Fierravanti-Wells also got a range of emails from mental health experts saying they are very concerned with the focus only on early intervention. The Greens are well on the record for supporting early intervention, but we are also on the record for supporting a comprehensive approach to mental health funding which requires not just investing in early intervention. That is supported very broadly by the experts working in mental health. We consulted very widely in our policy, Senator Fierravanti-Wells—through you, Mr Deputy President—also let the cat out of the bag before she said that coalition policy is simply what they were implementing with their motion, not taking a comprehensive approach.

The DEPUTY PRESIDENT—Order, Senator Siewert! You were given leave for two minutes.

FOOD STANDARDS AMENDMENT (TRUTH IN LABELLING—GENETICALLY MODIFIED MATERIAL) BILL 2010

First Reading

Senator XENOPHON (South Australia) (4.04 pm)—I, and also on behalf of Senator Siewert, move:

That the following bill be introduced: A Bill for an Act to provide for the accurate labelling of food with genetically modified material, and for related purposes.

Question agreed to.

Senator XENOPHON (South Australia) (4.05 pm)—I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator XENOPHON (South Australia) (4.05 pm)—I move:

That this bill be now read a second time.

I table an explanatory memorandum relating to the bill and seek leave to have the second reading speeches incorporated in Hansard.

Leave granted.

Senator XENOPHON—The incorporated speech read as follows—

The issue of genetically modified food is one that justifiably creates concern in the community. That said I believe not enough Australians realise that our entire food industry is going through a revolution the likes of which is unprecedented.

And, sadly, not enough Australians seem to realise the implications that the rapid introduction of genetically modified materials may have on our health and potentially on our ability to produce safe foods and foods free from GM contamination.

Right now, Australians are living under one of the weakest food labelling regimes in the world, in-
cluding when we come to genetically modified foods.

On the surface, our laws seem set up to protect consumers and there is a requirement for all food that contains GM materials to be labelled.

But there are significant exemptions to this requirement that render it useless as a consumer protection.

In September 2010, independent testing by Greenpeace revealed that infant baby formula, S-26 Soy, contained traces of genetically modified (GM) material and that presence of GM had been found in separate trials of the product in varying countries in previous years.

However, because the amount of GM found in the product was less than 1 percent, under the current food labelling standards, manufacturers, producers and distributors are not required to label their products as containing GM.

In fact, if the presence is less than 1 percent and the manufacturer, producer or distributor claims it was ‘unintentional’, they are not in breach of any labelling requirement.

This is despite growing community consensus that consumers have a right to know what they are eating, and many want to know if they are consuming products which have a presence of genetically modified materials.

A 2009 Newspoll survey found that 90 percent of Australian consumers want all food derived from GM crops to be labelled.

Australians want to know what’s in their food and what they’re feeding their families.

This Bill will require the accurate labelling of genetically modified material in food.

Under the Bill, Food Standards Australia New Zealand will be required to introduce a standard for the labelling of genetically modified material, irrespective of the amount or how it came to be present.

It also requires Food Standards Australia New Zealand to establish due diligence guidelines for products which claim to be GM-Free.

This will ensure that products that claim to be GM-Free, whether it’s by way of using it in their labelling or by not having any labelling, will be required to provide evidence of their claim.

I thank Greenpeace for their ongoing campaigning on this issue.

Truth in labelling is vital to enable Australian consumers to have an informed choice about the food they eat and the products they consume.

Otherwise, we are literally shopping in the dark.

Quite simply, Australians have a right to know, and this Bill will ensure that manufacturers, producers and distributors provide them with clear labelling information about genetically modified materials.

Senator SIEWERT (Western Australia)

(4.05 pm)—The incorporated speech read as follows—

The bill requires producers, manufacturers and distributors of food to label all products containing genetically modified organisms or ingredients. The purpose of the bill is to give both consumers and farmers the right to be free from genetically modified organisms.

Many people want to be able to choose whether to buy GM products or not and at what price. We have some GM labeling, but most GM ingredients slip through loopholes. Currently although up to 70% of processed food contains GM ingredients almost none legally require labeling.

Currently, labels only have to declare the presence of GM materials, but not if genetic engineering was used in the process used to create the product. Highly refined sugars and oils derived from GM plants are not labeled leaving consumers little room to choose.

With 90% of respondents to a recent survey indicating that they believe that food labels should state that they contain GM ingredients, the Australian Greens do not believe that the current food labelling laws are adequate and that is why we are introducing this bill to the Senate.

The World Health Organisation defines genetically modified organisms as organisms in which the genetic material (DNA) has been altered in a way that does not occur naturally which allows selected individual genes to be transferred from one organism into another, also between non-related species. For example, genes from bacteria, viruses, plants and animals are inserted into crops such as soybeans, canola, corn and cotton to grow
commercial crops. These GM crops are processed into foods and sold in our stores.

The full extent of the impact of GM on human and environmental health is not fully known but it is in these situations of uncertainty that precaution should be exercised.

For the environment, GMO’s can have a devastating and irreversible effect. GMO’s are capable of ‘escaping’ and potentially introduce the engineered genes into wild populations. The impact from season to season of GM is also unquantifiable with the GMO gene persisting after the GMO has been harvested. That means it is not as simple as having a GM crop one year and then being able to revert to non GM crops the following year. Further environmental concerns are the susceptibility of insects and other organisms which were not intended to be affected by the GMO, the long term stability of the gene, loss of biodiversity; and increased use of chemicals in agriculture.

For human health, there are three main issues which arise with the use of GMO’s – allergenicity or allergic reactions, gene transfer, for example if antibiotic resistance genes, used in creating GMOs, were to be transferred to the body, and outcrossing, which is the movement of genes from GM plants into conventional crops or related species in the wild. The World Health Organisation states “this risk is real, as was shown when traces of a maize type which was only approved for feed use appeared in maize products for human consumption in the United States of America.” There are no long term studies on the impact of GM on human health.

Under current labelling laws in Australia and New Zealand, very few GM foods are labelled.

FSANZ outlines, on its website, that “GM foods and ingredients (including food additives and processing aids from GM sources) must be identified on labels with the words ‘genetically modified’, if novel DNA and/or novel protein from an approved GM variety is present in the final food. GM foods must also be labelled if they have altered characteristics. Some exemptions are allowed under the labeling requirements. For example, foods which do not contain novel DNA or protein do not have to be labeled, such as highly refined or processed foods such as vegetable oils or sugars.”

This means that food such as highly processed products such as oils, starches and sugars from GM crops; meat, milk, cheese or eggs from animals fed GM feed and food from restaurants and takeaways do not have to be labelled.

In Europe, by contrast, all foods and ingredients that are produced in whole or in part from genetically modified organisms must show this information on their labels, for example highly processed GM ingredients such as oil, starches and sugars have to be labelled, animal feed or GM food served in restaurants or as takeaway food.

The Australian Greens express concern at the ability of Food Standards Australia New Zealand (FSANZ) to protect public health and safety. A report released by Greenpeace Australia, entitled ‘Eating in the Dark’ shows the inherent problems with labeling of Genetically Modified (GM) products in Australia and New Zealand and our failure to adequately assess the safety of GM products. Consumers are still demanding the right to know what is in the food they are eating and our highest food safety authority is failing to deliver. We acknowledge that there is a Food Labeling Review taking place in Australia at the moment and we expect the Government to release the report early in 2011. We will monitor the report and take further measures if necessary after the release of this review to ensure that FSANZ provides accurate and adequate information for consumers regarding GM.

The current GM food labelling laws are weak and poorly enforced resulting in the vast majority of foods containing GM in the supermarket being unlabelled. Consumers have the right to choose GM free products.

90% of respondents in a 2008 Newspoll commissioned by Greenpeace believe that food labels should state that they contain GM ingredients. 54% of respondents would be less likely to buy the product if they knew it contained GM ingredients.

One particular consumer issue that I have been advocating in the Senate is the contamination of infant formula with genetically modified (GM) soy and corn. I have repeatedly called on the Aus-
tralian Government to introduce clear and effective labeling standards that ensure all GM additives in Australian food products are labeled and now, with Senator Xenophon, I am moving to ensure that this happens.

The bill also intends to drive changes in the agricultural sector. The current food standards code allows food which contains less than 1% GM not to be labelled if the presence of that GM is ‘unintentional’, i.e. the result of contamination during growing, transport or handling. This results in there being a ‘care free’ attitude amongst farmers as they do not have to take responsibility for actions that cause contamination. There are non regulatory controls in Australia that require segregation of GM and non GM.

The Greens did not support the lifting of the GM crop moratoriums in NSW, WA and Victoria and believe that regulation of GM in this country is grossly inadequate. There is no regulation in place to deal with the issues of contamination, segregation and marketing of GM and non-GM crops. The GM-free status of states such as WA is under threat by the decisions of NSW, WA and Victoria, and there is no federal legislation to deal with this issue. This bill intends to move towards implementing a set of laws to properly inform the community of GM

With GM canola crops having been recently introduced into Australia and being grown in NSW, WA and Victoria there is an increasing chance of contamination. Canola is used in many foods and there is a increasing chance of consumers buying and eating GM food without knowing it.

I also indicate that the Greens will be looking into assisting farmers by limiting their liability exposure. Currently if a non-GM farmer’s crop is contaminated with GM it is unlikely that any loss of income would be able to be recovered and there is a risk that a GM company may sue the farmer for breach of intellectual property rights. The Greens will look into what steps can be taken to protect farmers from these legal risks.

I think Australia has a long way to go in our safety assessments of GM foods. We need an independent review of the safety assessment regime for GM products in food, and we need all foods derived from GM crops to be adequately labeled.

I am pleased to be co-sponsoring this bill with Senator Xenophon and I commend it to the Senate.

Senator XENOPHON (South Australia) (4.06 pm)—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ANTI-DISCRIMINATION LAWS

Senator HANSON-YOUNG (South Australia) (4.06 pm)—I seek leave to amend general business notice of motion No. 92 standing in my name by removing the words ‘provide further’ and substituting the word ‘ensure’. A copy of this amendment has been given to the whips.

Leave granted.

Senator HANSON-YOUNG—I move the motion as amended:

That the Senate calls on the Federal Government to investigate and review anti-discrimination laws across Australia and the need to ensure protection to same-sex couples and LGBTI [lesbian, gay, bisexual, transgender and intersex] Australians.

Question agreed to.

BUSINESS

Consideration of Legislation

Senator NASH (New South Wales) (4.07 pm)—I seek leave to move a motion relating to the consideration of the Social Security Amendment (Income Support for Regional Students) Bill 2010 and message No. 38 from the House of Representatives on a related matter, as circulated in the chamber.

Leave not granted.

Suspension of Standing Orders

Senator NASH (New South Wales) (4.07 pm)—Pursuant to contingent notice, and at the request of the Leader of the Opposition in the Senate, I move:

That so much of the standing orders be suspended as would prevent Senator Nash moving a motion relating to the conduct of the business of
the Senate, namely a motion to provide for the consideration of the Social Security Amendment (Income Support for Regional Students) Bill 2010 and message No. 38 from the House of Representatives, as circulated in the chamber.

I certainly tried to use appropriate processes so that this bill could be considered at this time during these sitting weeks. Unfortunately, the government was not of a mind to accommodate that. The reason that it is very important that we debate this bill today is the timeliness of this bill. This bill relates to the changes that the government made earlier in the year to the provisions in the independent youth allowance. We have spent all year with thousands of students across the country who are absolutely desperate because they no longer have access to a funding mechanism that would allow them to start university or further tertiary education next year. That is the reason it is so important for us to debate this bill now, and the government’s refusal to do so is really quite extraordinary. The government did not want to debate this bill, and we can only ask why not.

Senator Chris Evans—Because you rat-
ted on the deal, that’s why.

Senator NASH—You will have your turn, Senator Evans, I am quite sure. So why did the government not want to debate this bill? Because doing so would show their complete failure to understand regional Australia and the needs of regional students. This government has shown absolute contempt for regional students. The coalition would not even have needed to put this bill forward if this Labor government had any idea what is important to regional students. In a moment, Senator Evans or one of those from the other side are going to jump up and make a big song and dance about how the coalition supported the government’s measures when they went through earlier in the year—about how the coalition made the deal and agreed to those measures. On that, Senator Evans is absolutely correct, and I am going to place on record exactly why that happened.

It happened because the government wanted to get rid of the independent youth allowance for every single student across the country; however, the coalition managed to have three of those zones, though the inner regional zone was not among them, kept for inner regional students. The reason we supported that and the legislation’s going through at the time, as the Minister for Tertiary Education, Skills, Jobs and Workplace Relations knows full well, is that there were a number of good measures—the start-up scholarships, the relocation scholarships and the changes to the amounts available through the straight-up youth allowance—in that legislation. Far from being obstructionist, we on this side of the chamber were very happy to support those measures. We were not going to stop those good measures going forward for those students who needed them.

As Senator Evans will be at pains to point out to you our reasons for supporting those measures at the time, I will tell you what they were. We supported them because the then Minister for Education, Employment and Workplace Relations and current Prime Minister, Julia Gillard, refused to split the bill. She refused to deal with the independent youth allowance measures separately from all of those other measures in the bill that did have some value for those students and that we very much wanted to support. It was purely for political reasons that she would not split that bill. So, when Senator Evans stands up and tries to say, ‘Gee, the coalition supported this before,’ it is now on record exactly why we did it—we did it because we had no choice. But we now have an opportunity to make sure that we get some fairness for regional students.

As I said, the reason we need to debate this now is that it needs to be dealt with be-
fore the end of the year—not next year, not in the middle of next year, not at the end of next year, not the year after that and not off in the never-never sometime with the minister trying to put it off until much later. We need to deal with it now. This Minister for Tertiary Education, Skills, Jobs and Workplace Relations is newly appointed to the portfolio. He has an opportunity to bring a bit of sense to this debate and an opportunity to support regional students. But now the decision for the Senate is whether to debate this bill and the motion that we would debate concurrently. I ask the Senate to support the debating of both this bill and this motion for the benefit of regional students across this country, who deserve to know exactly what is the position of those in this chamber and exactly what is the position of this government.

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations) (4.13 pm)—Senator Nash makes one of the most unprincipled contributions I have heard in this chamber, and I am surprised by that because that is not her form. To be fair to her, she did at least admit that she was about to rat on a deal, so I give her that—she was honest. The National Party and the Liberal Party are ratting on a deal. It is not an old one; it was made in March this year. With great fanfare, Christopher Pyne, the opposition spokesman on education, announced that he had done a deal with the former Minister for Education, Employment and Workplace Relations, the now Prime Minister, settling this issue and ensuring opposition support for our measures.

The measures Senator Nash seeks to overturn now have not even come into force—the deal will not be consummated until 1 January. A range of measures did come into force in July, but the measures that she seeks now to overturn do not come in until 1 January.

So the Liberal-National Party did a deal, and before it has even been implemented they are already seeking to rat on it. Why is that? It is because they think they might be able to get the Social Security Amendment (Income Support for Regional Students) Bill 2010 through the House of Representatives as well and thereby put themselves in a position where once again they can try to make people believe that life is easy and everything can be funded and ‘don’t you worry about that’.

The reality is that Senator Nash, Senator Joyce and every Liberal member voted for the arrangements they seek to now overturn in a public, open and clear agreement with the government. Now they say to us: ‘We’ve decided we don’t really like them because we have a few people complaining about them and therefore we’ve changed our mind. We’ll take all the good bits that have been implemented, but we are now going to deal with the bits where we think we can curry favour with a certain section of people who would otherwise not be treated as well under these arrangements.’ In passing, they do not tend to mention that it is going to cost $300 million or so. What we have is a money bill being initiated in the Senate which we think is unconstitutional. The senator comes in and says, ‘I will make sure this bill does not go to the Selection of Bills Committee and I will make sure that the motion today applies the gag and the guillotine and that we ignore the cut-off rules.’ All the things that the Senate has supported over the years—the cut-off, the selection of bills process, the capacity of senators to seek an inquiry and opposition to the gag and guillotine—will be overturned by this motion because it suits the Nationals’ political opportunism to do that today.

Senator Nash—That is even too low for you.
Senator CHRIS EVANS—Senator, you have just abandoned every process this Senate has ever adopted. You insist government bills get inquired into, you insist government bills are assessed and you insist government bills are debated properly without a gag or a guillotine, but this motion brings in all these things. When the power changes in the Senate in July, you might well regret that because you would have to say that this is a pretty silly precedent to be setting. I mention in passing—I do not have much time—that at the Standing Committee on Procedure meeting yesterday your leader and your whip agreed to better processes. They said they did not want this sort of process and they agreed to put in place processes that ensured this could not happen.

Senator Parry interjecting—

Senator CHRIS EVANS—The draft report is available, Senator Parry, as I understand it. That has been your consistent position; I give you credit. This throws out the Liberal-National position in relation to procedure. This applies a gag, it applies a guillotine, it refuses to allow the Senate to have a selection of bills hearing and it refuses to allow us to have a references committee hearing. All for what? Because there is a stunt in it for the National Party—they think there are some cheap votes. Fundamentally, they have ratted on an agreement that they made. Christopher Pyne will have to front up and explain why he did a deal with the Prime Minister on behalf of the Liberal-National coalition, and already they are walking away from it by seeking to impose $300 million more expenditure.

Senator, if you were serious about the public policy issue—and there are serious public policy issues at stake—you would put your bill up to the scrutiny of a Senate committee; you would allow it to be referred to a Senate committee. I understand you have refused that because you are deliberately seeking to take the lowest possible route with this and, quite frankly, you will regret the precedents you are suggesting the Senate supports. You are throwing out years of Liberal-National party positioning in the role of the Senate and I suspect you will regret it.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.18 pm)—The Leader of the Government in the Senate, Senator Evans, is quite right about the procedural bankruptcy of the process that Senator Nash is bringing forward. For one, it will be difficult for her to object to any process after 1 July next year that comes anywhere close to this one in queue jumping and in breaching the proper forms of the Senate. It is a proper arrangement that such a bill as this, which brings into question the expenditure of hundreds of millions of dollars of taxpayers’ money, ought to go to a Senate inquiry. That is a great advantage of the Senate—to have an inquiry so that the public can—

Senator Nash—What about the Productivity Commission on the NBN?

Senator BOB BROWN—You ask about the Productivity Commission, Senator Nash. Let us have that as part of the inquiry. But what you are doing is simply vaulting over a proper inquiry into the legislation, the Social Security Amendment (Income Support for Regional Students) Bill 2010, which you bring before the Senate. We all know that it is in the public interest to have such an inquiry. Beyond that, there are some dozen pieces of private members’ legislation before the Senate which have precedence. The senator’s motion has moved that this piece of legislation jump precedence over other legislation, including the Marriage Equality Amendment Bill, which is highly contentious and which many young people in this country want to see brought forward as a
matter of urgency. Senator Nash would have that set aside.

There is also the Ombudsman Amendment (Education Ombudsman) Bill from Senator Hanson-Young to bring in an education ombudsman. It is going to get short shrift from Senator Nash. There is the Protecting Children from Junk Food Advertising (Broadcasting Amendment) Bill, which is aimed at looking after our youngsters but which has largely been blockaded by both the government and the opposition in getting the interests of young Australians advanced. There is Senator Siewert’s Stolen Generations Reparations Tribunal Bill for Indigenous Australians, but Senator Nash would relegate that for a bill for which she does not want proper scrutiny by the Senate. There is the Restoring Territory Rights (Voluntary Euthanasia) Bill, which I brought before this parliament and which is of high interest to the territories. That will be relegated by Senator Nash. There is the Environment Protection and Biodiversity Conservation Amendment (Prohibition of Support for Whaling) Bill 2010 as the whaling fleets get ready to leave Japan again. No, that will not be getting an airing, but Senator Nash wants to jump a process.

I might add, Acting Deputy President Pratt, that you will know that we have an agreement for the government to get private members’ time instituted in the Senate after three years of blocking, obfuscation and failure to progress it by opposition members as well as by members of the current government. I put it to Senator Nash that she ought to be seeing that the National Party gets behind bringing in that agreement in this house so that we can have proper process here for the discussion of bills, including hers, in a weekly private members’ time. We need to get order into this process, not queue jumping for the purpose that Senator Nash has. It is simply a matter of proper process, something I think Senator Nash should think a little about.

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (4.22 pm)—What an absolutely hypocritical statement. We have the Greens complaining about queue jumping. I never thought that would come up in the Senate, but today the Greens are the biggest advocates to make sure people are not queue jumpers. What do they say is more important than the equality of people in trying to get a tertiary education? Well, they have given us three issues: whaling, the Marriage Equality Amendment Bill and euthanasia. They are basically saying: ‘We’re happy for you to get married but we’re not happy for you to go to university. We’re happy for you to have a statement on whales but we’re not happy for you to go to university. We’re happy for you to be put to sleep but we’re not happy for you to be put into a university.’ What an absolute bag of hypocrisy the Greens are today.

And then we have this whole process, this Kafkaesque preamble given by Senator Evans, as a reason why we cannot be fair and decent to regional Australians. We are abdicating from our responsibility to deliver equality and to deliver their capacity to get a tertiary education. One of the greatest inhibitors to a person’s advancement is their lack of getting an education, and people in regional Australia have a right to a tertiary education. This is not something for the urbane; it is something for everybody, but now we are getting the true reflection of the urbane, the true collective of the urbane as they say to people in regional Australia, ‘Thou shalt not go to university, thou shalt not advance your life, though shalt stay where you are; you will not get the opportunities that other sections of Australia get.’

And why do we have to do this now? It is because we need this dealt with before the
end of the year. We need to give a signal that we support equality and believe in the rights of people in regional areas to be educated and to attain their tertiary desires in a tertiary institution in a metropolitan institution. But this process has been inhibited by the actions of the Australian Labor Party and the Australian Greens—the complete and utter hypocrisy of the Australian Greens. I hope it does not happen but we will be testing whether other independents will be absconding. I state that we must stand up for people in regional Australia.

There is also hypocrisy about us using someone else’s time. This time is allocated to the opposition and is being used in a most effective way. This is our time and we are using it to support our people. You had the hide to be elected on the premise that you would look after regional Australia. There is nothing that you have done to look after regional Australia. There is a litany of excuses. You have made yourselves devoid of any responsibility for regional Australia. You stand there smugly and talk about precedents and this and that and then coalesce with your friends in the Greens as the urbane connection decides to cut regional Australians out of their rights to a tertiary education. You will be held accountable for this—everybody who votes against this will be held accountable for this. You know fairly well that the reality of this is that people will not get the chance to go to university. There are people who now make the decision that they are unable to go to university—not those who have the money; those who do not have the money, those who are without, those who are at the bottom is of the pile, the people you are supposed to be looking after but have decided not to. You have deserted them so that we can talk about whaling and the Marriage Equality Amendment Bill. We know where your priorities lie, we know what is important to you and we know what is important to the Labor Party. Your priorities lie with the Marriage Equality Amendment Bill, with euthanasia and with whaling. Do not worry about tertiary education. ‘No, we won’t worry about that. We’ll just park that.’

How long do we have to wait—until next year? How do we actually deal with this? We have to deal with this before the end of the year. We have literally days in which we have to deal with this. Do you think for one moment that the whole world does not know that people such as Senator Nash, Senator Williams, Christopher Pyne and Senator Mason have been fighting for this and driving this agenda? This is no surprise—how completely disingenuous of you to say that this is some incredible surprise. This is something that has been part of the debate for a long period of time. People on this side have tried to fight for equality and fairness but you have deserted them. You have deserted them for what?

Senator Jacinta Collins interjecting—

Senator JOYCE—It is what we were talking about last night. You are so squeezed for time. Why don’t we go back to last night and the address-in-reply to the Governor-General’s speech—so help me; that is how low you have fallen. But we will stand up for regional people, because we are the only ones who will. (Time expired)

Senator FIELDDING (Victoria—Leader of the Family First Party) (4.27 pm)—If I were in the National Party, I would be ashamed of myself standing in this place, given that in March this year they did a deal to sell out regional people.

Honourable senator—No, we didn’t.

Senator FIELDDING—You did a deal, and I do not know how you have the gall to stand here today, seriously, when you did a deal—I told you at the time that you sold out regional Australia. For the Liberal Party to also agree to support this as well shows their
inconsistency with their deal and their arrangement-making with the Labor Party. I was consistent all the way through on this issue. I did not sign up to the deal because I did not like it. I must admit that I am torn between supporting rural and regional students and a mob that, just a few months ago, sold them out and want to come back in here and renege on a deal with the Labor Party. This is a problem for me. But I will support regional students. That is the reason I have agreed to give this some presence if it gets through. But the issue is that you should be ashamed of yourselves. You say you stand up for people in the bush but you knew at the time that that deal—

Senator Nash—And we moved an amendment.

Senator Fielding—No, you knew at the time. You agreed with the Labor Party to do a deal and sell out regional Australia. I do not know how you have the gall to come in here today and do what you are doing—I really do not. You should have signed the deal. You should have stuck up for regional Australians right then and there rather than now. It is an absolute joke.

As I made clear in the speech that I gave on this issue a few months ago, when it comes to income support for getting our kids to university, we should be doing more, not less. I really believe that a clever nation will make it easier for its kids to get to university, but unfortunately this government took from some and gave to others. They may think that is right. I think we should have been doing more than the government are doing. Yes, there may be $300 million attached to this particular legislation, but I think it is important that, as a clever nation, we make sure that we get our kids to university and do not make it harder for them. Family First is the only party that has been consistent on this issue, and we will be supporting this motion.

Senator Hanson-Young (South Australia) (4.30 pm)—I understand why there is a problem in rural and regional Australia in relation to accessing the significant supports of youth allowance and the fact that there is such an anomaly based on the agreement that was made by the government and the coalition to get the piece of legislation through earlier this year. Of course, it has left things in a total mess, and what we now have is two schemes which are both inadequate and which do not really support the students that we need to be supporting. Rather than simply patching up and pushing or ramming through a piece of legislation that is not actually going to deal with the issue, has not been to a Senate inquiry and has not been properly costed, what we need to be doing is asking the government, working with the government and proving to the government that the current scheme for testing the eligibility of people from rural and regional areas for access to youth allowance needs to be totally overhauled.

If you have to move out of home in order to go to university, you should be given that support. By virtue of moving out of home, you are independent. That should be the criterion. We should not be saying to students who have worked so hard this year through year 12 to be given their place at university: ‘Hang on a minute—you defer that, because we’re not going to give you the support, because you come from a country area. You defer for 12 to 18 months. Go and get a job and prove to us that you’re independent.’ It still leaves students and young people from rural and regional Australia as second class when it comes to accessing education, and it is absolutely not right.

This bill, however, does not deal with the problem. The idea of hijacking a Tuesday
afternoon with very limited notice to anybody to ram through a bill which is not going to solve the problem does not really lead us to a place where we are going to be able to give those students the support that they need. Rather, the government should be doing their own modelling and costing for a new criterion that actually gives students the support they need. The budget is coming up. Let us see something in the budget that starts looking at this. During the negotiations on the Youth Allowance legislation at the beginning of this year—of course, this time last year we were discussing exactly the same issue in this chamber in the final two weeks of parliament—it was agreed that there would be a task force set up to look at the greatest needs and, of course, that there would be a review of the system. That review has to happen. The program has to start before we can actually review it, so let us allow that to happen. Let us get a commitment from the government that they will review the current inadequacies and inequity in how the boundaries are drawn up. Let us get from the minister an acknowledgement that the process is not perfect and a commitment that he will review.

It is silly—it is not just silly; it is ludicrous—that a family at one end of a street can access youth allowance and a family at the other end of the street cannot, that some students can access it and other students who go to the same school cannot, but we should not be making it harder for students to go to university; we should be making it easier. That means not making them jump through hoops or over hurdles and ensuring that, if students have to move out of home in order to go to university, we give them that support. That is what the government should be looking into. The government should be finding out a way to fund that and budget for that.

The idea of hijacking the Senate’s time to ram through your own bill that is not going to solve the problem is not just disingenuous in relation to how this place works; it also does not give students the support that they need. Let us not give young people in rural and regional Australia false hope that this is somehow going to solve the problem, because it ain’t. It is not going to solve the problem. I would like to see the government commit to reviewing the boundaries and see that this is not an adequate criterion that is set down and that we need to see that reviewed.

We cannot support the suspension in order to bring this bill on, because it is not the appropriate way. If the coalition honestly want their bill to stand up, they should send it to an inquiry, and we can thrash it out. We can come up with amendments and talk about that. Do not try to ram through something that is not going to fix the problem and is not going to deal with the issues in relation to the struggles that students are feeling. We know that when students are forced—(Time expired)

Senator XENOPHON (South Australia) (4.35 pm)—This is a vexed issue. In March of this year, I was part of the process that negotiated changes to the youth allowance eligibility criteria to, in effect, resolve a deadlock between the government and the opposition. Before that deadlock was resolved, there was considerable uncertainty about student start-up scholarships and relocation scholarships, and potentially it would affect many tens of thousands of students. Here we are in the last two weeks of the sitting calendar discussing this particular motion about the suspension of standing orders to decide whether, in effect, there should be not only a suspension of standing orders but a suspension of the process in terms of having a Senate inquiry into this.
I appreciate that the government’s bill went through an extensive inquiry process, and we all knew following the compromise reached between the government and the opposition that the new scheme would commence on 1 January 2011. So the issues of concern raised by Senator Nash are matters that have been previously raised. I do not for one moment question the sincerity and genuineness of Senator Nash in relation to this issue, but I think it would be fair to say that no new evidence has been presented since this matter was last debated and the compromise was reached between the opposition and the government that would warrant the suspension of the practices of the Senate. The best way of dealing with this matter is not to suspend those practices but to have it referred for an inquiry.

Having said that, I have had discussions with the minister about specific concerns put to me about potential anomalies with the classifications and boundaries caused by the instrument that has been used. In particular, I appreciate very much the conversation I had with Richard Vickery, the president of the South East Local Government Association in South Australia, earlier today about some of these potential anomalies. For instance a student on one side of the street in Mount Gambier is classified as outer regional, while their neighbour on the other side of the street is classified as inner regional. We are talking about a matter of metres and yet the classification criteria are quite different.

I have had discussions with the minister in relation to this and I can say—and I am sure if I am wrong that the minister will correct me—that the minister has agreed to examine whether the use of the Australian Standard Geographical Classification, the ASGC, is the most appropriate mechanism for determining eligibility for the independent youth allowance. I believe that the best way of resolving this in the longer term is to have that review and to have this bill get the scrutiny it deserves because it is a bill that is important. It is a bill deserving of scrutiny and there are budgetary considerations in relation to it. That is the best way forward, and such a committee ought to report back in the first week of February.

This is not an ideal situation, but given what occurred earlier this year I think that this is the fairest way forward.

Question put:

That the motion (Senator Nash’s) be agreed to.

The Senate divided. [4:42 pm]

(The President—Senator the Hon. J.J. Hogg)

Ayes…………..32
Noes……………..32
Majority………0

AYES

Adams, J. 
Back, C.J. 
Barnett, G. 
Bernardi, C. 
Birmingham, S. 
Boswell, R.L.D. 
Boyce, S. 
Brandis, G.H. 
Bushby, D.C. 
Cash, M.C. 
Colbeck, R. 
Coonan, H.L. 
Cormann, M.H.P. 
Fielding, S. 
Ferravanti-Wells, C. 
Fifield, M.P. 
Fisher, M.J. 
Heffernan, W. 
Humphries, G. 
Joyce, B. 
Kroger, H. 
Macdonald, I. 
Mason, B.J. 
McGauran, J.J.J. 
Nash, F. 
Parry, S. * 
Payne, M.A. 
Ronaldson, M. 
Scullion, N.G. 
Troeth, J.M. 
Trood, R.B. 
Williams, J.R.

NOES

Bilyk, C.L. 
Bishop, T.M. 
Brown, B.J. 
Brown, C.L. 
Cameron, D.N. 
Collins, J. 
Conroy, S.M. 
Crossin, P.M. 
Evans, C.V. 
Farrell, D.E. 
Faulkner, J.P. 
Forshaw, M.G. 
Furner, M.L. 
Hanson-Young, S.C. 
Hogg, J.J. 
Hurley, A.
The ACTING DEPUTY PRESIDENT (Senator Pratt)—The President has 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 mishandling of the independent youth allowance and its treatment of students in regional Australia.

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

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

The ACTING DEPUTY PRESIDENT—

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

Senator NASH (New South Wales) (4.47 pm)—This is without doubt one of the saddest days I have seen in this place since I came here. We have just witnessed the Labor Party, the Greens and the Independent Nick Xenophon refuse to debate the bill that would have given fairness and equity to regional students, and I think everybody living in a regional area across this country right now would be unbelievably disappointed, shattered and completely at a loss as to what this government is doing when it comes to regional Australia. What on earth did we just see? We had nothing except an hour set aside to debate this bill, utilising time that was already allocated for the coalition. All of the rubbish that Senator Bob Brown went on with about queue jumping so that he would not be able to debate whaling was complete rubbish. We were not queue jumping one little bit. We were using our own time for debate in this place, which would have been entirely appropriate. I also have to say, colleagues, that for Sarah Hanson-Young to sit here and refuse to debate a bill that is going to provide fairness and equity for regional students is nothing short of appalling. As for the Independent Nick Xenophon from South Australia, I would say to all of those people in Mount Gambier and everywhere else across South Australia who are listening and who have contacted me, saying, ‘I want changes made because this is not fair’,—you let him know in no uncertain terms what you think about what he just did. Not only did he not support those people who wanted changes; he would not even let it be debated. And that is on his own head, and on those of Sarah Hanson-Young and the rest of the Greens.

What are we doing in this place if we are not going to provide fairness and equity for young people across the country? The fact that the government did not support it does not surprise me at all, because they simply do not understand regional Australia. They have not got a clue. The bill and the motion that were before this Senate, while it might have been my private senators’ bill, reflected coalition policy and we were absolutely as one on the importance of this to rural and
regional students. I acknowledge the member for Sturt, Christopher Pyne; Senator Brett Mason; the member for Forrest, Nola Marino; the member for Gippsland, Darren Chester; and every single one of my other colleagues, including my good colleague here Senator Julian McGauran and every single other one of my other colleagues who have fought for these changes to come about for regional students. My good colleague sitting in front, Senator Barnaby Joyce, put it brilliantly with his words earlier. What we are about is trying to get fairness and equity for regional students, and what this government have done is divided regional Australia into four zones. They have divided it into inner regional, regional, remote and very remote. For those last three groups, students living in those areas can use a gap year. They can take 12 months and earn the under $19½ thousand to qualify for the independent youth allowance which they so desperately need.

What did this government do? It said, ‘All of you thousands of students living in inner regional areas: you can’t do that. You can’t use that gap year. You can’t get that financial assistance you so desperately need to go on to university or to further tertiary education.’ Why not, government? The answer in Senate estimates was that they simply do not want to spend the money. That is not good enough. For all of those thousands of regional students out there who simply have no choice whatsoever but to relocate, to leave home, to attend university, that is just simply appalling. To leave them completely out in the cold, to not support them, when what we should be doing—

Senator Hanson-Young interjecting—

Senator NASH—Senator Hanson-Young said, ‘Make it easier for regional students to get to university, not harder.’ That was interesting. If you actually go back and read Sarah Hanson-Young’s speech, everything she said leads to: ‘Gosh! That would have meant supporting Senator Nash’s bill.’ But, oh no, we have this diatribe about the bigger picture. This is about addressing the current issue of unfairness for regional students. Why should one regional student be treated differently from another? I agree with Senator Hanson-Young; there is much bigger picture here. We need to delve more deeply into the issues facing regional students. But this issue can be dealt with separately and Senator Hanson-Young knows that.

The reason we know it is that she was continually telling people throughout the course of the last year how much she fought for regional students. Let me tell you what Senator Hanson-Young said on 12 August this year during the election campaign. She said:

“We know many students in regional areas have missed out on access to the full rate of Youth Allowance under the new scheme,” Senator Hanson-Young said.

… … …

… our policy would use a simple test—if students have to travel more than 90 minutes each way to access their course, and have to move out of home to do so, they will be eligible for the full rate of Youth Allowance.

I would say to Senator Hanson-Young, ‘Why did you not just support my bill, which would have done exactly that?’ Because it would have done exactly that—provide fairness and equity for regional students across the country.

What is extraordinary is watching this government mouth words about how they support regional Australia. Indeed, we had the Prime Minister, Julia Gillard, when she had her new government underway saying: Clearly, the new Parliament will also have a focus on the needs of regional Australia. And:
I will work tirelessly to do what we said we would do ... to deliver for regional Australia, recognising that in our nation that one size does not fit all; to redeem the hope you have placed in me and Labor; and to be faithful to the trust that has been extended to us.

If this government were at all serious about delivering for regional Australia, they would be making sure that every single regional student who lived in Australia had fair access to independent youth allowance and not cutting out thousands of them simply because they do not want to spend the money. I do have to say that it has been costed at around $90 million a year. Apparently, the government does not want to spend that, as they said in Senate estimates, but they are prepared to spend—get this—$81.9 million on employees to administer the ETS that never happened. They are very happy to spend nearly $90 million on some employees that actually did absolutely nothing, but they are not prepared to find a way to fund regional students. That is not fair, it is not right and it is not on. I have to say that Senator Xenophon has not even allowed debate on this when in the past he has said:

The issue of assistance for regional students is one of the utmost importance to me.

And:

To me the key issue here is ensuring that we have a greater degree of equity and access to territory education for our regional students.

If Senator Xenophon actually believed in what he said—if there were any truth in those words—he would have supported the bill going forward for debate and he would have supported the bill as it came to debate. I cannot believe the unfairness that has been placed on students living out in regional areas. It is simply not fair. They understand what this means to them. They understand that they are being left out and they understand that the words of Senator Hanson-Young and the Greens, the words of the Independent Nick Xenophon and the words of the Labor government under Julia Gillard mean absolutely nothing. I want to read for you an email which was sent to, I believe, all of those other senators in the chamber that I have just mentioned and which sums it up completely. This constituent said:

I have heard that you may not be voting in support of Fiona Nash’s bill on making independent youth allowance available to ‘inner regional zone’ youth under the same criteria as other regional youth.

I am shocked and surprised, as I thought you were a progressive senator on the issue of education for youth.

My son is 19 and working his guts out at Big W doing a gap year and desperate to go to Uni next year in Brisbane. We live in Ballina, New South Wales, in an area designated as ‘inner regional’. It is a 3 hour drive to Brisbane on a good day. He will have to move and live in Brisbane to study. This is beyond our family’s ability to afford to support him—have you seen the costs of staying in cities like Brisbane? We are a ‘middle income’ family with 4 kids and a mortgage on a small house. We pay tax—hell, our son Rob pays tax in his Big W job—why should we be arbitrarily cut off from youth allowance?

This is profoundly and ridiculously unfair. I urge you—I beg you—on behalf on my boy and all the other good young men and women like him, to get and Senator Nash and support these changes.

That is one of hundreds of thousands of emails like it from people who know that their children are being treated unfairly. We had the opportunity today to fix this and the Labor government, the Independents and the Greens should hang their heads in shame because they chose not to and they chose to let the current situation go on. It is simply not fair and I will not stop fighting every single day in this chamber for as long as I am here to get this fixed and to get fairness for regional students.

Senator MARSHALL (Victoria) (4.57 pm)—I actually quite like Senator Nash. I
think she is a very dedicated hardworking senator, but on this issue she is actually dead 
wrong and she has seriously gilded the lily in 
many aspects of this independent youth al-
lowance issue. It was part of a sweep of re-
forms that the government made to this 
whole system occurring out of the Bradley 
review. It was a contentious issue. It was the 
subject of a public campaign, which I think 
the Nationals promoted to their political ad-
vantage very well. It has been the subject 
of a comprehensive Senate inquiry, which 
looked at it and which resulted in intense 
negotiations between the Liberal spokesper-
son for education at the time and the Labor 
Party. Last March in the build up to an elec-
tion an agreement was reached to overcome 
these issues. An agreed bill was put before 
the parliament and voted for.

Of course, at that time it was during the 
built up to an election and the Liberal-
National coalition had an eye to victory and 
thought that they may well win this particu-
lar election, so they were probably very con-
scious of the costs of what Senator Nash is 
now proposing—some $300 million. They 
already suspected that they were going to 
have an $11 billion black hole with the 
promises they were making in the build up to 
the election and they certainly did not want 
to add another $300 million to it because 
they thought they were going to be in gov-
ernment and they were not going to want to 
spend the money.

But now, back in the luxury of opposition, 
why not come back and have a second bite of 
the cherry? ‘Now, when we don’t have to be 
responsible, when we don’t have to worry 
about our $11 billion black hole, when we don’t have to worry about where we are go-
ing to get the $300 million from, let’s go 
back and welsh on the deal. Let’s rat on the 
deal.’ This is the deal they happily agreed to 
and voted for last March. ‘Let’s rat on that. 
Let’s come back and ask for more. Doesn’t 

matter if it costs another $300 million, be-
cause we’re in opposition now. It doesn’t 
matter. The $11 billion shortfall in funding 
our promises doesn’t matter, an extra $300 
million doesn’t matter, because the govern-
ment will have to find it.’

We have done a lot in the education sys-
tem, and the reforms that we have put in 
place will make it fairer and more equitable 
for all students across the country. Those 
reforms were well overdue, and I think that, 
in saner moments, you will even find some 
in the opposition who are aware of some of 
the rorts that were going on in the independ-
ent youth allowance system and who will 
actually acknowledge some of those rorts. 
They were undesirable.

Senator Mason—There were some rorts.

Senator MARSHALL—Thank you, 
Senator Mason, for acknowledging that. The 
government instituted the Bradley review 
and we have instigated significant reforms in 
this sector to make it fairer. We have also put 
in an enormous increase in funding.

I remember when I came into this place as 
a senator in 2002 I was shocked that in the 
so-called clever country there could be de-
gresses that cost $100,000. It made a mockery 
of our merit based system and led to our top 
universities chasing dollars by charging as 
much as they thought they could get away 
with, in a system where they were encour-
gaged to do this by the conservative, Howard 
government of the time. We have put an end 
to that. Over their 11 years, the Howard gov-
ernment undermined the higher education 
sector. In their first budget, in 1996, they 
slashed university operating grants by a cu-
mulative six per cent over the forward esti-
mates from 1997 to 2000, resulting in an 
$850 million cut to the sector. When we 
came to office, the participation of rural, re-
gional and low-SES students in higher edu-
cation had fallen and showed no signs of
improvement. Who was in government at the time? The Nationals, in a coalition with the Liberals. Did we hear about this sort of thing from the Nationals then? No—not a squeak while they were in government undermining higher education and making it more expensive for regional students. That is what they were doing.

Youth allowance arrangements were poorly targeted, and assistance was not going to those students most in need, as was found by the Bradley review of education. The student-staff ratio was 20.4, compared with 14.6 in 1995, just as the Howard government came to office. That is the damage they did in their 11 years. The average amount of Commonwealth funding per student in real terms declined by nearly $1,500, and fees and charges had increased by over $3,000. That is the record of the coalition government in the Howard years. HECS had increased dramatically, by tens of thousands of dollars for most students.

The wording of this MPI criticises the Labor government for its treatment of students in regional Australia, so I take it that the Nationals are criticising this government for introducing comprehensive reforms to ensure that more university students have fairer access to student income support, benefiting students from low-socioeconomic backgrounds and students who move away from home to study, particularly those from rural and regional areas. More students—that is what we are doing with our reforms: more students will have access.

Senator Scullion—Not enough.

Senator MARSHALL—Senator Scullion says, ‘Not enough.’ I have just gone through your appalling record when you were in government. We are actually improving the system now and you say it is not enough. Well, why didn’t you do something in government? You would not do it in the lead-up to the election because it was going to cost you $300 million. Now, from the safety of opposition, it is, ‘Doesn’t matter what it is; doesn’t matter what it costs. Let’s just do it.’ It is so irresponsible and it is why you will be over on that side for a long, long time.

I also take it that the Nationals are criticising us for fixing the previous student support regime, which saw the participation of young people from low-SES backgrounds, including those from regional and rural communities, languish at around 15 per cent, against the population share of 25 per cent. Is that what you are criticising us for? Are you criticising us for properly targeting assistance to those who need it, for changing the previous youth allowance arrangements so that assistance is going to those students most in need? That is what the reforms do.

We are reforming youth allowance, including the creation of new scholarship payments, lowering the age of independence, an increased threshold for the parental income test and a tighter workforce participation test to target students who are genuinely in need of assistance. They are all good reforms. I do not hear anyone criticising them. Is that what the Nationals are actually criticising us for doing? Are you criticising us for directly benefiting over 100,000 students on student support, including students from inner regional areas, as more young people will be eligible for youth allowance as dependants? Most people who previously had to prove independence will now be able to access support automatically. The proportion of students from regional, rural and remote areas receiving student income support has increased under the new arrangements. Regional and rural students have had their support increased under these reforms—increased—all because we got rid of the rorts.
Senator Nash—You don’t have a clue what you’re talking about. Sit down; you’re embarrassing yourself.

Senator MARSHALL—Senator Nash says I have got to sit down, because the one thing they do not like to hear over there are the facts being presented to them. From a holistic look at the reforms, they know they are actually good for rural and regional students. They do not want to hear that. They focus on a single issue and say, ‘Oh, we don’t like the look of that. Some people are going to miss out or they’re not going to be able to do it the way they did it before, so we’ll ignore the fact that these reforms vastly increase access for rural and regional students.’

I also take it that the Nationals are criticising us for making available a $20 million Rural Tertiary Hardship Fund to young people from rural and regional areas who need financial help to get a university education.

Senator Nash—No, you’re not. You just set up a task force that’s supposed to start in January.

Senator MARSHALL—Senator Nash criticises that. Well, why don’t you, in your bill, take away that $20 million?

Senator Nash—It’s hilarious! Nice try.

Senator MARSHALL—No, you are not criticising us for that—again, something you never did, something you never thought of, but we have actually put in place. I take it you are also criticising us for committing to lifting caps on undergraduate university places for domestic students, at an estimated additional cost of $2.1 billion. Are you criticising us for adopting a new indexation approach which will mean that universities will have an additional $2.6 billion over five years from 2011 to provide top-quality education? Is that what they are criticising us for?

Are you criticising us for making substantial investments in higher education infrastructure? Already, more than $4.1 billion has been committed from the Education Investment Fund for strategic infrastructure in the tertiary education sector. Are you criticising us for making up to $550 million in higher education additional performance funding available to universities, increasing participation, including the enrolment of more students of low-socioeconomic status, as well as increasing the quality of the student experience and learning outcomes? (Time expired)

Senator HANSON-YOUNG (South Australia) (5.07 pm)—I rise to participate in this discussion on this matter of public importance, because it is an important discussion, about how we move forward in offering students the support that they desperately need. Only 12 months ago we were right here in this exact same place discussing and debating this issue. It was 12 months ago that the Senate was deliberating the changes that were being put forward by the government, some of which were really good and some of which needed to happen. Other changes undercut and undermined the ability of students particularly from rural and regional areas to access the support they need to go to university. There was lots of toing and froing. We had country students coming to parliament and speaking with their parliamentarians. We had Julia Gillard acknowledging that you could not pull the rug out from underneath current gap-year students and that it was a mistake. We finally had an agreement that accepted that scholarships not just for those students from rural and regional areas but for
a whole range of students that were eligible for youth allowance were needed to start the university year.

The debate dragged on right up until March this year. In March we saw a deal cut between the Labor government and the coalition to put in place the system that we are debating today. There are now lines on a map, which unfortunately means that no longer are there two classes of students who can get access to youth allowance to put themselves through university but there are now three categories: those who are in outer or inner regional areas, those who are not able to apply through either of those areas and those who are in the city.

Really what we need to be doing is acknowledging that youth allowance is there to support our young people to go to university to get the qualifications and skills they need to then go into the workforce and contribute to the productivity of our nation. It is not meant to be a 12-month, three-year or election-cycle vision. This is meant to be about a vision for investing in the future productivity of our country. There is not going to be a quick fix to deal with this. We need to be realistic. If we want to invest in the productivity of our country, then we need to invest in our young people and that means true investment. That means not thinking that a patch-up piece of legislation is simply going to deliver what is needed. It does not mean constant backflipping either from government or from opposition—if those parties have changed sides in the interim. It means an actual vision for investing in the education of our young people, not for the next three years but for the future.

We know that young people who have to move from home in order to go to university overwhelmingly come from country areas. They have to move. They do not have a university in the next suburb, the next couple of suburbs or a few tram stops away. They have to move out of home in order to go to university. Often, in order to get the support that they need, they are forced to try to squeeze into the criteria that are set down by youth allowance. That means we are forcing young people to defer their studies, despite the fact that they have worked really hard in year 12 to get into the course of their dreams. To get that spot at university they have to defer it. They go off and they work, and they have to prove that they are worthy of that support. That is what country students are doing daily. That is what the old system was and that is what the current system is for some of them.

Simply revisiting and reinstating the old rules does not deal with the inequities faced by students from country and regional areas. We know that, out of the students who defer their studies, 30 per cent will never go back. That is quite a big chunk of students who have fought really hard, got into university and then deferred that spot. Thirty per cent of those students will never go back. A young woman who worked so hard to get into teaching, into nursing, into engineering or into a field that was desperately needed in her local country community could not get the support to get to university and so deferred her studies as a way to try and get through the criteria. Thirty per cent of students in her cohort will never go on to study at university. We cannot afford to let that happen. Students who need to be supported should be supported.

We need a new criterion that says that, if you have to move out of home in order to go to university—Senator Nash read out the exact quote that I had used and I stand by it—because there is no university in your country town, you should be recognised as being independent and you should get support. That is what the government should be looking at rather than fiddling at the edges
trying to make a system that clearly is not working—it was not working in the past and it is not working now—and rather than trying to come up with some convoluted solution that is just patchwork over patchwork, bandaid solution over bandaid solution. The simplest solution would be to have one criterion: if you have to move out of home in order to go to university and you have to travel that far then you should get the support you need. That would be the simplest solution. The government should cost that. The Greens have asked Treasury to cost that proposal, and I look forward to the government’s response to that.

I think it is good that Senator Nash has brought this on, because we have to have a discussion about the current inequities in the system. The minister has committed to examining whether the current Australian standard geographical classification, the lines on the map that are currently drawn, is appropriate. I say they are not appropriate. No lines on a map, in that sense, are going to be appropriate. We should not be forcing people to defer their studies, making them jump through hoops and over hurdles simply to get the support they need to go to university.

City students do not have to do that. City students do not have to defer their studies, put their entire academic career at risk and be part of the higher statistics for students who will never go on to study, will never finish their degree because they do not get support. City students do not have to face that. Why should we settle for less for those country kids, who are ultimately going to be the best people to bring those skills back to their communities? Let us encourage and support our young people from country and rural areas to go to university. If they have got that spot, let us support them in doing it. Let us not put their families through the stress of having to defer studies and then not go to university simply because the government does not acknowledge that this is a problem.

Of course it is going to cost money, and the government is going to need to consider that. That is why the Greens have submitted their proposal to Treasury to look at that. I encourage the government and I look forward to the government’s response on that. But simply putting in place a bandaid solution for the issue that is not going to be dealt with is not a solution. We should not be forcing students to defer their studies just to get the support they need. City kids do not have to deal with that. If the National Party honestly believed that country students are no less important than city students, they would not continue to put a bar above them that their city cousins do not have. If the Nationals honestly support the idea that country students should have equal access to education, they should stop putting barriers in front of them and let us move forward to putting them on an equal footing.

Senator MASON (Queensland) (5.17 pm)—I will just briefly touch on some of the procedural aspects that were touched on earlier this afternoon.

Senator Jacinta Collins—You were mugged!

Senator MASON—That is right. There was a deal—that is quite right. The deal was to overcome a legislative impasse between the government in the House of Representatives and the coalition and, indeed, the Independent senators here in the Senate. A deal was done to overcome that impasse. The so-called deal was never, ever intended to last forever, certainly not beyond a federal election. Is this deal supposed to hold until the end of time? It is ludicrous and ridiculous, and as much as I respect Senator Evans, I think that he was totally on the wrong track this afternoon.
Let me get to the substantive debate, Madam Acting Deputy President Troeth. This is a really important debate for our country. Universities and higher education providers are in the business of knowledge and there is no more important business in the world than knowledge. That is what this debate is all about.

Professor Bradley, in her landmark review of Australian higher education, nominated a target of 40 per cent of young Australians to have a bachelor’s degree by 2020. In order to achieve that she knew that there had to be a distinct increase in the number of young Australians from three particular disadvantaged groups: Indigenous kids, kids from low-socioeconomic backgrounds and, finally—and this is the one that pertains to Senator Nash’s concern this afternoon—young Australians living in regional and rural areas of our great country. Why? Because they are particularly disadvantaged. There is an argument of equity and there is also, as Senator Nash reminded us all, an argument in the public interest, in the nation’s interest, that we should assist all these kids from disadvantaged communities to attend university. Why? Because we want as many smart young Australians from whatever background to attend university if they are able to. We are a poorer country when young Australians who are able and qualified cannot attend university. We are in fact a worse-off and poorer nation.

We know that while there are more Indigenous kids now going to university—not enough, that is true, but there are more—and there are more students from low-socioeconomic backgrounds going to university—again, not enough, but there are more—what we have discovered, in fact, is that there are fewer young Australians from rural areas attending university. In fact, we are going backwards, and all I need to do is refer to the Bradley review itself. Professor Bradley reported:

People from regional and remote parts of Australia remain seriously under-represented in higher education and the participation rates for both have worsened in the last five years.

That is on page 31 of the review. In other words, it is getting worse for rural kids, not better. For rural students the bar to university study is more likely to be logistical and financial than cultural. The bar is logistical and financial, not cultural. Even with modern technology it is impossible to take universities to every small town in Australia—I think we all concede that. No, we have to somehow get rural students to university, and that cost is not part of HECS. It is not a cost you can claim under HECS. Rural students frequently must leave home to study and they do not receive HECS to cover living away from home expenses.

If this parliament fails to attend to the matters Senator Nash has so eloquently described, as our country moves towards 40 per cent of young Australians graduating with a bachelor’s degree—and that is our country’s aim, and it is a bipartisan aim, I should add—we will simply end up with more students who live in relatively affluent suburbs in the big cities who can catch public transport to university. In other words, there will be no change in social composition. We will simply get more people like me going to university, and we do not want that, do we? What we want are more people like Senator Joyce and Senator Nash going to university. We want kids from all parts of Australia to go, particularly, as I say, because there has been a decline in young Australians from rural and regional areas going to university. It is a big challenge for our country to attend to that.

What really worries me is this. The government is quite right to talk about equity
and access. I do not contest that at all. But, unless something is done about rural and regional students, the social composition of young Australians attending university will not change. We have seen this before. We saw it in the Whitlam era with the abolition of tertiary fees. Everyone thought that that would change the social composition of Australian universities. Did it? No. We abolished fees and what happened? Simply more middle-class kids went to university. That is what happened. There will be the same problem here.

I accept what the government has done by in a sense deregulating student demand. I and the opposition accept that. I accept that major reform in the Bradley review. What worries me is that there will be a deregulation of student demand and student demand will force universities to offer courses that students deem appropriate, but the social composition will not change. That worries me, and I suspect it worries the government and Senator Chris Evans too. Unless we do something positive, nothing will change.

Senator Jacinta Collins—Which we are.

Senator MASON—Not enough perhaps in the context of rural students, Senator Collins. That is what worries me, Senator Nash and Senator Joyce. The bottom line is this: when there are greater opportunities for our rural students—

Senator Polley interjecting—

The ACTING DEPUTY PRESIDENT (Senator Troeth)—Order! Senator Mason has the floor.

Senator MASON—It is okay, Madam Acting Deputy President; no-one in the Senate has a louder voice than I do, as you know. Who knows whether a 12-year-old boy from Cunnamulla will be the fellow who in 20 years time discovers a cure for cancer or whether a young girl from Broome will be the new Manning Clark or, better still, Geofrey Blainey. The argument from the coalition is simply this: this parliament should give our rural kids that chance.

The ACTING DEPUTY PRESIDENT—Senator Wortley.

Senator Polley—Why didn’t you do it?

The ACTING DEPUTY PRESIDENT—Order! Only one senator at a time has the floor. It is now Senator Wortley’s turn.

Senator WORTLEY (South Australia) (5.24 pm)—In this matter of public importance debate the Australian government’s commitment to students in regional Australia is being questioned. The reality is that the Labor government have done more in just over three years for our tertiary students, put more in place for our tertiary students, including those in regional areas, than the coalition did in more than a decade. Not only have we done more but we are also addressing the damage that was left behind by the Howard government.

We know that education is of paramount importance. A strong and appropriately resourced education sector is vital to Australia’s future and one of the cornerstones of our future wellbeing as a nation. We know that, for our young people, education really is the window to the world. We know and understand that this is the reality. That is why in government we have made unprecedented commitments to education, specifically on the issue of the independent youth allowance.

The Bradley review of higher education found that participation in study at university by people from regional areas was falling and that the participation in study by people from low-socioeconomic backgrounds languished at 15 per cent, as against a population share of 25 per cent. That was when those opposite were in government. They were in government for a decade—
Senator Polley—Eleven and a half years.

Senator WORTLEY—More than a decade. Prior to the implementation of the legislation, the system was already broken. It was broken for both of these groups—those from regional areas and those from low-socioeconomic backgrounds. One should look at who held the reins during the years leading up to this—and, yes, it was the coalition, who are sitting opposite. Let us be clear here. Under the coalition, the participation of rural, regional and socioeconomically disadvantaged students in higher education fell and it showed no signs of improving. Senator Joyce, you can sit there—

The ACTING DEPUTY PRESIDENT—Senator Wortley, would you please address your remarks through the chair.

Senator WORTLEY—There are some sitting opposite who have their heads down, looking slightly dismal. I can understand that because, if I had been part of a government that had left behind a higher education system like this, I would feel the same.

The Bradley review also found that youth allowance arrangements were poorly targeted, that assistance was not going to those students most in need. In March this year the government introduced comprehensive reforms to ensure that across Australia more university students had fairer access to student income support. The legislation giving effect to these reforms was supported by the opposition. The changes have benefited students who move away from home to study, particularly rural and regional students and those from low-socioeconomic backgrounds. For many it has meant that they now have the opportunity to attend university. The reforms introduced by the government include lowering the age of independence, an increased threshold for the parental income test—

Senator Nash interjecting—

Senator WORTLEY—I will come back to that, Senator Nash—a tighter workforce participation test to target students genuinely in need of assistance and the creation of new scholarship payments. As a key outcome of these reforms the parental income test has become the main criterion for students to qualify for youth allowance. Under the changes, the parental income test threshold was increased from $33,300 to $44,165 and the 20 per cent family taper was introduced. So that threshold for the parental income test was increased and as a result over 100,000 students, including students from regional areas, will benefit because more students will be eligible for youth allowance as dependants.

So it is now the case that many students who previously had to prove independence will have automatic access to support. Already 25,000 additional students from low- and middle-income families have improved access to youth allowance. The proportion of students from regional, rural and remote areas receiving income support has increased. This is because of the changes to the parental income test. These are students who may well not have otherwise been able to undertake tertiary studies. The parental income test changes have removed an existing barrier for those students. In addition to these reforms, the workforce participation criterion was also tightened. The changes to the youth allowance eligibility criteria only comprise one element of the student income support reforms, the ones that those opposite voted on and supported.

Also introduced were the new student start-up scholarship and the relocation scholarship, which improves access and equity for rural and regional students who need to relocate to attend their place of study. To date nearly 180,000 higher education students who receive student income support have received at least one instalment of the new
student start-up scholarship. In addition, since April this year nearly 23,000 students who have relocated from their home to a place closer to where they study have also received an additional relocation scholarship—23,000 students. And the government is also progressively lowering—through you, Madam Acting Deputy President, I urge those on the opposite side to listen—the age of independence, with more than 2,600 students achieving independent status since April this year, when the age of independence was lowered from 25 to 24 years. This will be reduced to the age of 22 on 1 January 2012, further recognising the increasing self-sufficiency of young people.

In stark contrast, the needs of regional students were neglected by the Liberal-National coalition for more than a decade. I have said it. Interestingly, it was the coalition government in 1998—Opposition senators interjecting—

Senator WORTLEY—Senator Nash, you need to listen to this—that increased the age of independence from 22 to 25. They increased it. So the age of independence was increased by the coalition government from the age of 22, where it was, to the age of 25. This was in 1998 and it sat there. For the decade that those opposite were in government it sat at 25.

It has taken a Labor government to reduce it. The government’s $20 million Rural Tertiary Hardship Fund will operate from 1 January 2011 to 30 June 2013. This fund to assist rural and regional students under the age of 25 to undertake higher education studies is very welcome. So from the beginning of next year, young people from rural and regional areas who require financial help to take up an offer from a higher educational institution may be able to receive assistance through this fund. Those in need will have access to this fund. The government has also committed to the establishment of a rural and regional task force to consider and advise on eligibility criteria for assistance with the fund. The role of the task force will be to advise the government, and this is just one of the ways in which the government is helping more rural and regional students aged 25 and under to take on higher education.

The government reforms support the most disadvantaged students in regional areas. Disadvantaged students from remote, very remote and other regional areas are excluded from the changes to the workforce participation criteria provided they need to move away from home to study and their parents’ income is less than $150,000 per annum. This is a good move. The opposition agreed to this in March this year and now they are suggesting that these arrangements need to be extended. The opposition never negotiated to exclude inner regional students from the changes. (Time expired)

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations (5.34 pm)—I am pleased to have this opportunity to follow Senator Wortley in this debate because she made some very good points that I would hope to build upon. Before I commence on the detail of the private member’s bill, I want to take a moment to reflect on the process farce that has occurred on us coming here. I will save deeper reflection on what has occurred in managing opposition business on this occasion, but it does need to be highlighted that what has occurred in the Senate today has trashed a deal that was done eight months ago on this issue. And as Senator Xenophon rightly pointed out in the failed motion to suspend standing orders to deal with a private member’s bill, nothing has changed in these issues. Yes, there may well have been, as Senator Mason pointed out, an election, but in terms of the arrangements for student income support and people
from remote and regional areas, there has been nothing in that context that is different, nothing at all, other than that Senator Mason has been pounced upon by the Nationals and has highlighted once again the fragility of this coalition—the fragility that exists in terms of sensible policy process from the opposition. That is the issue that leads us to where we are in terms of the private member’s bill or the matter of public interest that is now before us.

Let us have a look at the detail of exactly what this is about. Rather than it being about the government mismanaging student income support, I draw on, as Senator Wortley did earlier, the point made by Senator Mason. Yes, the Bradley review did show that things were going seriously backwards for regional students. It was interesting that Senator Mason made this point because, if you look at the period of time when the government should have ensured appropriate processes to manage student participation from regional and remote Australia, it was indeed the Howard government—it was the Howard government who failed the students. I thank Senator Mason for highlighting what the Bradley review highlighted, because the measures that were introduced under the Howard government led to that decrease in participation. That decrease in participation, mind you, did not only occur in tertiary education for remote students; it also occurred in secondary education. We had dismal figures. The completion rate in secondary schooling went backwards under the Howard government. So how the Nationals can come into the Senate now and try and claim some credibility on this matter is astounding.

Let us look at what is being peddled here. The private member’s bill they sought to have us debate now was about applying the same eligibility criteria for independent youth allowance for students residing in the inner region zone as currently applies to students residing in outer regional, remote and very remote zones. As has been pointed out, the fact remains that the special provisions for disadvantaged students from outer regional and remote locations were agreed with the opposition when the reforms to student income support were passed in March this year. As Senator Xenophon pointed out, there is nothing new. The suspension of standing orders was not supported because there is nothing new other than that Senator Mason was mugged by the Nationals on this occasion and the Manager of Opposition Business foolishly played along. That was the only new thing here.

Under the agreement that was negotiated with the coalition, students from remote, very remote and outer regional areas are excluded from the changes to the workforce participation criteria provided they need to move away from home to study and their parents’ income is less than $150,000 per annum. The opposition is now suggesting that these arrangements be extended to students living in inner regional areas as well. The opposition is aware that this whole package of reform measures was carefully designed with the aim of budget neutrality. The opposition has stated that the funding to support its proposal would come from the capital investment fund—(Time expired)

Senator JOYCE (Queensland—Leader of the Nationals in the Senate) (5.40 pm)—What a complete display of utter hypocrisy. We had the capacity to deliver fairness and equality but they voted for hypocrisy and platitudes. We had Senator Hanson-Young talking about a patch-up job. I am afraid, Senator Hanson-Young, I would prefer a patch-up to a flat tyre—that is what you have delivered to the people of regional Australia. Then we had Senator Brown, so help me, railing against queue jumping. This is almost like Brave New World. A couple of weeks ago he was telling us, ‘It is the “don’t ask,
don’t question policy” on leadership,’ and today we have the Greens railing against queue jumping. It is a very interesting paradigm that we live in.

What is it about? Senator Brown and the Labor Party are also proffering their advice on how we have to save money by not educating people in regional Australia! How pathetic is that? The money we have wasted on ceiling insulation could have been used to educate kids in regional Australia and given them a tertiary education. We could have used even a portion of the money you wasted on the BER to fix up this problem. We could have used the money you just threw out the door with your $900 cheques in a better way—that is, educating people. The greatest nexus with your aim of social advancement is education. You voted against it today and so did Senator Xenophon and the Greens. They voted against social advancement for those who live in disadvantaged areas! You can go through all the platitudes and histrionics, but the fact is that you had the opportunity to vote for justice but you voted against it. That is as simple as it gets.

This is who you voted against: Dalby; Kingaroy; Rockhampton, which is Labor town, both state and federal; Hamley Bridge; Angaston; Riverton; Ballina, another Labor town; Gympie; Nambour; Warwick; Gladstone; Bundaberg; Orange; Dubbo; Northam; Bunbury; Busselton; Tamworth; Lismore; Shepparton; Wagga Wagga; Nowra; Lithgow; Mount Gambier; Byron Bay; Singleton; Branxton; and Dungog—yes, you also voted against your people down in the Hunter Valley. You voted against those people because of the urbane society that you are trying to create—this urbane Green-Labor clique. They believe that they have the right to go into a tertiary institution but nobody else does. It is not there for other people. This is part of the bumper-sticker morality that now pervades this place.

It is quite clear and simple: you could have voted for fairness, you could have voted for equality—you could have voted for the capacity of people in inner regional areas to go to university after a gap year—but you voted against it. I can assure you that after two years in the workforce—which is what they will have to do with their, on average, 30 hours a week in 13-week blocks over 18 months—people will peel off. People will make their decision: ‘Bother it. I’ll stick to doing what I’ve been doing.’ They will have a new social network, a new girlfriend or boyfriend and a new job, and they will not go. So you have compromised their capacity for social advancement in life—if you believe, as I thought Mr Whitlam did, in a tertiary education.

It is so obscene for a party that spent in excess of $81 million on an ETS that never went anywhere, which even they themselves denied. That amount of money could have been used to educate people. Education is right at the top of Maslow’s hierarchy of needs. There are people who will go without food to educate their kids. There are people who will go without a better house, without new clothes and without a car. One people’s principal desires is the education of their children. But you voted against that and now we have to put up with this absolute and utter hypocrisy that is being blurted out by all and sundry around the chamber, these amazing platitudes. In this new, Kafkaesque bureaucracy, they have found it in their souls to leave people behind. And what do they offer? ‘Oh well, we’ll send it to an inquiry.’ We only have days till the end of the year. You know that. There are time constraints. To say that this is a surprise is a load of rubbish. ‘Oh well, we’ll send it to an inquiry.’ We only have days till the end of the year. You know that. There are time constraints. To say that this is a surprise is a load of rubbish. This has been fought and people knew that it was coming, that the time was coming. The coalition had to act. Senator Nash, Senator Williams and Senator Mason acted to try and bring a resolution on this.
I do not know what is going to happen to the whales; I really don’t. I do not know whether they are going to be saved or whether they are going to be slaughtered; I just do not know. What I do know is what is going to happen to those kids in regional Australia. I do know what is going to happen there. They will not get the chance for the same standard of education and of life as is delivered to people in Sydney, Brisbane and Melbourne. I do not know what precedence in the scheme of things the gay marriage bill should take. But apparently Senator Brown believes that the gay marriage bill, whales and everything else are more important than delivering equality, in its most seminal form—the capacity to deliver to people the ability to advance their lives via education.

Then they talked about being out of time. That made complete sense when, last night, I watched as they started going back into the address-in-reply to the Governor-General’s speech! No, you are not out of time—you are just completely and utterly disorganised. This whole parliament has turned into a farce and a joke. You have nothing that you are going forward with and you just leave the crucial issues behind.

So what are we going to say to the regional people who you so earnestly told you were going to look after after you attained the government benches? What are you going to say to the people of Ballina? What are you going to say to the people of Rockhampton? How does this one actually work? ‘We believe in you, but we don’t believe you should go to university’? ‘We believe in you, but we believe that you’re a second-rate citizen compared to someone in Sydney or Melbourne’? ‘We believe in you, but’—wink-wink, nod-nod—’we believe in you just a little bit less than we believe in the whales’?

That is apparently where Senator Brown is: he has more concern about things in the South Seas that he has no power—none whatsoever—to affect. And he puts that up as an excuse to leave regional people out. Today, he, Senator Xenophon and the Labor Party could have put up a change that would have made people’s lives better. They could have made people’s lives better. They could have done something constructive that would have actually taken people ahead. They could have been decisive. They could have been compassionate. They could have shown foresight. They could have stuck to their vision of who they were as a party when Gough Whitlam brought in greater access to tertiary education. But, no—they descended into hypocrisy, they descended into the murk and they turned away from regional Australia. (Time expired)

The ACTING DEPUTY PRESIDENT (Senator Troeth)—Order! The time for the discussion has expired.

DOCUMENTS
Coal Seam Gas Projects
Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (5.47 pm)—I table a statement and documents in response to a resolution of the Senate agreed to on 28 October 2010 concerning coal seam gas projects.

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

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

COMMITTEES
Intelligence and Security Committee Membership
The ACTING DEPUTY PRESIDENT (Senator Troeth)—I have received a letter from a party leader seeking the appointment of members to a committee.
Senator FEENEY (Victoria—Parliamentary Secretary for Defence) (5.48 pm)—by leave—I move:

That Senators Faulkner, Forshaw, McGauran and Trood be appointed as members of the Parliamentary Joint Committee on Intelligence and Security, pursuant to the Intelligence Services Act 2001.

Question agreed to.

AVIATION CRIMES AND POLICING LEGISLATION AMENDMENT BILL 2010

Report of Legal and Constitutional Affairs Legislation Committee

Senator POLLEY (Tasmania) (5.48 pm)—Pursuant to order and at the request of the Chair of the Legal and Constitutional Affairs Legislation Committee, Senator Crossin, I present the report of the Aviation Crimes and Policing Legislation Amendment Bill 2010, together with the Hansard records of proceedings and documents presented to the committee.

Ordered that the report be printed.

COMMITTEES

Economics Legislation Committee

Report

Senator POLLEY (Tasmania) (5.49 pm)—Pursuant to order and at the request of the Chair of the Economics Legislation Committee, Senator Hurley, I present the report of the committee on the provisions of the Corporations Amendment (No. 1) Bill 2010 together with the Hansard records of proceedings and documents presented to the committee.

Ordered that the report be printed.

Community Affairs Legislation Committee

Report

Senator POLLEY (Tasmania) (5.49 pm)—Pursuant to order and at the request of the Chair of the Community Affairs Legislation Committee, Senator Moore, I present the report of the committee on the provisions of the National Health Amendment (Pharmaceutical Benefits Scheme) Bill 2010, together with the Hansard records of proceedings and documents presented to the committee.

Ordered that the report be printed.

AUSTRALIAN NATIONAL PREVENTIVE HEALTH AGENCY BILL 2010

Second Reading

Debate resumed.

(Quorum formed)

Senator BOYCE (Queensland) (5.52 pm)—I was quite interested to note that the Australian National Preventive Health Agency Bill 2010 is not only on the Notice Paper but is actually being debated—and I think it is a very exciting occasion. I was looking back at some speech notes that I had which were dated 21 February 2010 and they said the bill was listed for debate on 18 March 2010. I noticed that the first thing I was going to talk about back then was the fact that, on 22 October 2009, the Minister for Health and Ageing, Nicola Roxon, told the House of Representatives that it was important that the Australian Preventive Health Agency be up and running on 1 January 2010. She said it was ‘essential that the legislation be passed without delay’. Unfortunately, like so many of the wonderful reforms of the Labor government, this has come to nought and has been delayed and delayed and delayed.

The opposition have no basic objection to this bill but we do have some very strong reservations around the achievability of the great promises that were made by Minister Roxon and the government. I think it is worth noting that the Australian National
Preventive Health Agency was an election promise of the Rudd Labor government in December 2007. But it is now almost December 2010, so Minister Roxon’s definition of ‘without delay’ must be slightly different from mine. I guess that when the government have so much mess to clean up, so much waste to try to spin their way out of, it is not surprising that they have had neither the time nor the inclination to do something which from 2007 to 2009 they regarded as essential and urgent.

I was recently very pleased to get an email from the Bushwalking Society of Australia. Very much along the lines of the coalition’s view on the subject, they suggested that walking is very good exercise. They also pointed out that you do not need an awful lot of bureaucracy to undertake walking, that you do not need to spend $133 million on awareness and promotion programs and social marketing programs to get walking happening and that walking could be a cheap and easy answer to improving the health of Australians. It is not simply about telling people what is good for them; it is about encouraging them to understand why it is good for them and why making healthy choices in their lifestyle and diet is worth while for them. If it were simply about saying, ‘Eat your veggies,’ everyone in Australia would at some stage have become a healthy person. We have concerns now that a generation who have not been told to eat their veggies is developing.

But let us have a look at why that is happening. Education around nutrition is not happening. That is because people are so much busier and because there is a food market—sometimes pejoratively referred to as ‘the fast-food market’—that simply meets the needs of busy consumers. There is no problem, in my view, with food marketers who meet the needs of consumers. But we need to unpick that a little more and make the point that it is about meeting the ‘needs’ of consumers. If consumers want chips with an extra dollop of fat on the side, that is what the market will give them. If consumers ask for salads and other healthier options, that is also what the market will give them.

I am very concerned that, with this bureaucracy, we might end up with a move towards a nanny state. The agency that is established by the bill will advise the minister on matters related to preventive health; gather, analyse and disseminate information; conduct awareness campaigns; make financial assistance grants; develop national standards and codes of practice; manage schemes rewarding best practice; and any other function as determined by the minister. To say the least, that is a very open-ended list of functions—and some of the amendments that have been suggested are aimed at ensuring that there is transparency and oversight of exactly what the agency does.

The bill also creates the Australian National Preventive Health Agency Advisory Council, which will advise the CEO. Back in October last year Minister Roxon said the agency would be receiving $133 million over four years to undertake its activities. I wonder whether the government intends to index that money, given that it has taken so long for this body to get off the ground.

The agency arose from the 30 June 2009 report of the National Preventative Health Taskforce, *Australia: the healthiest country by 2020*, which seemed both ambitious and somewhat ambiguous in its title. I wondered whether it was suggesting that the agency would make Australia the healthiest country in the world within 10 years—a laudable aim, but I suggest that it is as unlikely to be recognised and achieved as Prime Minister Hawke’s promise back in the 1980s that no child would be living in poverty by 1990. We need to do far more than we have done in
assisting disadvantaged people, Indigenous Australians and people with disabilities before we can begin to boast about looking like the healthiest country in the world.

The response to Australia: the healthiest country by 2020 became, like so many other things that this government started but did not quite finish, tied up in the recommendations of the National Health and Hospitals Reform Commission, which is still wending its tortuous way through many different procedures. I think the government is now up to something that is alleged to be action around the review of the review of the review of the ministerial advisory council’s advice to the COAG meeting on the review!—and so it goes.

Again we have the issue of the structure of this body being such that it will suffer from the same fragmentation and the same problems that other attempts to reform hospital funding and health funding in Australia have suffered from. Right now we have a situation where the Queensland government does not, or cannot or will not—the answer is a bit hard to know—provide data in certain health areas to the Australian Institute of Health and Welfare in a way that allows it to be compared to other states’ data. There are consistent problems in getting data that is nationally comparable in Australia. Of course, the issue here is that the federal government cannot compel the states to provide comparable data. Why, in fact, would a state provide data if their current record on health and hospital funding was about subterfuge and hiding funding in hollow logs wherever they could so that they were away from scrutiny by the state oppositions and by this parliament?

The government seems to think that it is good public policy to set up this preventive health agency in what is still a very uncertain situation—something of a policy and procedural vacuum—around what happens in health. There are also currently moves to set up a safety and quality authority to oversee the safety of the delivery of hospital services throughout Australia. Once again, of course, there is no standardised data from all the states. There is just the hope that—perhaps, maybe!—sooner or later everyone at COAG will see their way clear to do it all the same way.

There is a suggestion not only of setting up an agency to oversee health and welfare but of having other authorities to look at pricing and the like. You can see that in health we are building agency and authority after agency and authority—a massive brick wall of bureaucracy. And there is no guarantee whatsoever that these new agencies will improve the delivery of services or the types of services being delivered, given the failures that this government has had, not only in negotiating coherent agreements in the area of health and hospital funding, but also in delivering any of their projects which involve serious and complex implementation. I could go on for ever and ever on that issue. So we remain concerned about what this will all mean.

In the explanatory memorandum that Ms Roxon circulated this time around—it has ‘2010’ on it so it must be one of her later efforts—you see that she talks about the functions of the CEO in terms of what the agency will do. Dot point number six of 10—more than halfway down the list—it says that the CEO will manage national-level preventive health promotional activities, including education promotional and community awareness programs relating to preventive health, including but not limited to the promotion of a healthy lifestyle and good nutrition, reducing tobacco use, minimising the harmful drinking of alcohol, discouraging substance abuse and reducing the incidence of obesity amongst Australians.
For example, the national program provides funding to the National Preventative Health Authority for national level social-marketing campaigns on obesity and tobacco.

As I said, that is No. 6 out of 10 tasks or criteria for the CEO of this new organisation. It seems to me that it should be far, far higher up the list. What is a preventative health agency for? If it is going to be collecting data and providing evidence based recommendations, either at the minister’s request or on the CEO’s own initiative, I think we need to get the data collection right first—and, as I already pointed out, this is just not happening. The data collection and the standardisation of the data collection is as difficult for the Australian Institute of Health and Welfare as it has been for a number of years because the state governments—primarily the state Labor governments, particularly the government of my own state of Queensland—simply do not cooperate or see the necessity of properly cooperating.

Collecting and analysing information relating to preventative health is actually seen as a more important task for this agency than undertaking preventative health promotional activities. I do not think there is any exaggeration in the concerns that the opposition has about this potentially being a great, big bureaucracy not doing very much. We are not going to improve the health of Australians by collecting data, by looking at the data that has already been collected or by replacing, presumably, in some ways the work of the Australian Institute of Health and Welfare, which already collects data. It is fine to collect data, but collecting data is only one task, and by no means the major task, that you would expect a new body that is costing millions and millions of dollars to undertake. You would expect this to be an active body that would actually be doing something. Terms such as ‘promotional activities’ and ‘community awareness programs’ do not sound as pointy as one might hope if we are talking about educating people about how to be healthy, why they should want to be healthy and the dangers of not being healthy.

Senator Barnett has already discussed the epidemic of obesity and diabetes in Australia. This can only get worse as the population ages. We have bodies already collecting whatever data is available. We do not need this body to reinvent the wheel; we need this body to get on with doing some real work on educating the public on the topic of what constitutes good health and a healthy lifestyle.

We should also look at some of the other areas in which this government has behaved somewhat oddly when it comes to the health of Australians. I was interested to note in today’s media that, for the first time since the Fraser government, there are now more than 10 million Australians with private health insurance. I am pleased about that. Judging by the legislative measures that those opposite are attempting to undertake, they are not pleased about that. A lot of their activities are about trying to decrease, cap and stop moves towards private health insurance.

Senator McLucas—Sorry, Sue, you got that one wrong.

Senator BOYCE—I cannot imagine that the cap that is being proposed is going to assist people to come into the area. Catholic Health Australia and dozens of other witnesses have already said that, if you means-test it, you will limit the number of people who use it. It is pretty clear that controlling and limiting the size of the private health insurance system is a reason for the actions of the government.

I am pleased that we are back to having 10 million Australians on private health insurance. That industry often promotes healthy lifestyles—it offers such things as discounts
on gym membership and the like—but, as I said before, these sorts of basic, intelligent, practical measures do not suit this government. It wants to spend millions of dollars on building bureaucracy and collecting and reviewing data rather than on undertaking the education of Australians.

Senator BIRMINGHAM (South Australia) (6.12 pm)—It is a pleasure to rise to make a few brief comments on the Australian National Preventive Health Agency Bill 2010. Everybody believes in having a healthier society, promoting health outcomes and encouraging healthier lifestyles amongst all Australians. These are motherhood statements. These are things that I think we all share a common desire to achieve. This government is very good at pitching itself in a position to make motherhood statements that support the types of things about which everybody nods their head and says, ‘Yes, we agree with that.’ Faster broadband for everybody is a great idea. Everybody likes faster broadband; never mind the $43 billion cost or the details that come with it. An economic stimulus package to save us from recession is a great idea; this side of the chamber supported part of that. Never mind the fact that it plunged the country into debt. It delivered a whole lot of programs that, in and of themselves, sound like a nice idea, such as more money for schools—what a great idea. We all support new infrastructure for schools; it is a shame that we gave them buildings that they did not necessarily want and could have used that funding for far more practical education outcomes. Here we are now with the motherhood statement of preventative health and healthier outcomes for everybody, to be achieved by setting up this new agency.

This dates back, as Senator Boyce so ably outlined, to 2007, to some Rudd government promises and the government’s desire to be seen to be doing something about preventative health, to be seen to be tackling issues that on occasion grab the tabloid newspaper headlines—obesity, alcohol abuse and smoking rates. These are the things that they see as sexy. Indeed, you can track back and find that announcements such as these around the Preventative Health Taskforce and so on and other measures that this government has pursued all happen to be conveniently timed for when there is some kind of tabloid newspaper binge on preventative health subjects like the three I just mentioned.

The government commissioned a report from the National Preventative Health Taskforce. The report was handed down in the term of the Rudd government. Quite a sweeping series of recommendations came out of that task force report. If you tally up all of their ideas and recommendations, the National Preventative Health Taskforce came up with, I think, 26 potential pieces of new legislation; 18 potential new policies, programs or frameworks; seven potential new or extended bureaucracies of some sort; and 71 other different and diverse recommendations for some form of government action. That is an awful lot of government action.

Of course, the government—because they are not so good on action themselves—have decided to pick up one key recommendation of the task force, and that is to establish the National Preventive Health Agency, and so we have this legislation before us. My fear as we embark on establishing this agency is that they are going to look at the report of the task force and its recommendations for potentially 26 new pieces of legislation, 18 new programs or frameworks, seven new bureaucracies and 70-odd other recommendations and they are going to see that as their remit—they are going to see that as the types of things they should be doing. That means that they are going to be intruding into lives and all manner of things that, by and large, should be the decisions for sensible, responsible, free-thinking adults.
Senator Boyce quite cogently made some of those arguments about the importance of instilling responsibility and choice in people when it comes to these matters. However, the government is going to impose on us this new agency, with a broad and far-reaching array of objects and powers and hundreds of millions of dollars to spend, most of which is to be spent on non-defined social marketing campaigns. It will be spending this taxpayer money in an attempt to change behaviour. More particularly, it will be providing and making recommendations directly through to government on anything that it sees fit to relate to this preventative health agenda. It is those recommendations and what government does with them that will provide the real threat to the freedom of individuals to make reasonable, fair choices in the future.

I go back to the 316 pages of the Preventative Health Taskforce report—316 pages largely of nanny-statism, of people sitting down and saying: ‘We know what’s best for you. We know better than you how you should lead your life. We of course know what is best for your children; we know better than you how you should raise your children.’ There are a lot of truths in that; there are a lot of people who make mistakes. But there are limits on the capacity of government to reach in and ensure that children are raised the way that we may all think is ideal. There are limits on the capacity of government to reach in and ensure that you lead the type of healthy lifestyle that some may think is ideal. And those limits are there for good reason—because, frankly, we should be able to lead the type of lifestyle that we think is appropriate. Yes, occasionally, we need a bit of encouragement—even a bit of a nudge, though I do not want that word to be misused—to ensure we know what is right to do and particularly to ensure that we understand what the sensible choices that we should be making are. Hopefully, if this agency does the right thing, it will enhance people’s capacity to make sensible choices but it will not deprive them of the capacity to make those choices in the first place.

I know that my colleagues in the other place and Senator Fierravanti-Wells here will propose a range of amendments, or have already proposed some amendments—many of which are, hopefully, to instil a little bit more direction, a little bit more restraint and a little bit more balance into this preventive health agency. Hopefully they are not just to ensure that we have a group of people who can engage in ‘group think’ sitting around the table but to ensure that there is some external input—some industry input, some input from people who might have opinions that differ. I would urge the government to accept this concept of adding some industry input into the membership of the agency and into the advisory council in particular. There needs to be greater transparency, ensuring that we have published the type of information and recommendations that the authority is making. The public, who will fund this agency, and the parliament have the right to know what this agency is recommending to ministers, to know what types of things it is proposing. If it is a litany of the types of things proposed in the Preventative Health Taskforce report, there will be a concern that it is overreaching in its remit and is driving us down the path of a state-knows-best type of approach. This really is a case of trying to get the balance right between ‘state knows best’ and individual choice and responsibility.

The coalition are supporting the passage of this legislation because we recognise that there is more work to be done in the area of educating people and ensuring a greater understanding by all Australians of what we should engage in to live a healthy lifestyle. But the challenge for this agency will be to ensure that it is constructive in the spirit and
the way in which it goes about that—that it is an agency that promotes understanding, knowledge and responsibility, not an agency that deprives people of choice. That means that it needs to spend its time ensuring that the information provided through health networks, GPs, schools, parenting options, childcare centres and all of the types of avenues that exist to better inform families, parents and individuals of the impacts of the choices they make is capitalised upon and pursued aggressively.

I hope it does not mean that this agency will spend most of its time talking about advertising bans, recommending higher taxes, wanting to put warning labels of ever-greater size on different products, wanting to traffic-light different food options and wanting all manner of trade restrictions. These are the things that stand in the way of business. These are the things that stand in the way of individual choice. These are the things that, frankly, are a step too far for government in many instances in its role in promoting healthy and responsible choices. It should not go to the extent of telling people how to live their lives.

I noticed a quote from Tim Wilson, a very good young writer and commentator who works for the Institute of Public Affairs. It was a solemn warning published in February this year:

Once established, this nanny-state bureaucracy will outlive governments and exist solely to recommend how government should regulate businesses and people’s lives to achieve paternalism. I hope Mr Wilson is wrong and that that is not the case. He makes the valid point that, once established, this agency will quite likely outlive this government and will serve under future governments, so I hope that those ultimately appointed to the agency, the current government and, importantly, future governments prove me wrong in my concerns and, in particular, prove Mr Wilson wrong in his concerns, that it does not grow into a massive nanny-state structure, that it is not a bloated bureaucracy and that it does not make unreasonable recommendations to government; that it understands what I think is a reasonable remit, and that is to focus very specifically on promoting responsible choices and encouraging more Australians to make those responsible choices into the future.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (6.24 pm)—I thank the senators who contributed to the debate. Chronic diseases such as cancer, cardiovascular disease and diabetes account for about 20 per cent of total healthcare expenditure. We know that risk factors contribute to over 30 per cent of Australia’s total burden of death, disease and disability. The Gillard government recognises the importance of taking decisive action to address these issues for our community now and into the future. The bill establishes national infrastructure to help drive major change in the way we behave and how we look after our own health. The agency will be providing evidence based policy advice on preventative health matters.

As the minister stated in the second reading speech, governments can play a leadership role by gathering, analysing and disseminating the best available evidence and implementing programs and policies based on that evidence. In March 2010 the minister, with the agreement of the Australian Greens and Senator Xenophon, decided that $50 million from the national binge-drinking strategy will be rolled out through the agency rather than through the Department of Health and Ageing. As the agency was not established at that time, the government has allowed the Department of Health and Ageing to start work and ensure that delivery of the initiatives is timely and not held up.
Recently, a consultation paper was released for feedback on the $25 million Community Sponsorship Fund, which aims to provide an alternative to alcohol industry sponsorship for local community sporting and cultural organisations. Feedback on the consultation paper closes on 19 November. It is envisaged that grants will be provided next year. These programs will be transferred to the agency once it is established, in accordance with our agreement with Senators Xenophon and Siewert.

This agency is important because it will permanently embed preventative health thinking and action into the future, as an enduring institution. Australia’s efforts in health prevention have been among the best in the world, but, given the challenges that we face, we must harness and focus all of our resources to become better at preventing disease. The agency will play an instrumental role in meeting this challenge and will actively engage and collaborate with partners, both government and non-government, to influence change leading to preventative health gains. It is important that the bill is passed in this sitting to allow the agency to commence operation as soon as possible. The time to act is now. We must delay no longer. I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

The TEMPORARY CHAIRMAN (Senator Troeth)—We will go to opposition amendments (1) and (3) on sheet 6195.

Senator FIERRAVANTI-WELLS (New South Wales) (6.28 pm)—Madam Temporary Chairman, I got the impression—and I will stand corrected if this is not the case—that, given the amendment and the change to the bill in the lower house, which effectively picked up a coalition amendment proposed by Dr Southcott relating to objects and functions, and that it is very similar to the Australian Greens amendment on sheet 6178, perhaps Senator Siewert is not proceeding with that. I am not sure.

The TEMPORARY CHAIRMAN—We will probably need Senator Siewert to verify that at some stage.

Senator FIERRAVANTI-WELLS—Certainly. We will move then to clause 3, and perhaps I can speak to both our amendments on sheet 6195.

The TEMPORARY CHAIRMAN—Are you moving those together?

Senator FIERRAVANTI-WELLS—No, I will deal with them separately. They are related, but I will speak to them and then move them separately.

The first amendment is to include a definition of ‘industry representative’. The coalition proposes that an industry representative be a person who the minister is satisfied has high-level industry or commercial expertise in the manufacture, distribution or marketing of food or beverages, including alcoholic beverages. This relates to having an industry representative on the advisory council of the Preventive Health Agency. The coalition proposes to include this definition in the definitions section. Then there is the separate amendment to clause 29 where we talk about the membership of the advisory council. The first amendment is to include a definition of ‘industry representative’. The coalition proposes that an industry representative be a person who the minister is satisfied has high-level industry or commercial expertise in the manufacture, distribution or marketing of food or beverages, including alcoholic beverages. This relates to having an industry representative on the advisory council of the Preventive Health Agency. The coalition proposes to include this definition in the definitions section. Then there is the separate amendment to clause 29 where we talk about the membership of the advisory council.

We believe that to get outcomes in this area it is important that we work with all relevant stakeholders. In an area like preventative health, if we are talking about, for example, trans-fats then we would want to work with restaurants and the fast-food sector to achieve results in terms of preventative health. If we are talking about the reduction of antisocial drinking or teenage drinking or harmful drinking, then it is important that we work closely with industry. Whilst the ex-
planetary memorandum acknowledges this at page 3 and talks about the sorts of expertise, and the minister refers to that, the coalition proposes that the definition specifically include high-level industry or commercial expertise in the manufacture, distribution or marketing of foods or beverages, including alcoholic beverages. This definition is modelled from the Tourism Australia Act but of course is relevant and is tied to our other amendment regarding the membership of the advisory council. In effect, it ensures that industry representation is specific to the food and beverage industry, which is most pertinent to this area.

**The TEMPORARY CHAIRMAN** (Senator Crossin)—Senator, you are now going to move opposition amendments (1) and (3), on a sheet 6195, or just (1)?

Senator FIERRAVANTI-WELLS—I will move (1) and we will deal with them separately.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (6.33 pm)—I think it is a bit unfortunate that we are just doing (1) and then (3) because we are going to have the same debate.

Senator FIERRAVANTI-WELLS (New South Wales) (6.34 pm)—On the basis of what Senator McLucas has indicated, I will speak to our amendment and the related amendment and then we will move them both together.

**The TEMPORARY CHAIRMAN**—So you are now seeking leave to move (1) and (3).

Senator FIERRAVANTI-WELLS—by leave—I move opposition amendments (1) and (3) on sheet 6195 together:

(1) Clause 3, page 3 (after line 21), after the definition of Deputy Chair, insert:
industry representative means a person who the Minister is satisfied has high level industry or commercial expertise in manufacture, distribution or marketing of food or beverages, including of alcoholic beverages.

(3) Clause 29, page 15 (line 13), at the end of the clause, add:
; and (d) at least one, but no more than 2, members who are industry representatives; and
(e) at least one, but no more than 2, other members representing consumers or consumer health organisations.

This relates to the need for broad representation on the advisory council. Whilst the explanatory memorandum has acknowledged that the advisory council could include industry representation, I would like to pick up that point at page 3 in the memorandum. It says:

Whilst not specified in the Bill, such expertise may include public administration, business/employer groups, education, inter-sectoral collaboration, sports and recreation, preventive health including health promotion, community and non-government organisations, consumer issues—
as opposed to specific consumer health organisations—
social inclusion and disadvantage (including Indigenous Australians), local government, legal/regulatory, and finance.

The opposition is concerned that, if we are talking about preventative health, it is important that we do have the right representation on that advisory council. We believe it is important, if we are going to get good outcomes in preventative health, that we have to have the specific focus that actually does go to preventative health. For this reason we believe we do have to have representation from industry representatives and we also have to have representation from consumer health organisations. We think that by working with industry and preventative health
experts we will get these outcomes. That is why we have specified in the amendment proposed to clause 29 that there should be at least one, but no more than two, members who are industry representatives and at least one, but no more than two, other members representing consumers or consumer health organisations. It is important that the council has broad representation. Clause 29 talks about membership and says the advisory council is to consist of:

(a) one member representing the Commonwealth; and

(b) at least one member, but no more than 2 members, representing the governments of the States and Territories; and

(c) at least 5, but not more than 8, other members with expertise relating to preventive health.

That is where we would like to add these other two categories which specifically home in on the industry representatives and other members representing consumer or consumer health organisations. We think that this will ensure that the advisory council has broad representation from government, health experts and industry and consumer groups to ensure we have a balanced approach to preventative health. I commend those two amendments to the chamber.

Senator SIEWERT (Western Australia) (6.38 pm)—As I articulated in my speech on the second reading of the Australian National Preventive Health Agency Bill 2010, the Greens do not support these amendments. That probably comes as no surprise, because we did not support them in the House of Representatives either. We believe that an industry representative on the advisory council would be inappropriate and have the potential to undermine the work of the agency. Industry is keen to sell its products and promote its products, and in some cases that is contrary to the outcomes that we are trying to achieve. Not that long ago we were in here debating the alcopops legislation. I sat through two Senate inquiries—one broadly on alcohol and the other on the legislation itself—and there was a massive lobbying exercise to the point where, as one of my staff reminded me today, alcopops were delivered to our Senate suites. I remember telling the Senate how I collected all of those from the Greens senators and made sure we gave them back. We again gave back the alcopops that were delivered on the second day, and on the third day all they left us was the message.

Senator Xenophon—Did you give them the passion pops?

Senator SIEWERT—We gave back all the alcopops. I have a real concern that industry representation on this advisory council—and I am not slagging off industry in general—could undermine the effectiveness of the council. We need very clear advice from this agency. As I articulated in my speech on the second reading of this bill, the agency has a big job. We believe that the marketing of alcohol and junk food is one of the big problems we are facing in promoting healthier lifestyles and acting on preventative health. It is no secret to those in this place that the Greens are very concerned about alcohol advertising and junk food advertising during inappropriate viewing times. Not long ago I heard one of the latest arguments, which says, ‘It is okay to have junk food advertising during children’s viewing hours because we are not actually aiming it at the kids; we are aiming it at the parents.’ We have strong concerns about that.

We believe there is nothing in the bill as it stands to prevent the minister’s appointing someone with industry expertise to the advisory council. Having said that, the minister will be able do that anyway if it is appropriate. But enshrining it in legislation will make the council look like it is promoting the in-
terests of the junk food and alcohol industries and that they have special requirements to be listed above those of other parties.

The alcohol and junk food industries in Australia spend millions of dollars between them promoting their products. They spend far more money than this agency will be able to target at healthier lifestyles and other social marketing programs. The alcohol industry strenuously opposes measures designed to make its products—for example, alcopops—less attractive to young people, and I really do not see how the advisory council and the alcohol industry fit together. The alcohol industry deliberately undermined the impact of the alcopops tax through its big promotion of the drinking of spirits through the giving away of free soft drinks or the sale of two for one soft drinks. All sorts of mechanisms were used to undermine the effectiveness of the alcopops tax. So when the council talks about specific measures, I am not convinced that industry representatives will have at heart the preventative health message, because they will still want to sell their products. As I said previously, it is the marketing of their products that can add to the problems that we are trying to address.

We have indicated our support for consumer representation on the advisory council, and we have accepted the government’s commitment to appoint appropriate consumer representatives. During the debate on the Australian National Preventive Health Agency Bill 2009, which did not go through during the previous parliament, we were strong advocates for consumer representation. But we do not agree with the philosophy of not having a given sector represented just because you do not have another given sector represented. For all those reasons, we do not believe it is appropriate to mandate in the bill industry representation. If it is decided that it is appropriate to have them there, there is nothing in the legislation to say that they cannot be there, but we do not think their representation should be mandated in the legislation, and therefore we do not support these amendments.

 Senator XENOPHON (South Australia) (6.43 pm)—I do not support these amendments. You do not put Dracula in charge of the blood bank, and I think that—

 Senator Siewert—I was going to use that one.

 Senator XENOPHON—Did you use it?

 Senator Siewert—No, I was going to.

 Senator XENOPHON—I did not steal your thunder then. I do not think it is appropriate that we have industry representatives on a body whose reason for existence is to ensure that practical, sensible recommendations are made on preventive health. My concern is that, as Senator Siewert suggested, industry will not have at heart the interests of Australian consumers and their health. If you look at the history of the tobacco industry in this country and overseas, the tobacco industry stalled and stalled about the medical evidence about tobacco for some 50 years, and we know what the consequences of that were: literally millions of lives were cut short because of the damage caused by cigarettes.

 There is no reason why this body cannot obtain advice from industry or consumer groups, but to mandate industry representation I think goes against the very ethos of what this organisation is about. I think there is a fundamental conflict of interest in having industry representatives on the advisory council. For instance, if this amendment were passed, would it mean that industry representatives could include the tobacco industry or would it mean manufacturers of foods that are high in trans fats? I know that the member for Sturt, Christopher Pyne, on the opposition front bench has quite properly raised concerns about trans fats and the risks
inherent in trans fats. A manufacturer of a product that has very serious health risks should not be at the table and part of the process. This organisation can obtain advice from industry and can obtain inputs from industry, but that is all that there should be. I think industry representatives being at the table is a bridge too far.

Senator FIERRAVANTI-WELLS (New South Wales) (6.45 pm)—I would like to respond to a couple of points. We are talking potentially of an advisory council with specific functions which are well defined in the legislation. There would be nine or a maximum of 11 people on the advisory council, of which we are advocating some would be from consumer health organisations. This is ultimately about the consumer. If you want to effectively implement preventative health measures, you have to convince consumers because they are ultimately the body of people that are going to purchase, that are going to smoke, that are going to buy, that are going to partake of a particular activity that may or may not be good for them.

With all due respect to Senator Xenophon, I think it is really counterproductive to talk about Dracula in the blood bank. We are talking about one person. I am sure your objections are not to the consumer health organisations, but are mostly to the industry representative. With respect, I would have thought that if you are going to try and get important outcomes in preventative health and if you are going to achieve objectives, surely you will have a much better chance of achieving these objectives if you work with industry and you have a focused and determined approach where industry are involved by having one or two people on the advisory council. We are not talking about the majority of representatives on the advisory council.

I really think this needs to be put into context. I think we are losing the opportunity to encourage industry to work productively and effectively together. We are setting up this body, but you are deliberately excluding what I think is a very important component. Ultimately, it is about industries that manufacture products that we require people to either eat or drink in moderation. I think, in fairness to those industries, having them involved in a more cooperative manner may be a much better way of achieving this objective.

Senator McLUCAS (Queensland—Parliamentary Secretary for Disabilities and Carers) (6.48 pm)—The government does not support amendments (1) and (3) on sheet 6195 as moved by the opposition. However, this government is very interested in working with the food industry to achieve a better health outcome for all of our community. This is not about excluding people, as Senator Fierravanti-Wells indicated. The senator said that by voting against this amendment these people would be excluded. Quite the contrary: the legislation indicates that there are no prescribed classes at all who will sit on the advisory council. If you are going to extrapolate to say we have to have industry, then you would go through and list someone from the research community, someone from Indigenous health, people who are epidemiologists and people from the health sector. You cannot say we have to quarantine just one or two spots for industry without saying there is a whole range of other people.
Support of People with Disabilities

Senator POLLEY (Tasmania) (6.53 pm)—Tonight, I would like to talk about an area that has been neglected for decades but where there is now hope, a ‘light on the hill’, thanks to the federal Labor government. I speak of the way in which we support people in our community with disabilities. Bruce Bonyhady AM, Chairman of Yooralla and member of the Disability Interest Group, which produced the report Shut out: the experience of people with disabilities and their families in Australia, said:

Support for people with disabilities is delivered through a welfare and charity model that is frequently in crisis. This is after decades in which Policy Reforms have largely bypassed the Disability Sector.

Recently I visited the St Giles Society, a Tasmanian not-for-profit organisation based in Launceston, which supports 5,000 Tasmanian families with children with disabilities—and a great institution it is, with wonderful people and staff who work within it. Ian Wright, CEO of St Giles, reported that the awareness of benefits of early intervention for young children with difficulties such as delays in developmental milestones, speech and writing problems, attention deficit behaviour and the sensory processing of noise and touch are much more broadly understood than in the past. Referrals to St Giles have doubled in the past 10 years. Programs such as Launching in Learning have changed this awareness. Children who are referred to St Giles can wait six months before they can receive their initial assessment.

Maggie McKenzie, formerly a senior physiotherapist at St Giles, whose daughter is nearly 20 years of age but, unfortunately, was born with Down syndrome, talked about going from being regarded as an expert in the treatment of children one day to being seen as a ‘dumb’ mother the next. Maggie, who now runs her own private physiotherapy
practice on the West Tamar in northern Tas-
mania, talked about how time-consuming
accessing the fragmented and limited ser-
vices can be. She said that, during the sum-
mer school holidays, she had to either em-
ploy someone to work in her practice or em-
ploy someone to look after her daughter.
Maggie went on to talk about the difficulties
for people with disabilities once they turn 18.
There is no St Giles for these people. There
is, now, nowhere. She said:

If someone with a disability as a result of a car
accident is referred to me, the Motor Accident
Insurance Board will pay for their care, but for
disabled people, say, like my daughter, who are
referred as part of the Enhanced Primary Care
program, they would be out of pocket by $100 for
the same level of care for each treatment session.

Why are disabled people being referred to
Maggie and not to a publicly funded therapy
service? Firstly, it is because this is an area
of her expertise, but, mainly, it is because
services for disabled adults were run down
during the Howard era.

Peter Lloyd, a former state representative
of the Australian Quadriplegic Association,
Victoria, agrees about the difficulties that
adults with disabilities experience. He said:

For most disabled people life is a struggle—
there are times when it really hard to come to
terms with.

My scooter needs new tyres and battery, these
are not covered by the insurance scheme—I have
no idea where I can find the $600-$800.

Peter continued:

My dog eats better than I do. What complic-
ates things even further is when disabled people
have multiple problems e.g. Type 2 Diabetes—
just food costs alone—to get the type of food you
should eat is more expensive than budget prod-
ucts. It all just adds up.

These are additional challenges for people
with disabilities. Now, I know that the fed-
eral Labor government have taken steps to
improve the lives of people with disability,
promote participation and create a more in-
clusive society, particularly for children and
their families.

The UN Convention on the Rights of Per-
sons with Disabilities has been ratified. The
Better Start for Children with Disability ini-
tiative will ensure children with disabilities
that affect their development have access to
intensive early intervention therapies and
treatments from expert health professionals.
In the first year, around 7,880 young children
diagnosed with sight and hearing impair-
ments, cerebral palsy, Down syndrome or
fragile X syndrome will be eligible for ser-
vices under the program. Children under six
with a diagnosis of one of these disabilities
will be eligible to receive up to $12,000 for
early intervention services. From 1 July next
year, children will be able to access critical
early intervention services like speech pa-
thology, audiology, occupational therapy,
physiotherapy and psychology advice. A
maximum of $6,000 can be spent in any fi-
nancial year, and families will have up to
their child’s seventh birthday to use the fund-
ing. In addition, about 20,000 children will
also be able to access new Medicare services
for diagnosis and treatment under this pro-
gram. A Medicare rebate for the development
of a treatment and management plan will be
available for children under the age of 13.
Medicare rebates will also be available for
up to four allied health diagnostic services
and for up to 20 allied health treatment ser-
vices per child, in total, with relevant allied
health professionals. Treatment items could
be used by children up to the age of 15, pro-
vided they receive a treatment and manage-
ment plan before the age of 13 years.

The Better Start for Children with Disabil-
ity initiative builds on a similar program for
children with autism that has been success-
fully implemented by the federal Labor gov-
ernment. That program has provided more
than 8,500 children with autism spectrum
disorder with early intervention funding since 2008. This total package will cost $122 million over four years.

There was $100 million in capital funds in May 2008 for the states and territories to build more than 300 supported accommodation places for people with severe disabilities being looked after by ageing carers. However, the light on the hill that I mentioned earlier is that disability organisations and people with disabilities are looking towards part of a landmark study being undertaken by the Productivity Commission. The National Disability Insurance Scheme will be a major transformation of how we support people with disabilities. People with disabilities deserve the same opportunity as other Australians to participate in our community, have a job where possible and live meaningful lives. As Bruce Bonyhady says, we need a scheme that is available to all people with disabilities—people born with disabilities; accident and injury victims; and people with medical conditions or mental illness. Beneficiaries would be eligible for lifelong assistance, and people will be treated equally, with no fault consideration. All of these items will be covered: care and support; therapy; aids; equipment; home modifications; timely intervention; person- and family-centred care based on needs, with case management, brokerage and advocacy as needed; lifetime planning; and family and carers receiving tailored support. At least 700,000 Australians are looking for this radical change in our approach to their support.

I commend the action that was taken by the former Parliamentary Secretary for Disability and Children’s Services, the Hon. Bill Shorten. I want to commend him for the work that he did and also for the amount of time that he spent travelling around the country and ensuring that people with disabilities were given a strong voice and had strong advocacy. This government has proven already that it has the capacity and the commitment to be able to deliver these changes. Senator McLucas has always been an outstanding advocate in this chamber for people with disabilities. I know that in my home state of Tasmania Senator Carol Brown is another strong advocate who has worked with me, along with Senator Bilyk and others, to ensure that Tasmanian families with children or young adults with disabilities have a strong voice and are being listened to and heard by this government. I want to commend the government for what it has done and what it will continue to do.

Again, I would like to place on record my thanks for the outstanding work that is being carried out within the community of Tasmania by the St Giles organisation. It has been a longstanding organisation. I have had a family connection, with some family members working there in different capacities in the past. It is an organisation that, as I said, has in the last 10 years had an increase in referrals. That is something that, as a government, we need to be aware of at both a federal and a state level to ensure that we provide facilities, services and support for these families. In particular, we have to ensure that we have respite services for these families. Again, I would like to commend to the Senate the work that has been done thus far. We are awaiting the Productivity Commission’s report, which hopefully will ensure that we provide even better services going into the future.

Mr Thomas Reid MBE

Senator HUMPHRIES (Australian Capital Territory) (7.03 pm)—I rise tonight to mark the passing of a distinguished Canberra, Thomas Reid MBE, who died on 2 October, was an engineer whose work at the Tidbinbilla, Honeysuckle Creek and Orroral Valley space tracking stations in the hinterland behind Canberra was an important and
far-reaching contribution to Australia’s role in the exploration of space. Few Australians may be aware of the role Tom Reid played on that memorable day 21 July 1969, the day that man first walked on the Moon. On that day Tom Reid was the station director of Honeysuckle Creek space tracking station when the crew of Apollo 11 landed and conducted the first ever moonwalk. Honeysuckle Creek station received the first television pictures from the lunar surface—pictures relayed to a record worldwide audience. Tom Reid, however, was also well known around this building and Old Parliament House. He cut a convivial and personable figure in every part of this place, as well known to the attendants and staff as to the members and senators, courtesy of his role as husband of the then ACT senator and later President of the Senate Margaret Reid.

Though a Canberran for nearly half a century, Tom was born a Scot, as would be apparent from even a short conversation with him. Born in Glasgow in 1927 and encouraged from an early age to study as a means of getting on, he won a bursary to prestigious Morrison’s Academy at Crieff for his secondary education. His time there coincided with children being evacuated from Glasgow during the war, and he and his brother and sister were sent to a village called Braco which was nine miles from Crieff. Tom travelled to Crieff each day to attend Morrison’s. He completed his education there and, like many other 17-year-olds leaving school at that time, he joined the Royal Navy. He was a chief petty officer radio mechanic in the Royal Navy.

After the war he attended the University of Glasgow and graduated with first class honours as a bachelor of science in electrical engineering. He received numerous awards and prizes during his university course, including the Howe Prize in Electrical Engineering in 1952, awarded to him as ‘the student who has attained the highest standard of excellence in the work of the lecture and laboratory classes in electrical engineering of the second, third and fourth years.’ A letter on graduation from the professor of electrical engineering said in part:

It has been a great pleasure to have had you in the Department as a student and I take this opportunity to congratulate you on your distinguished undergraduate career.

During his time in the Royal Navy he served on ships in Japan, Singapore and Sri Lanka and spent time in Sydney, where young sailors were often offloaded to enable married UK servicemen to return home sooner. There was something about Australia that attracted Tom, and he decided that he would if he could return to Australia, which he did by joining the Royal Australian Navy in 1952, arriving in Melbourne on Melbourne Cup Day of that year. During his five years in the Royal Australian Navy he served at HMAS Cerberus, on HMAS Vengeance, at HMAS Leeuwin and on HMAS Warramunga as electrical officer. In 1957 he moved to South Australia and became scientific officer at the Weapons Research Establishment at Woomera, where he stayed until 1962, when he moved to Adelaide and became a senior lecturer in electronics at the South Australian Institute of Technology.

He moved to Canberra in 1964 to become the first director of the NASA STADAN station at Orroral Valley where he remained until 1967 when he moved to the NASA MSFN station at Honeysuckle Creek. In 1970 he became director of the two NASA DSN stations located at Tidbinbilla.

I should say a little bit about these important stations and why they were very significant in Australia’s involvement in the important scientific endeavour which was the manned space flight program. Honeysuckle Creek station was located a few miles to the
west of here. It was built in 1967 primarily to support Apollo moon missions, mainly communications with the Apollo command module.

As I mentioned, on 21 July 1969 it received the first pictures of Neil Armstrong’s walk on the moon’s surface. Honeysuckle Creek and Tidbinbilla stations had voice and telemetry contact with the lunar and command modules. The last major mission supported by Honeysuckle Creek was Skylab, which was the first space station the United States launched into orbit. Honeysuckle Creek closed in 1981, but it was later depicted, fictionally at least, in the Australian movie *The Dish* in the year 2000.

The Tidbinbilla Deep Space Tracking Station has for over 40 years played a key role in the exploration of space as part of NASA’s Deep Space Network. I should say that the complex at Tidbinbilla was opened by Sir Robert Menzies and is still in operation today.

For his contribution to the manned flight program he was awarded an MBE in the New Year Honours List in 1970. He was awarded the NASA Public Service Medal in 1975, and actually presented with it by visiting Vice President Dan Quayle in April 1989.

In his book *Uplink-Downlink: A History of the Deep Space Network from 1957* Doug Mudgway says of Tom Reid:

> His crisp management style and penchant for clear lines of authority, particularly in his relations with JPL (Jet Propulsion Laboratory) and NASA personnel, made a visit to ‘his’ complex a memorable experience for many Americans. He ran the station in a disciplined, formally organized way that attracted and retained the best technical staff available. As a direct result of their teamwork and his leadership, the CDSCC played a critical role in all of NASA’s deep space missions in the years 1970-1988.

He remained in that position until 1988 when he retired, but he remained a consulting engineer to NASA until 1990.

His first wife, Elizabeth, died in 1965. He married Margaret in 1967. Interestingly, he was engaged to Margaret within three days of them meeting I am told. Those of us who know Margaret Reid would not associate the word ‘impetuous’ with her, but on this occasion she was very impetuous. I might say that what she lacked in caution she made up for in very good judgment. It proved to be a very solid match, enduring very strongly for more than 40 years.

Former senator Sue Knowles recalls one occasion which reflects well on that relationship between Tom and Margaret:

> I recall during one late night sitting of the Senate, Marg came into the chamber and said, ‘Tom has called and was rather concerned’. She said that Tom had ‘lost Apollo’ and didn’t know when he’d be home. Never to be phased, Marg just told him to keep looking and she’d see him whenever the two found home.

Some time later Marg came into the chamber again and announced to me that she had found Apollo. She said “I’ve just watched it drop into the ocean on TV”. Needless to say, she advised the director of Tidbinbilla tracking station of this find.

To hear Tom’s version of this story was very funny as, even with all his gadgetry and high-tech wizardry, he always knew when he could rely on his wife—his princess as he called her—to fill in the gaps and be the repository of wisdom if and when required.

He had a great sense of humour. To illustrate the effect he had on people one only has to speak to anyone who started a parliamentary delegation not knowing Tom but returned feeling they had a new best friend. Apart from all the gentlemanly courtesies that stamped Tom, they would tell of the laughs and fun they had with him, especially
when he was often the only male spouse—which was very often in those days.

Tom Reid was an organ donor or, if you like, a body donor. He left his body to medical research when he died. As former Senator Sue Knowles put it at his wake: How appropriate is it that Tom has now gone back to the university to contribute to science? He said to me only last July over a glass of wine or four that he hoped he could get a high enough mark to be accepted.

With this man’s passing, Australia has lost a person who contributed to the great scientific advances of the 20th century, particularly in his role at Tidbinbilla and other places in the hinterland of Canberra. His family and friends have lost a great raconteur, a stalwart and a friend. I extend my sympathy tonight particularly to my friend Margaret Reid, who I know has lost her rock. Her loss is shared by many of us who knew Tom Reid as a great man and a great person to be friends with.

Volunteers

Senator CAROL BROWN (Tasmania) (7.13 pm)—I rise today to speak about an issue that is of significant importance to all Australians. I am talking about volunteering and the massive contribution of volunteers in our society. I recently attended an awards ceremony at Risdon Vale in my home state of Tasmania, I was joined at this event by state Labor Minister David O’Byrne and Mr Doug Chipman, Deputy Mayor of the Clarence city council. We had the pleasure of presenting 71 volunteering awards which recognise the outstanding contribution of volunteers from the Risdon Vale Neighbourhood Centre committee, the Neighbourhood Watch committee, the Risdon Vale bike program, the Risdon Vale Neighbourhood Centre, the Risdon Vale breakfast club, the volunteer fire brigade members and the Risdon Vale Primary School community volunteers.

This was an outstanding event and the Risdon Vale Neighbourhood Centre should be congratulated for not only organising this event but for their tireless work and ongoing community building initiatives. I am fortunate enough to have witnessed the impact of these initiatives firsthand within the Risdon Vale community.

Neighbourhood centres like the one at Risdon Vale are not unique in Tasmania, with 34 houses scattered across our island. The Risdon Vale Neighbourhood Centre provides the entire community with easy access to their services. They treat the whole community as a family, and around 2,000 families use one or more of their services each year. They have around 60 volunteers who run their community development programs, and these volunteers increase their skills by taking part in the planning, organisation and decisions involved on a variety of local issues.

The Risdon Vale breakfast club is one initiative coordinated through the neighbourhood centre, which is in partnership with the Risdon Vale Primary School and holds breakfast at the school on Mondays, Wednesdays and Fridays. Volunteers prepare breakfast for schoolchildren, with companies donating milk, margarine and bread, many community members dropping in other goods and the remaining supplies provided by the centre. Like neighbourhood centres, this initiative is not unique to Risdon Vale. There are many breakfast clubs like this located right around Tasmania, all contributing greatly to their local communities by ensuring our children are starting the day with a nutritious breakfast, which enhances their ability to learn throughout the day. Without these generous donations right across the state, expenses for the breakfast club would be significant and the long-term sustainability of the program would be in doubt.
All those that help by donating their time or goods must be congratulated and acknowledged as true community builders. However, even with their help it is still a struggle to run these clubs self-sufficiently. The state Labor minister for education, Lin Thorp, has recently called for submissions for funding of breakfast clubs for 2011. Whilst these grants are primarily aimed at funding to establish new breakfast clubs, Minister Thorp also welcomes submissions from existing breakfast clubs which can demonstrate that additional funding will either increase service delivery outcomes for students or ensure the long-term standalone viability of their program.

Tasmania, I am proud to say, has an overall volunteering rate of participation of 36.3 per cent, one of the highest in the country, with ABS statistics showing some 131,000 adults volunteer throughout our state. But, sadly, the quantity of volunteering undertaken is decreasing in real terms. If you compare current figures to the year 2000, Tasmanian volunteers now contribute a million fewer hours each year. In the period 2000-06 the median number of hours contributed by volunteers each year dropped by 30 per cent. I would like to emphasise today that we must not take our volunteers for granted. We must do everything in our power as elected representatives to strengthen volunteering. We need to encourage, support and protect our volunteers, and to work cooperatively with organisations who monitor and respond to changes in the patterns of volunteering, especially as they impact on community resilience and social inclusion.

Volunteering Tasmania is one such organisation which has been working hard to develop strategies to increase and sustain volunteering in Tasmanians. They recognise that volunteering is critical to the future social and economic prosperity of the state. Many people understand that volunteering performs a crucial role in supporting social inclusion, skills development, and economic growth. Volunteering is a strategic investment in Australia in terms of its social capital, its contribution to the economy and its offsets to government expenditure. Volunteering Tasmania last year embarked on the mammoth task of preparing the first State of volunteering report for Tasmania. This report will be launched on 23 November. I understand the findings of this report will provide an objective perspective on what is happening in volunteering across my home state.

Volunteering Tasmania have identified three elements which are outlined in their 2009 state of volunteering positioning paper, and they believe these elements are essential for successful and sustainable volunteering to occur. While individually they are distinct elements of volunteering, Volunteering Tasmania argue that they need to be understood and linked with each other. The three elements are: no matter how many willing volunteers there are, without meaningful roles for them to undertake we cannot benefit from their contribution; the contributions of willing volunteers in meaningful roles will go untapped, underutilised, and unrecognised without effective leadership and management in place to support them; and, as there is a natural life cycle to volunteering, even with meaningful roles that are well managed and effectively led, there will still be a need for a continual supply of more willing volunteers.

The positioning paper also states:
We cannot afford to look at any of these elements of volunteering in isolation, or mistakenly believe that the promotion and support of one element will be of benefit to the volunteering sector without the promotion and support of the other two.

The good news is that our supply of willing volunteers in my home state continues to grow, which is very pleasing, especially when you consider that our volunteering hours have shrunk by such a significant
amount in recent years. This shrinkage has been caused by a dramatic shift in the way people want to contribute as a volunteer, which I am sure is in large part due to society’s increased work-life pressures.

Volunteers come from all age groups. However, according to ABS data the highest rate of volunteering in Tasmania is from people aged 35 to 44 years, which stands at 43 per cent, and 45 to 50 years, at 39 per cent. The four most common types of organisations in which people volunteer in Tasmania are: sport and physical recreation, making up 24 per cent of those surveyed; community and welfare, at 22 per cent; education and training, at 15 per cent; and religious groups, at 12 per cent. The top reasons volunteers gave for choosing to volunteer in Tasmania were: helping others or the community, at 56 per cent; personal satisfaction, at 43 per cent; personal and family involvement, at 34 per cent; and to do something worthwhile, at 34 per cent. As the previously mentioned statistics indicate, volunteers come from a wide range of organisations and they volunteer their time for a wide range of reasons.

Volunteering Tasmania has recently concluded a schools pilot project encouraging and building capacity in young people, which will help ensure the sustainability of community organisations that find it difficult to recruit young board and committee members. It was also part of the Social Inclusion Strategy for Tasmania 2009. The schools pilot project was established in 2009-10. The project aimed to provide selected students in years 9 and 10 with a supported and meaningful volunteering experience. Students from Brooks High School in the north, Parklands High School in the north-west and Huonville High School in the south participated and worked with Volunteering Tasmania to provide social and employment related opportunities for students and encouraged their interest in volunteering. Fifty-eight students volunteered at 22 organisations across a range of industries such as community welfare, sport and recreation, animal welfare, conservation, and education and training sectors. The organisations offered a variety of roles including in administration and customer service, general support and maintenance, and others. Feedback from the students and staff so far has indicated a very positive reaction to the project. Students have articulated and demonstrated a change in attitude to volunteering as well as to their local organisations, and many have indicated an increase in confidence and motivation.

Students renowned for non-attendance have increased their participation with some students in the south requesting to attend their school workplace program beyond their initial half-year enrolment. School staff have further expressed favourable opinions regarding the project, including a positive change in students’ attitudes toward their school and volunteering; an increase in student confidence, motivation and maturity; an increase in the available opportunities for students to participate in their communities; an increase in the students’ understanding regarding choice for their future pathways and a desire to be involved in volunteering beyond the life of the school’s project.

Volunteering Tasmania is now seeking funding opportunities to continue beyond the pilot phase. I hope they are successful in their bid for this increased funding, especially when you consider the estimated value of volunteering to the Australian community is said to be worth around $42 billion per annum. Volunteers in Tasmania alone donate a staggering 18 million hours of service to the Tasmanian community each year. In finishing, I would like to urge every one in this place to get behind your local volunteering peak groups. As a country we need all the volunteers we can get.
Mr Andrew McLeod

Senator FARRELL (South Australia—Parliamentary Secretary for Sustainability and Urban Water) (7.23 pm)—I rise tonight to mark, perhaps belatedly, the retirement of one of Australia’s most remarkable AFL footballers—the Adelaide Crows player Andrew McLeod. Andrew McLeod announced his retirement on 23 August this year, brought to his decision by his right knee, which clearly did not share his determination and undying passion for Australian Rules football—our one true game, the only game which was created on this ancient and fragile continent of ours. Andrew McLeod’s last game was on 16 July 2010 in a match against Geelong which, I am delighted to say, Adelaide won by 11 points.

This adjournment speech is belated in large part due to the distracting political events which occupied our attention in the latter part of this year. I am glad, however, that I am able to mark Andrew McLeod’s career before parliament rises for the summer break.

Andrew McLeod was born in Darwin in the Northern Territory. His mother is Indigenous and his father is of Scottish descent. His football career kicked off in the Northern Territory where he played both rugby league and Australian Rules as a junior. Andrew went on to play senior football with the Darwin Football Club, a club for which his father, Jock, had played over 200 games—as you would know, Madame Acting Deputy President Crossin, coming from the Northern Territory yourself.

In 1994 Andrew McLeod moved to Adelaide from Darwin to play with the Port Adelaide Magpies in the SANFL. Here, he quickly made his mark as a forward capable of great speed and accuracy. In this, his debut year with the Magpies, Andrew McLeod earned for himself a premiership medallion when Port beat Woodville-West Torrens by 37 points in that year’s grand final. It was an auspicious start to an auspicious career.

In the 1994 off-season period McLeod was recruited by the then fledgling Fremantle Football Club as part of their inaugural squad. Andrew McLeod is quoted as saying, ‘I walked into this dingy temporary office to meet the Fremantle coach. The first thing he said to me was that if I played for Fremantle I’d be doing a lot of swimming. He said he disliked my earring and that he’d been told that I would be taken high in the draft, but he’d never actually seen me play footy. That part was pretty insulting. I turned my back on him and said to my old man that I didn’t want to play for Neesham.’ And he did not. As a devoted Crows fan, I am delighted to record here that Fremantle agreed to swap McLeod to the Adelaide Crows.

I don’t propose to litanise Andrew McLeod’s achievements here tonight. Australian Rules fans, regardless of club loyalties, know of his achievements and celebrate them. Australians who are not, perhaps, fortunate enough to have been brought up in the tradition of Australian Rules are invited to read of Andrew’s achievements themselves. Suffice to say, Andrew McLeod was instrumental in two Crows premierships, won two Norm Smith medals and was named in the All-Australian team five times—once as captain. He was named captain of the Dream Team in 2008 and is one of the select list of AFL players to have played more than 300 games. In fact, Andrew McLeod played 340 games for the Crows. In this he is, currently, the club’s record holder.

In the context of all these achievements, it is extraordinary that Andrew did not win a Brownlow Medal, the game’s highest honour. He got closest in 2001—and there was much debate about the count. That Andrew McLeod did not receive any umpires’ votes
for his 37 disposals against Fremantle in the final round left South Australians staggered believing that particular decision to be one of the worst Brownlow decisions ever made. The 2001 Brownlow medallist, Brisbane Lion Jason Akermanis, is said to have stated, ‘I stole that Brownlow from Andrew McLeod.’ Despite being justifiably stunned at the decision, Andrew McLeod remained gracious and sportsmanlike. Indeed, it is of note that in a very illustrious and robust career of 340 games, Andrew McLeod was reported only once—in 2002—for a late charge against an Essendon player.

Andrew McLeod could play footy in a dinner suit. His was an effortless, easy style and he delivered his kicks and his handballs with a surgical precision that was nothing short of astounding. I see you nodding there, Madam Acting Deputy President. Everything about Andrew McLeod said, ‘leader’. He had the tattoos of a warrior, the haircut of a disciplined soldier, the sculpted form of a superhero and an aura that exuded quiet confidence rather than arrogance.

Andrew McLeod proudly identified himself as an Indigenous football player. His athleticism, his sportsmanship, his dedication and his courage in returning to form after two injuries that would have sidelined lesser men all earned him immense respect throughout the AFL. Even today there are thousands of Indigenous kids kicking a footy around in the red dirt of Central Australia who are inspired by Andrew McLeod, believing that, if he did it, they can too. Andrew himself has devoted countless hours, days and weeks to working with these Indigenous kids out in the communities—teaching, mentoring, encouraging and urging.

Our nation continues to inch towards true reconciliation. There have been grand speeches, songs and high-profile symbolic events, and, every day, thousands of ordinary Australians drive us towards a genuine, national reconciliation with their individual actions and words—and may those things continue. But, when thousands of Australians rose as one to roar their admiration for one of Andrew McLeod’s athletic miracles on a Saturday or a Sunday afternoon, as a nation we ran rather than crept towards reconciliation.

About two weeks ago, the new Aboriginal and Torres Strait Islander Social Justice Commissioner, Mr Mick Gooda, outlined his agenda for the next five years. He identified as one of his key priorities a referendum to secure the recognition of Aboriginal and Torres Strait Islander peoples in the Australian Constitution. Some days later, Prime Minister Gillard announced that the government would hold this referendum and work towards its success. Political parties across the landscape have pledged support. As Mick Gooda said, this exercise ‘will provide us all with a great opportunity to reframe and reset our relationship as a nation’.

In part, it is our celebration of Andrew McLeod and other Indigenous athletes, men and women, that will help propel us toward reconciliation. I take this opportunity to thank Andrew McLeod for the excitement and inspiration he gave us, for the graciousness and humility he showed and for being a responsible role model to Indigenous kids right around the country. In uniting us all on a Saturday afternoon watching footy, whether he knew it or not, Andrew McLeod showed us how we can move forward to become one united nation—or, as Mick Gooda put it, ‘one mob under the Southern Cross’. I wish Andrew McLeod and his family a happy and prosperous post-football life.
Apology to the Forgotten Australians and Former Child Migrants

Senator MOORE (Queensland) (7.31 pm)—Today is the first anniversary of our country’s apology to the people we used to know as the forgotten Australians. In this place last year on 16 November, a number of us made very short speeches—the important thing was that they were short. Nonetheless, what we said and what I said in this place was that these people were no longer forgotten, that the people who had been identified as forgotten were now no longer silent and their voices had been heard.

Today in the parliament there was a small commemoration of the fact that the one-year anniversary had arrived. There was a lot of emotion around. Some of the people had been here many times. As you know, Madam Acting Deputy President Crossin, from the many years that we have worked together in the Senate on a number of inquiries, so many people who had the experience of being in institutions and having lost their family connections had no sense of identity and they were fearful and afraid and felt somehow guilty about their circumstances. Many of those people had the tremendous courage to come forward and share their experiences with those of us in the Senate who had the enormous privilege of coming to know them and working with them to get an understanding of what they needed to get back their lives. We could not give these people back their childhoods but what we could do as a government, as a parliament, was ensure that they knew that we cared.

On that day last year, there were many people here, in the Great Hall, as well as people across the country who were linked in by various video connections. The emotion was real and it was powerful. When our Prime Minister stood up and said ‘we as a nation say sorry’ and went on to say that we believed those people had done nothing to deserve what had happened to them, it was an enormously powerful moment for so many people. Many had been carrying around some sense of guilt or shame, the feeling that they had done something wrong that had caused their lives to be blighted in so many ways. Then the Leader of the Opposition spoke. I will always remember that one of the key sentences in his contribution was ‘we believe you’. You could not have felt more special than you did at that moment. There was a silence that went across the room and, I am sure, across the country—absolute silence which then turned into a burst of applause and cheering, because they were the words that people had needed to hear. As we found out in our various Senate inquiries, no-one had believed their stories. No-one had listened to them, even those who had the ability to speak out. They were pushed aside and ignored, and that made the pain even greater. In many ways this day, 16 November, is a very special day, because we as a nation, through our parliamentary leaders, said to all those people: we have heard you.

But that is by no means the end of the journey. It is important that we as a nation understand that we have to keep going, to help rebuild the lives of these people who have been so damaged by various decisions over the years. The apology was one of the key recommendations of the series of Senate reports that we shared in this place. It was an important recommendation and it has been achieved, but that is not the end of the story. There needs to be ongoing work, and this government has been part of a series of the ongoing activities that have to happen.

Minister Jenny Macklin hosted the luncheon that was held upstairs today, and the welcome and appreciation that she got were an acknowledgement that a lot of the work that was done was driven by her as the min-
ister, and possibly the action taken might not have been taken if there had not been such a person in the job. They acknowledged that. I could sense how much the minister has appreciated the experience she has had of growing so close to so many people. But today she talked about the fact that the government accepts there is more to be done.

No-one can represent everyone’s story, but three people at the luncheon talked about their own experiences and what today meant to them: Leonie Sheedy from CLAN, Harold Haig from the child migrants group—the people who were brought over mainly from England but also from other countries; they had no say in that decision—and also Caroline Carroll from the Alliance for Forgotten Australians. Each of them has been intimately connected with the range of events that led to the apology and the ongoing action. Many of the people with whom I spoke said that one of the things that have meant the most to them is that in this year’s federal budget a specific amount of money was put aside for programs that would work directly with people who I call ‘no longer forgotten’. This was the first time ever in a federal government budget that there was a special allocation for people who had been in institutions. This was very meaningful for the people who had had that experience, and for their families and friends and those who work with them.

A number of services have come forward. The Find and Connect Service will be open and launched, I am hoping, with another round of celebrations in April next year. This service is about having a national website and a single online access point to help the no-longer-forgotten Australians and former child migrants to find their records held by past care providers and government agencies and also to work with a national phone hook-up service so that they can find someone who can help them through the maze of trying to work through finding records and archives.

A lot of the stories of the people who came to our Senate committees were that they did not have personal history. When they had attempted many times to find records of their own experience, records had been lost or destroyed or were no longer there. So there were these huge gaps when people just wanted to find out who they were and where they came from and even if they had family. The Find and Connect Service will help people, who choose to use it, to have some knowledge, if they can find it, of their past. This is a major step forward and something about which people have been asking for many years.

We also need to have special Find and Connect workers in every state and territory because often the people who were placed in care lost any contact with their families and moved interstate as they got older and found new lives. One of the restrictions of the current services that are offered mostly around this country is that it is often state based. We consistently hear stories in Queensland, where we have a very strong support network at the Queensland government level, but if people had not had their care in Queensland it would have been even more difficult for them to find support or to have any access to records. We are hoping that the Find and Connect Service, when it is up and running next year, will move some way to allow people, no matter where they live, to be able to have help and support to find information about their families.

Another key part of our recommendations through the process was to ensure that the stories were not lost and that their histories would be known. Through the National Museum and the National Library, we have funded processes where living histories, stories that people have and wish to share, will
be kept. We also have a service that is hopefully going to be able to work well with people who were in care as children, as they become more mature, facing the horror of perhaps returning to an institutionalised arrangement through aged care. A special aged-care program, counselling and knowledge base have been developed so that people who have had this experience can work with care providers to see that their own experiences are taken into account.

Today is a marvellous day because people can share, celebrate and also look to the future. The government has made a very small DVD about the apology last year. I watched some of that today and, if it were possible, I think my heart stopped when I saw the faces of the people as that apology was being made. It is important that we as a government and as a parliament continue to accept our responsibilities to work with these people and continue to make that commitment which we made 12 months ago that no longer are these people forgotten; they are part of our history.

National School Chaplaincy Program

Senator JACINTA COLLINS (Victoria—Parliamentary Secretary for School Education and Workplace Relations (7.41 pm)—I speak tonight about the successful National School Chaplaincy Program, which is making a real difference in the lives of students, teachers and families across the country. Last week, I had the pleasure of attending the annual chaplaincy dinner in Melbourne of Access Ministries. Access Ministries is the largest provider of school chaplains in Victoria and its staff is dedicated to training pastoral care workers. One of the 219 Access Ministries chaplains, who work in 287 schools across Victoria, is a man named Phil Simpson, who was featured in the Australian newspaper last week. A father-of-four, Mr Simpson leads a very interesting life. Three days a week, he is a barrister, specialising in areas such as criminal law, family law, inquests and mental health. The other two days Mr Simpson can be found at Blackburn Primary School—the school that three of his children attend and the place where Mr Simpson works as a school chaplain.

Mr Simpson says he fell into school chaplaincy. The story goes that Blackburn Primary School received government funding for a school chaplain and asked for parents to join a committee to select a suitable candidate. As an active school parent, Mr Simpson asked the principal what sort of person she was looking for. She explained it was really a pastoral care role, to meet the pastoral care needs of the school community, including children and their families as well as teachers and their families. The more he learned about the job, the more interested he became—so much so that Mr Simpson decided not to join the selection committee but to seek the position himself.

Mr Simpson has been in the role for three years now, and he absolutely loves it. Interestingly, he sees a lot of similarities between his work at the school and his work at the bar. It is all about listening, Mr Simpson says, helping people to see light at the end of the tunnel. It is about hope, helping people to develop a new perspective and perhaps to see things in a different way. With only three male teachers at the school, Mr Simpson is also a positive male role model for the pupils, something their parents really value. He has run a successful parenting course at the school and he has the time to attend to pressing issues, working with kids from difficult family situations and single parent families and tackling matters such as bereavement, personal development, socialisation and bullying. I applaud Mr Simpson and the thousands of other school chaplains across the country for really making a difference in
their school communities. We all know how overworked teachers are and what a tremendous job they do in the face of increasing demands. What Mr Simpson and other chaplains do is focus on the emotional issues facing students and their families that so many teachers struggle to find the time to focus on.

The Gillard government is proud of the National School Chaplaincy Program, which was started under the Howard government and has been expanded under this Labor government. The program already funds 2,681 schools nationwide through to 2014 and, following a $222 million election commitment, will expand to a further 1,000 schools in disadvantaged rural and remote areas.

I want to deal with criticism of the program, as there have been critics who claim that chaplains are proselytising in schools. That is not what the program is about and, indeed, chaplains operate under strict guidelines that preclude such proselytising. The reality is that Christian agencies and organisations have a long and proud history of providing much-needed support services across a range of community settings. So why shouldn’t schools be added to the list? Why shouldn’t schools have the support of a chaplain to provide pastoral care and help where it is most needed?

The greatest resource of this nation is its children. And the workers who have the toughest job of all are its parents. School chaplains do a wonderful job providing support to children and parents, as well as our dedicated teachers, and for that reason I applaud these school chaplains. I am delighted that the Gillard government is expanding the successful National Schools Chaplaincy Program.

**Solar Cities Project**

**Senator CROSSIN** (Northern Territory) (7.45 pm)—I rise tonight to talk about a very exciting project that is happening in certain cities around this country: the Australian government’s Solar Cities project, which has now been running for several years and is proving to be a success. This innovative program is very much focused on the future. It is designed to test new sustainable models for electricity supply and use, and seven carefully selected cities across Australia are part of this project.

The project is changing the way Australians think about and use energy. By trialling sustainable energy solutions, Solar Cities is discovering ways of dealing with common barriers to the greater use of solar technology, energy efficiency and electricity demand management among businesses and households across Australia. Each project is trialling a range of initiatives, including installing smart meters, supporting the uptake of solar panels and solar hot water systems, conducting pricing trials and educating the local community about energy efficiency.

The greatest resource of this nation is its children. And the workers who have the toughest job of all are its parents. School chaplains do a wonderful job providing support to children and parents, as well as our dedicated teachers, and for that reason I applaud these school chaplains. I am delighted that the Gillard government is expanding the successful National Schools Chaplaincy Program.

**Solar Cities Project**

**Senator CROSSIN** (Northern Territory) (7.45 pm)—I rise tonight to talk about a very exciting project that is happening in certain cities around this country: the Australian government’s Solar Cities project, which has now been running for several years and is proving to be a success. This innovative program is very much focused on the future. It is designed to test new sustainable models for electricity supply and use, and seven carefully selected cities across Australia are part of this project.

The project is changing the way Australians think about and use energy. By trialling sustainable energy solutions, Solar Cities is discovering ways of dealing with common barriers to the greater use of solar technology, energy efficiency and electricity demand management among businesses and households across Australia. Each project is trialling a range of initiatives, including installing smart meters, supporting the uptake of solar panels and solar hot water systems, conducting pricing trials and educating the local community about energy efficiency.

The greatest resource of this nation is its children. And the workers who have the toughest job of all are its parents. School chaplains do a wonderful job providing support to children and parents, as well as our dedicated teachers, and for that reason I applaud these school chaplains. I am delighted that the Gillard government is expanding the successful National Schools Chaplaincy Program.
The Solar Cities program is delivering real and measurable results. To date, over 8,200 smart meters and 1,400 kilowatts of household photovoltaics have been installed, and 6,300 household energy audits have been completed.

You might wonder why I am standing here talking to you about the Australian government’s Solar Cities project. It will not come as any surprise to you that of the seven solar cities in this country, which include Adelaide, Blacktown, Townsville, central Victoria, Moreland and Perth, there is of course in the very centre, in the dead-set centre, Alice Springs. Since the Alice Solar City was launched in March 2008, Centralians have taken to the program with enthusiasm. It is really popular. According to the Alice Solar City website, as at October this year: 2,068 households have registered; 1,835 home energy surveys have been completed; 115 businesses in Alice Springs have registered; $5.71 million worth of incentive vouchers have been issued; $3.67 million worth of funding for solar and energy efficiency measures have been carried out; 300 solar photovoltaic systems have been installed; 509 solar hot water systems have been installed; and 588 smart meters have been installed on homes. Pretty impressive for 2½ years! This is an incredible achievement for a city that had just two homes with solar panels prior to the program and now boasts more than 250 homes with solar panels.

The Alice Solar City website states that the project aims to make Alice Springs a model for the rest of Australia—and that does not come as any surprise to me, as we lead the way in a whole lot of areas—and they want the world to follow, and it is clearly doing that. By the end of the project, the estimated reduction in CO2 emissions is expected to be the equivalent of taking one-quarter of all Alice Springs’s vehicles off the road. The program aims to have five major iconic projects in and around Alice Springs that will help showcase sustainable living and the use of renewable energy.

I want to go to just two of these this evening. The first iconic project was the installation of a large flat plate solar system at the Crowne Plaza Hotel in Alice Springs. They have installed more than 1,300 photovoltaic modules as part of a 304-kilowatt solar PV system which will reduce the hotel’s CO2 emissions by 420 tonnes per year, with an estimated 531,000 kilowatt hours being generated per annum. The installation will supply up to 80 per cent of the hotel’s electricity requirements and will reduce the total load on the Alice Springs power grid by 0.5 per cent.

Let me just put that in terms that you might see as you are driving through Alice and heading along the road towards the casino, around near the golf course. The Crowne Plaza in Alice Springs has its total roof covered with the flat plate solar system. When you check in and go to your room and turn on the TV, there is a grid, an analysis and a graph of how much electricity in the hotel at any one time is being generated by this solar system.

In the first year alone, the Crowne Plaza’s PV system generated over 580 megawatt hours. The Crowne even has a channel on its in-house system, as I said, that shows the live performance data of the panels, allowing its clients to see firsthand how the system works. The information is even available on the internet. The panels powered 50 per cent of the hotel’s electricity needs on the morning of Wednesday, 15 June. Crowne Plaza Alice Springs was just this year unanimously voted the Asia-Pacific’s most environmentally sustainable hotel at Hong Kong’s HICAP 2010 Asia-Pacific hotel investment conference.
Other iconic projects being proposed include a solar air-conditioning unit for the Araluen Arts Centre, which is expected to reduce electricity usage by 50 per cent and gas usage by about 70 per cent, and a large solar pool-heating system to be built at the aquatic centre. But there is a more iconic project in Alice Springs that I particularly want to highlight tonight. I attended the sod-turning ceremony in April this year for the Alice Springs Airport solar power station project. It is a partnership between the Australian government, Alice Springs Airport, Ingenex and Alice Solar City. It will cost $2.264 million, with the Australian government contributing $1.1 million to this state-of-the-art project due to Alice Springs’s status as a solar city.

The company chosen to design and construct the power station, Ingenex, is an Australian leader in renewable energy that specialises in solar power and develops utility-scale solar power stations that use a variety of world-class technologies. The Alice Springs Airport solar power station will have a capacity of 235 kilowatts and generate 600 megawatt hours of clean, renewable energy each year. It is expected to reduce carbon emissions by around 470 tonnes per annum and meet approximately 28 per cent of the airport’s electricity needs. When you drive in or out of Alice Springs Airport now you see 28 arrays tracking the course of the sun throughout the day, concentrating the sun’s energy up to 650 times onto high-efficiency solar cells and creating electricity. It was officially opened on 4 November this year.

This is the future. It is exciting that Alice Springs is leading the way in this type of technology with a project that is a first for the Southern Hemisphere. What is even more exciting is that this type of technology is suitable for mass production. The company is one of the few CPV providers in the world with commercially ready technology. This is the most cost-effective, commercially ready, clean energy technology that will assist cities such as Alice Springs to be energy efficient and cleaner for our environment.

On 5 December it will be 1,000 days since Alice Springs became a solar city. The city has issued the community with a challenge—to have 1,000 roofs go solar in 1,000 days. If this is achieved, just over 10 per cent of Alice Springs’s home or business premises will be running on solar, making it a first in Australia for a town of its size. I congratulate Alice Springs and the Alice Springs solar city people involved in this endeavour. The Red Centre is showing the world how easy it is to be not only red but green at the same time.

Child Abuse

Cunningham Dax Collection

Senator BILYK (Tasmania) (7.56 pm)—I seek leave to speak for 20 minutes.

Leave granted.

Senator BILYK—Tonight I rise to speak on the Cunningham Dax Collection, which deals with art, creativity and education in mental health. But, before I start that, I want to give a few facts about child abuse. I have spoken about this before in this place on many occasions. All the statistics are very scary. One in four girls are abused before the age of 18. One in six boys are abused before the age of 18. One in five children are solicited while on the internet. Nearly 70 per cent of all reported sexual assaults occur to children under the age of 17. Over 30 per cent of victims never disclose their experience to anyone. Almost 80 per cent initially deny abuse or are tentative in disclosing. Of those who do disclose, approximately 75 per cent disclose accidentally. Of those who do disclose, more than 20 per cent eventually recant, even though the abuse occurred.
According to the National Association for the Prevention of Child Abuse and Neglect, NAPCAN, a child is abused every two hours in Australia. The reason I stand here tonight is linked to those really awful statistics. The Cunningham Dax Collection bears the name of its founder, the late psychiatrist Dr Eric Cunningham Dax. Dr Dax was the director of this art collection until 1995. This collection of about 15,000 artworks has been collected since the early 1940s. I will speak more about that later.

As I said, Dr Dax was the director of this collection until 1995. He continued to work with the collection, which as I said was named in his honour, until he finally retired at the age of 94. That was his third retirement; in fact, he had retired three times. He passed away in February 2008 at the age of 99, so in his 100th year.

This collection operates under the auspices of the Mental Health Research Institute, MHRI, which is an internationally renowned, non-profit research institute located in Parkville in Victoria. As I said, the collection consists of over 15,000 works in a variety of mediums, including paintings, ceramics and textiles.

The Cunningham Dax Collection’s mission is to promote mental health and wellbeing by fostering a greater understanding of the mind, mental illness and trauma through art and creativity. Its vision is to become a centre of excellence in the exploration of creativity and mental illness by providing local and international leadership in the study of human psychological experience through art and other related creative endeavours.

I have had an opportunity to view part of the collection in its home environment in Victoria. Tonight I want to talk about the fact that some of this collection is currently on display in the public area of Parliament House. It was my absolute honour and privilege to be asked by the Cunningham Dax Collection to launch this exhibition yesterday. This collection is of enormous personal interest to me because my first full-time job was working for Dr Eric Cunningham Dax. Dr Dax moved to Tasmania in 1969 after being invited by the Tasmanian government to assist in the development of community mental health services and other health and welfare services. He established a new psychiatric research centre to focus on social aspects of health and, amongst a number of other areas that he worked on, he undertook research into the complex difficulties of multiproblem families.

I was very privileged to work for Dr Dax. When I left college at the age of 18 he was my first full-time employer. I do not think you could ask for a better employer. We worked in a building called the Old Vicarage in New Town, one of the suburbs of Hobart. One of my key jobs was to research where Huntington’s chorea had initially come into Tasmania. Long before graphing family trees was the way to go and long before computers—which ages me somewhat—it was my job to do this research through births, deaths and marriages, in the prison system and in a number of other areas. Just before I started working for Dr Dax, the Tasman Bridge collapsed, which I am sure most people would have heard about, and Dr Dax undertook some study into differences in crime and the attitude of criminals as a result of that bridge collapse. Criminals did not have much opportunity to move their goods from the eastern shore to the western shore without the bridge, so it did actually change the pattern of criminal behaviour in Tasmania. As an 18-year-old fresh out of college I was extremely privileged to be able to work with somebody who was not only working on those types of issues but was such a great man and a great boss.
One of the other things I did while working for Dr Dax was to help him catalogue artwork. He would run an art therapy session in the sunroom of the Old Vicarage for patients who would come up from John Edis Hospital. As part of my job, he would sit with me the next day and talk me through what the patients had told him about their artwork and I would type that up. Some of that artwork is in the 15,000-piece collection that is now housed in Victoria. So it was an absolute privilege for me to be able to launch the exhibition upstairs here in the public area of Parliament House.

It always surprised me that Dr Dax, despite his incredible achievements—and I will list some of them now—was a really humble man. He treated everybody with dignity and respect. I was the junior administrative assistant and research person but he treated me with great respect and dignity, something I know a lot of employers do not always do with the younger members of their staff. He has always stayed in my heart and I have been involved with and interested in the Cunningham Dax Collection for a number of years now, so I wanted to point out to people the significance to me of having worked for him.

On reflection, it is pretty amazing to see how our understanding of mental health today has been shaped by the work of someone such as Eric Cunningham Dax, who was a pioneering figure. He oversaw many forward-thinking reforms in mental health when he was appointed chairman of Victoria’s then Mental Hygiene Authority in 1952—reforms that we now take for granted in the modern treatment and care of people with mental illness. In the first half of the 20th century, the emphasis in psychiatric care was on custodial care rather than treatment. Patients would be locked up in large, dirty, crowded wards. Dr Dax’s approach to mental health reform was driven by a philosophy that every person with mental illness was to be respected as an individual and treated with dignity. He understood the need to respect the personal feelings and autonomy of people with mental illness and realised that good mental health care required the contribution of other disciplines and the support of the general community. He was also among the first to appreciate the detrimental effects of stigmatising mental illness. He believed that such stigmatisation was driven by fear and ignorance.

Dr Dax’s reforms were simple yet transformative. For example, he insisted that each patient in any mental health facility was entitled to a bed and a cupboard of their own—and he personally designed those cupboards. He pioneered community treatment, the division of mental health care into different services such as child psychiatric services, psychogeriatric services and services for people with alcohol dependency, and modern treatments such as antipsychotic and antidepressant medications. Dr Dax was instrumental in the development of the mental health nursing profession and closely involved in setting up Australia’s first telephone counselling service. Working with Dr Dax instilled in me a lifelong interest in mental health issues.

Throughout the course of the 20th century there was an increasing interest in the use of artwork for therapeutic and diagnostic purposes in the field of mental health. This coincided with a growing appreciation of the artistic merit of these works by both artists and the community as a whole. In 1946, while superintendent of Netherne Hospital, a progressive psychiatric facility in England, Dr Dax introduced clinical art programs as a treatment component in mainstream psychiatry. The significance of this initiative cannot be underestimated. It was the first time art had been used as part of mainstream psychiatric treatment. His research into the role of art in psychiatric treatment led him to con-
vince the British National Health Service to employ artists in hospitals. These studies were published in 1950 in the book titled *Experimental Studies in Psychiatric Art*. On moving to Australia in 1952, Dr Dax continued his work using art as a way of understanding the experiences of his patients. He developed art programs that guided patients to produce artworks that he considered ‘windows of the mind’. Originally Dr Dax collected some of these creative works to assist in educating mental health staff. He later realised that the same strategy would work when educating the broader public about mental health.

This year an exhibition entitled *Avoiding the Void* was shown at the Cunningham Dax Collection, and *Youth, Interrupted* is on show until 6 November. Another exhibition, *Beyond the Three Trees*, has already been shown in Orange, New South Wales, and will be shown in Wodonga, in Victoria, between 10 October and 7 November. The Cunningham Dax Collection is currently holding an exhibition of some of its works at Parliament House, and it is on display until 9 December. Members of the public can access it, and I encourage all members and senators to go and have a look at it. This exhibition is entitled *Healing Childhood Trauma*, and it will give people, including members of both houses and their staff, the opportunity to view just a small part of the work that makes up the collection.

It was my absolute pleasure to launch this exhibition on Monday this week, and I would like to thank all those who attended. A lot of people put a lot of work into getting this exhibition organised, including Has sanah Briedis, project officer with the Cunningham Dax Collection; Gillian Nikakis, convenor of the child trauma collection and the acquisition committee of the Cunningham Dax Collection; Olya Booyar, the President of the National Association for the Pre-

vention of Child Abuse and Neglect; and NAPCAN’s new Chief Executive Officer, Richard Cooke. It was also an absolute pleasure to meet two members of Dr Dax’s family, his daughter Liz Dax and his grandson, Ned. I hope that senators, members and their staff as well as other visitors to Parliament House will take the time to observe the collection and to learn something about the artists and their experiences.

We all express ourselves differently. Some people like to talk about their feelings while others, for whatever reason, find it hard to express themselves, especially when it comes to the more complex and in-depth emotional issues. Some people choose to write their feelings down in a diary while others choose to express themselves through artwork. The Cunningham Dax Collection is giving people who choose to express themselves through art the opportunity to share their work produced via the mediums of painting, ceramics and textiles. It also gives others the opportunity to learn from that work.

Leah, one of the artists exhibiting in *Youth, Interrupted*, said:

Art has helped not only me but also others around me to understand what’s going on inside my head and in my heart.

Another artist, Andrew, said:

It was a cathartic experience that I will always value and remember … At this time I lost a large group of friends because they couldn’t understand what I was going through.

I certainly couldn’t communicate what was going on personally, which made me even more isolated and estranged from the world around me. The way I could convey these hurtful feelings was through my art.

Experiencing trauma and/or mental illness is indeed tough not only for the individual but also for their family and friends. For people living in or visiting Melbourne, the Cunningham Dax Collection is certainly worth a
visit. I encourage everyone to view these important works of art.

I thank all those people who have allowed their artwork to be part of the collection. It is a very brave decision to express your thoughts and feelings and then put it on public display, and that is playing an important role in educating others about mental health. I thank everyone involved in setting up the event: Hassanah Briedis and Gillian Nikakis from the Cunningham Dax Collection and Alva Maguire from Art Services at Parliament House. I also thank Bryan Wilson for organising the exhibition site.

It has been a real team effort, and it has taken one of my staff members, Brooke, 12 months of work to help set it up. Thank you very much, Brooke—you have worked very hard coordinating everybody to get it together and make sure that the exhibition is of an exceptionally high standard. I am really pleased that we could come together to acknowledge the work of Dr Eric Cunningham Dax. He left us with a remarkable legacy of his professional life, and I know that this legacy has had and will continue to have a profound impact on many people’s lives, not least my own.

Australian Greens

Senator BOSWELL (Queensland) (8.11 pm)—I seek leave to speak for 20 minutes.

Leave granted.

Senator BOSWELL—Australia needs to work out very quickly that the Greens are the One Nation of the Left. Bob Brown is the socialist Pauline Hanson. The big and alarming difference between them lies in the public’s perception. The danger represented by the extreme Right position of Hanson and One Nation was clear from the very beginning; the flip side, the left-wing extremism of the Greens, is still largely under the radar. The Greens are still far too widely perceived as a benign political force. This should not obscure the reality that the Greens and Bob Brown are at least as dangerous to Australia as One Nation and Pauline Hanson were; in fact, it underscores it. The Greens are the political equivalent of the Trojan horse, and the danger they represent is enhanced mightily by the paralysis of their host party.

The Australian Labor Party is like a rabbit in the spotlight. The Greens have divided Labor—they have played with their collective minds. The so-called progressives in the support base of the Labor Party are moving to the left. The blue-collar workers, the bread-and-butter of the old Labor Party, are moving to the right. Labor is bleeding from the right and the left but seems hypnotised by the Greens, who are the extreme Left. Even the Labor Party’s Left is lurching towards fringe Greens preoccupations such as gay marriage in order to try to recover its credentials.

I challenge the Labor Party: I will happily take any Labor senator or member to the front bar of any working-class pub that he nominates so that he can advocate gay marriage, and I will happily stand back and hold his coat. Somewhat ahead of the electorate, Labor is showing some panicky signs of recognition, with silly priorities but absolutely no sign of redemptive action, that it is in danger of being taken over by the Left. If the Australian Labor Party does not wake up and deal with the Greens head on, history will repeat itself, and some dreadful history will be made in this country. We will have another nasty, divisive period like the one we endured with One Nation, but it will be far worse. It will be far worse because a very weak and confused Labor Party is already displaying clear signs that it will give away far more to this One Nation of the Left than the conservatives were ever prepared to give to the One Nation of the Right, and that weakness and appeasement could do major long-term damage to Australia.
It is true that Labor is not alone in acting like a rabbit in the spotlight. The conservatives did not move quickly enough to deal with One Nation. They were concerned then, just as Labor is concerned now, with bleeding votes. The conservatives were worried about their right; Labor are worried about their left. The result was one of the nastiest and most divisive episodes in Australian political history. In retrospect the vast majority of mainstream conservatives accept that we should have moved faster, but at least we did ultimately act and the One Nation bushfire was never able to gain a serious foothold nationally. I am proud of being in the forefront of that move. At that stage I looked at the bigger picture of the danger to Australia and took One Nation head on. It had to be done. It has to be done with the Greens; it has to be done with urgency. That is because the Greens have already achieved the significant toehold that One Nation was never able to achieve outside Queensland.

From the middle of next year the Greens will hold the balance of power in the Australian Senate. Their success in the Senate and in winning a seat in the House of Representatives has given them momentum. They now threaten to broaden their influence in state elections in Victoria and in New South Wales. This success has largely happened by default. There is certainly a small hardcore of Greens support that roughly equates to the disenchanted left of the Labor Party and those to the left of the left of Labor, but it is my firm belief that the relatively large vote for the Greens at the last federal election was in general not so much a vote of confidence in the policies of the Greens as a vote against both the coalition and, especially, the Labor Party on a couple of specific issues—and we know what they were.

People simply voted for the Greens because they could not bring themselves to vote for the coalition or Labor. They thought that the Greens were a valid place to park their vote while they waited for their respective major parties to provide them with encouragement to return to the fold. The Greens were assumed to be safe because they had been around for a while, albeit as redundant and harmless fringe dwellers. To most people they had the reputation of a latter-day Australian Democrat. I urge anyone who has held or still holds that sort of attitude towards the Greens to take a hard, long look at their policies set against their new position of authority in the political life of the nation.

Greens policies are obviously blatantly the work of the extreme left. Many are full of envy and plain stupidity. Someone has to bell the cat on the Greens before it is too late. It should be Labor; it will not be Labor. Labor is too confused; Labor is too weak. If the Greens were less of a threat it would be logical for the conservative side of politics to let the Labor Party stew in its own juice, but those are not the circumstances we have. Labor’s weakness has already led to ominous concessions. The Prime Minister’s comprehensive backflip on the carbon price from no to yes within days of the August election has to be seen through the prism of Greens pressure and Greens appeasement.

A weak, rudderless, frightened Labor Party is at the beck and call of the Greens extremists inside as well as outside these walls. The danger is that it will get far worse and that even more dangerous, divisive and silly concessions will be made in the name of appeasement. That could eventually destroy Labor as a mainstream party. As tempting as it is to sit back and watch that happen, I cannot do that. Australia cannot afford to have a weak government being led by the nose by a party as dangerous as the Australian Greens. Too much damage can be done before Labor is prepared to move. The upside for this side of the chamber is that by belling the Greens we also bell Labor. As Australians finally
look at the comprehensive extremism of the Greens policies they will be shocked that a party with the strong traditions of the Labor Party is so weak.

I am pleased to see that process on our side of politics has now started. The decision by the coalition parties in Victoria to preference Labor ahead of the Greens will almost certainly end the potential that the Greens might have won four seats in Melbourne that could have given them the balance of power. As Tony Abbott said, it is much better for the conservatives to seek to win in their own right rather than suffer another hung parliament and another weak, do-nothing Labor government.

In the time available I cannot do a comprehensive job on every silly and dangerous Greens policy; I can but highlight the worst of them. The Greens want a 40 per cent reduction in greenhouse gas emissions by 2020. We were going to struggle to reduce them by five per cent on 2000 figures which is a 25 per cent cut in business as usual. Short of a crash program to build nuclear power stations there is no route to a 40 per cent reduction in greenhouse gas emissions by 2020. The very big danger is that pressure from the Greens and their fellow travellers could well lead to Australia ending up with an unsustainable, high, unilateral price on carbon via a carbon tax.

The Greens have a policy for a carbon tax as an interim measure ahead of the introduction of a carbon pollution reduction scheme. They have already established their authority on this issue by the Prime Minister’s U-turn after the election. That U-turn can only be seen as a sop to the Greens and their fellow travellers. Greens and supporters of this policy for economic suicide hold a clear simple majority on the Gillard government Multi-Party Climate Change Committee. Add pressure on the government from the internal Labor left, seething at being supplanted by the Greens, and there is immense pressure for a ridiculous outcome on a carbon price.

The Greens want a 40 per cent mining tax and they are pressing that issue right now. I can understand the appeal of that policy to a stoned, dropped-out, Brunswick hippie who does not have the slightest idea about or interest in the economic fate of the country, but I cannot comprehend that any rational Australian could support what amounts to the original proposal from Kevin Rudd to destroy the Australian mining industry. It is impossible to comprehend Bob Brown’s personal call for a 50 per cent tax. The Green’s policy, let alone Brown’s policy, would topple the foundation of Australia’s economy. The none-too-subliminal message here is: that is exactly what the Greens want to do. It is what their carbon policy is aimed at. It is what their mining tax policy is aimed at. The Greens want the renewable energy target expanded from the current 20 per cent to 30 per cent. This comes just as people are at last waking up to the fact that Labor’s 20 per cent target represents a phenomenal waste of money—wasted in the name of populism.

The flaws in the solar rebate program have now been comprehensively exposed, yet the Greens’ policy and a Greens-sponsored private member’s bill call for a German-style system of gross feed-in tariffs—not just for solar—across the renewables sector across the country. Never mind that it is now widely recognised that power prices in Australia are set to double, and possibly triple, over the next few years because of other factors—which highlights the stupidity of adding to those price pressures through inefficient, highly expensive, renewable projects. And never mind that Germany, the country the Greens hold up as the model for this sort of action on renewables, has the second highest power prices in Europe and the second highest power taxes in Europe.
Only Denmark, with its massive reliance on wind power, has higher power prices and higher power taxes.

In industrial relations, the Greens want full restoration of union power in the workplace. They want to abolish the private health insurance rebate. That would add massively to the burden on public hospitals as people who cannot afford to contribute to their health care stop doing so. Labor is already moving to appease the Greens by flagging legislation to reduce the rebate. The Greens want an effective decriminalisation of personal drug use, with government funded shooting galleries, including the provision of heroin. They want open community detention for asylum seekers, and they already have that. They want to pull Australia out of ANZUS, which would be an effective end to the military alliance with the US. They want to increase global governance, with a much more powerful United Nations. They want to dramatically cut funding to non-government schools—not just the richest schools; all non-government schools. They want to end the diesel fuel rebate for the transport industry, for farmers and for fishermen. This will drive up the cost of goods massively. They want to ban new coal mines, even extensions to existing coal mines. They do not want to see refurbishment of coal-fired generators. The Greens would ban exploration for uranium resources, ban uranium mining and ban uranium exports. They want to keep company tax rates high, at 33 per cent. They want to restore capital gains taxes. They want to make the entire Coral Sea a no-take zone. More than that, they want to shut down 30 per cent of Australian territorial waters to all forms of fishing, and they want the states to carry no-take zones to the shoreline.

These are just some of the worst examples of policy making by the Greens. There are many more. Some of those mentioned here, and some not mentioned here, are so extreme that the Labor Party will simply not be able to entertain them, even if they want to. Others, especially where they intersect with views held within the left of the Labor Party, may well see the light of day if the moderates in the Labor Party do not find their soul and Labor maintains the current policy of appeasement.

Some of the decisions the Labor Party may be capable of making, as elements of this appeasement, could do extreme damage to the Australian economy. Make no mistake; the Greens are the left. They are socialists. Their policies are mostly puerile, the stuff you would expect from a socialist political club at a university. Their policies are totally uncosted. They are, for the most part, utter nonsense, but they are a very, very dangerous form of nonsense and, given the weakness of the government they will shortly have in the palm of their hand, they could well make a nonsense of this country.

Senate adjourned at 8.27 pm

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

Commissioner of Taxation—Public Rulings—


Product Rulings—


Taxation Determinations—

Addendum—TD 2006/51.

Notices of Withdrawal—TD 10, TD 93/48 and TD 93/70.
Tabling

The following government documents were tabled:

Airservices Australia—Report for 2009-10.
Australia Business Arts Foundation Ltd—Financial statements for 2009-10.
Australian Broadcasting Corporation (ABC)—Report for 2009-10.
Australian Centre for International Agricultural Research (ACIAR)—Report for 2009-10.
Australian Competition and Consumer Commission (ACCC)—Report for 2009-10, including report of the Australian Energy Regulator (AER).
Telecommunications reports for 2008-09—Report 1: Telecommunications competitive safeguards; Report 2: Changes in the prices paid for telecommunications services in Australia.
Australian Customs and Border Protection Service—Report for 2009-10.
Australian Fisheries Management Authority—Report for 2009-10.
Australian Pesticides and Veterinary Medicines Authority—Report for 2009-10.
Australian Strategic Policy Institute Limited (ASPI)—Report for 2009-10.
Commonwealth Director of Public Prosecutions—Report for 2009-10.
Defence Housing Australia (DHA)—Report for 2009-10.
Department of Resources, Energy and Tourism—Report for 2009-10, including report of Geoscience Australia.
Department of Veterans’ Affairs—Data-matching program—Report on progress 2008-10.
Executive Director of Township Leasing—Report for 2009-10.
Grains Research and Development Corporation (GRDC)—Report for 2009-10.
Health Workforce Australia—Report for the period 22 July 2009 to 30 June 2010.
Insolvency and Trustee Service Australia—Report for 2009-10.
Mid-year economic and fiscal outlook—2010-11—Statement by the Treasurer (Mr Swan) and the Minister for Finance and Deregulation (Senator Wong).
Migration Act 1958—Reports for the period 1 March to 30 June 2010—
   Section 91Y—Protection visa processing taking more than 90 days.
   Section 440A—Conduct of Refugee Review Tribunal reviews not completed within 90 days.
National Archives of Australia—Report for 2009-10, including report of the National Archives of Australia Advisory Council.
Outback Stores Pty Ltd—Report for 2009-10.
Productivity Commission—
   Report for 2009-10.
   Report No. 51—Wheat export marketing arrangements, dated 1 July 2010.
Repatriation Commission, Military Rehabilitation and Compensation Commission and the Department of Veterans’ Affairs—Report for 2009-10, including financial statements of the Defence Service Homes Insurance Scheme.
Reserve Bank of Australia—Reports for 2009-10—
   Annual report.
   Equity and diversity.
   Payments System Board.
Royal Australian Navy Central Canteens Board (RANCCB)—Report for 2009-10.
Skills Australia—Report for 2009-10.
Special Broadcasting Service Corporation (SBS)—Report for 2009-10.
Torres Strait Regional Authority—Report for 2009-10.
Workplace Authority—Report for the period 1 July 2009 to 31 January 2010 [Final report].
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Innovation, Industry, Science and Research: Accommodation**

(Question No. 31)

**Senator Humphries** asked the Minister for Innovation, Industry, Science and Research, upon notice, on 28 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 Carr**—The following answer to the honourable senator’s question is as follows:

<table>
<thead>
<tr>
<th>Department / Agency</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Innovation, Industry, Science and Research (DIISR)</td>
<td>New or additional office accommodation is anticipated to be required by the department in the next 2 years. In Canberra the department is proposing to relocate approximately 189 staff of which 122 will be to an existing premises and 67 will be to a new premises. Outside of the ACT the department is proposing to relocate approximately 239 staff and these will be to new premises.</td>
</tr>
<tr>
<td>The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)</td>
<td>The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) building is nearing capacity in terms of staff and storage. The Institute’s Corporate Strategy suggests that our future structure and activities will dictate an expansion to accommodation for approximately 15 staff.</td>
</tr>
<tr>
<td>The Australian Institute of Marine Science (AIMS)</td>
<td>The Australian Institute of Marine Science (AIMS) does not anticipate that new or additional office accommodation may be required in the next two years.</td>
</tr>
<tr>
<td>The Australian Nuclear Science and Technology Organisation (ANSTO)</td>
<td>Yes. As part of the Australian Nuclear Science and Technology Organisation’s (ANSTO) overall site development plan, ANSTO plans to construct a number of facilities at the Lucas Heights site over the next two years. These include three works which were recently approved by the Public Works Committee (report tabled on 21 June 2010). These facilities will incorporate new office accommodation, with the completion of some of these new facilities resulting in a number of old facilities being demolished. No new or additional accommodation will be required in Canberra.</td>
</tr>
<tr>
<td>The Australian Research Council (ARC)</td>
<td>In October 2010 the Australian Research Council (ARC) consolidated its lease accommodation from a variety of leases to one lease. The overall leased accommodation has been reduced and has improved the ARC’s tenancy footprint.</td>
</tr>
<tr>
<td>The Commonwealth Scientific and Industrial Research Organisation (CSIRO)</td>
<td>CSIRO expects to accommodate its staff within its existing properties, including Canberra properties. Staff located at the CSIRO Campbell site will be relocated to the CSIRO Black Mountain site over the next two years. This will involve some minor building works and refurbishment at the Black Mountain site.</td>
</tr>
</tbody>
</table>
IP Australia: IP Australia does not anticipate that new or additional office accommodation may be required in the next two years.

Office of the Chief Scientist (OCS): The Office of the Chief Scientist (OCS) does not anticipate that any new or additional office accommodation may be required in the next two years.

*Please note that the Anglo-Australian Telescope Board (now the Australian Astronomical Observatory, AAO) became a Division of the Department of Innovation, Industry, Science and Research on 1 July 2010 and is included in the Departmental response.

**Small Business: Accommodation**

(Question No. 45)

Senator Humphries asked the Minister for Small Business, upon notice, on 28 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 Sherry—The answer to the honourable senator’s question is:

Please refer to the Department of Innovation, Industry, Science and Research response to the Senate Parliamentary Question on Notice 31.